

**MINUTES**  
**IOWA LEGISLATIVE COUNCIL**  
February 16, 1994

**PRELIMINARY BUSINESS**

The eighth meeting of the 1993-1994 Iowa Legislative Council was called to order by Chairperson Senator Wally Horn at 12:25 p.m., Wednesday, February 16, 1994, in Room 22, State House, Des Moines, Iowa. Members present, in addition to Chairperson Horn, were:

Speaker Harold Van Maanen, Vice Chairperson  
Senator Leonard Boswell  
Senator Florence Buhr  
Senator Jim Lind  
Senator Derryl McLaren  
Senator Larry Murphy  
Senator William D. Palmer  
Senator Jack Rife  
Senator Maggie Tinsman  
Representative Bob Arnould  
Representative Clifford O. Branstad  
Representative Ron J. Corbett  
Representative Teresa Garman  
Representative Pam Jochum  
Representative Wayne McKinney  
Representative Michael K. Peterson  
Representative Richard Vande Hoef

Also present during all or part of the meeting were: Ms. Diane Bolender, Director, Mr. Richard Johnson, Deputy Director, and Mr. John Pollak, Committee Services Administrator, Legislative Service Bureau; Mr. Dennis Prouty, Director, and Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Mr. Sandy Scharf, Director, Computer Support Bureau; Ms. Liz Isaacson, Chief Clerk of the House; Ms. Cynde Clingan, Assistant Secretary of the Senate; Mr. Greg Nichols, Senior Administrative Assistant; Ms. Maryjo Welch, Administrative Assistant; Mr. Mark Brandsgard, Senior Administrative Assistant; Mr. Warren Fye, House Republican Staff Director; Ms. Paulee Lipsman, House Democratic Staff Director; Mr. Thane R. Johnson, Senior Research Analyst, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

**ROLL CALL AND MINUTES**

Chairperson Horn stated that the roll was taken as the members arrived and that a quorum was present.

Senator Boswell moved that the minutes of the December 1, 1993, meeting be approved as submitted. The motion was adopted.

#### REPORT OF THE SERVICE COMMITTEE

Chairperson Horn recognized Speaker Van Maanen for the Report of the Service Committee. Speaker Van Maanen stated that the Committee recommends that the Legislative Council accept a proposal of the Policy Economics Group, KPMG Peat Marwick, for a salary projection model at a cost not to exceed \$200,000, to be paid as a joint expense, and that rules of procedure submitted by the Office of Citizens' Aide/Ombudsman be received, filed, and referred to the Administrative Rules Review Committee. He also stated that the Committee recommends the promotion of Ms. Virginia Rowen and has received and filed personnel reports from the central legislative staff agencies.

In response to a question by Senator Tinsman, Mr. Prouty replied that the purpose of the salary model is to assist the Legislative Fiscal Bureau and the Department of Management in determining personnel costs. He added that the model will assist in compiling collective bargaining data and providing long-range projections on salary costs.

There being no further questions, Speaker Van Maanen moved the adoption of the Report of the Service Committee. The motion was adopted. A copy of the memorandum regarding the salary model from Mr. Prouty is filed in the Legislative Service Bureau. A copy of the Report of the Service Committee is attached to, and by this reference made a part of, these minutes.

#### REPORT OF THE FISCAL COMMITTEE

Chairperson Horn recognized Senator Murphy for the Report of the Fiscal Committee. Senator Murphy stated that the Committee met on December 22 and received fiscal information on a number of topics. He added that the Committee received an update on a report by the Department of Management regarding the State Board of Regents Institutions salaries impact for the 1994-1995 fiscal biennium and the status of the request for proposal for the salary model. He stated that the Committee received other information as outlined in the Committee Report. He concluded by stating the Committee made no recommendations at its meeting.

Senator Murphy moved the adoption of the Report of the Fiscal Committee. The motion was adopted. A copy of the Report of the Fiscal Committee is attached to these minutes.

#### CRITICAL INFRASTRUCTURE NEEDS STUDY PROPOSAL

Chairperson Horn recognized Senator Palmer for a proposed Legislative Council Resolution relating to a legislative study of the infrastructure needs in Iowa. Senator Palmer reviewed the testimony and discussions of the Critical Infrastructure Needs Study Committee which held one meeting during the 1993 interim. He stated that testimony from the State Board of Regents, various state agencies with infrastructure inventories, and representatives of local governments indicated the substantial size and serious deficiencies of the public infrastructure. In reply to a question by Representative Corbett, Senator Palmer replied that it will be a

formidable task to obtain a systematic inventory of the horizontal and vertical infrastructure in the state, particularly related to local government. He added that the principal state agencies having infrastructure inventories, the State Board of Regents, Department of Transportation, Department of Defense, and Department of General Services, have inventories and cost estimates, but this is not true for local governments.

In reply to a question by Senator Buhr, Senator Palmer replied that request for \$30,000 to complete the scope of the study may not be sufficient but that the dollars dedicated to the study would enable the Legislature to get a good start on the systematic assessment of infrastructure needs. Senator Tinsman commented that counties and cities report bridge and road information to the Department of Transportation which should be readily available.

In reply to a comment by Representative Vande Hoef about a previous study of infrastructure compiled by the Iowa Advisory Commission on Intergovernmental Relations (ACIR), Ms. Bolender stated that past reports and studies by the Iowa ACIR are available in the library of the Legislative Service Bureau.

Senator McLaren stated that the focus of the study should be narrowed from what is stated in the proposed resolution. He added that the consultant should concentrate on items 1, 2, and 5, and the remainder of the topics should be addressed by the General Assembly after receipt of the information relating to inventories, values, and revenue sources.

Representative McKinney stated that he supports the proposed resolution and study because an inventory, value estimate, and needs assessment are needed. He added that obtaining a reasonable inventory alone is justification for the study cost.

After further discussion, Senator McLaren moved to strike items 3, 4, 6, and 7 from the scope of the proposed study. Senator Palmer responded that he disagrees with the motion. He added that the General Assembly should hear the consultant's recommendations concerning a needs priority list for infrastructure, 10-year needs assessments, and funding proposals even though the recommendations need not be followed by the General Assembly. Representative Garman stated that she supports the amendment because the original scope of the study does not seem realistic compared to the study cost.

After further discussion, Senator McLaren moved the adoption of his amendment. The motion failed on a voice vote.

Senator Lind asked if the Legislative Council intends to create an interim study to oversee the consultant's work. Chairperson Horn responded that a study committee may be established next interim, but another committee may not be needed. Vice Chairperson Van Maanen also stated that an interim committee could be established if it is determined to be necessary. After further discussion, Senator Lind moved to amend the proposed resolution to remove reference to a study committee. The motion was adopted.

There being no further comments, Senator Palmer renewed his motion to adopt the resolution. The motion was adopted. A copy of the resolution, as amended, is attached to these minutes.

### REVIEW OF COURT RULES

Chairperson Horn recognized Ms. Bolender for a brief review of the proposed Court Rule changes submitted to the Legislative Council. Ms. Bolender stated that the Iowa Supreme Court has submitted three proposed amendments to the Iowa Rules of Civil Procedure. After review, Speaker Van Maanen moved that the proposed changes to the Iowa Rules of Civil Procedure be received and filed without objection. The motion was adopted unanimously. A copy of the memorandum is attached to these minutes.

### ACKNOWLEDGEMENT OF PRESIDENTIAL LETTER

Chairperson Horn acknowledged receipt of correspondence from President Bill Clinton regarding federal flood relief for Iowa. A copy of the letter is on file in the Legislative Service Bureau.

### DJOURNMENT

There being no further business to come before the Council, Senator Boswell moved that the Legislative Council adjourn at 12:55 p.m. The motion was adopted.

Respectfully submitted,

MS. DIANE E. BOLENDER  
Director

MR. THANE R. JOHNSON  
Senior Research Analyst

### ***ATTACHMENTS***

- 1. Report of the Service Committee*
- 2. Report of the Fiscal Committee*
- 3. Critical Infrastructure Needs Resolution (Amended)*
- 4. Proposed Court Rule Changes Memorandum*