

M I N U T E S

IOWA LEGISLATIVE COUNCIL

June 11, 1969

The first meeting of the 1969-1971 Legislative Council was called to order by Speaker of the House William H. Harbor, acting as temporary chairman, at 10:20 a.m., Wednesday, June 11, 1969 in Senate Committee Room 24, State House, Des Moines, with the following members present:

Lt. Governor Roger W. Jepsen
Senator James E. Briles
Senator Andrew G. Frommelt
Senator Eugene M. Hill
Senator Elmer F. Lange
Senator Seeley G. Lodwick
Senator Arthur A. Neu
Senator George E. O'Malley
Senator David M. Stanley
Representative Dale M. Cochran
Representative William J. Gannon
Representative Ralph F. McCartney
Representative Charles P. Miller
Representative Leroy S. Miller
Representative Nathan F. Sorg
Representative Andrew Varley

Also present were Legislative Service Bureau Director Serge H. Garrison, Philip E. Burks of the Bureau staff, and a number of representatives of the news media.

It was noted that House File 390 of the Sixty-third General Assembly, establishing the Legislative Council in place of the former Legislative Research Committee, had as of the present date been published in only one of the two newspapers specified in the publication clause. Therefore, House File 390 was not yet officially in effect, however it was anticipated that the bill would be published in the second newspaper on the day following the present meeting. Speaker Harbor stated that unless there were objections by Council members, the meeting would proceed in the same manner as if House File 390 were already in effect. No objection was expressed.

Speaker Harbor stated that the first order of business would be the election of a permanent chairman of the Legislative Council. Senator Lange nominated Lt. Governor Jepsen for Chairman of the Council.

Lt. Governor Jepsen expressed appreciation for the honor of being nominated for Chairman of the Legislative Council. However, he stated that he believes strongly in a strict separation

of the powers and prerogatives of the legislative, executive, and judicial branches of government, and that he therefore deemed it necessary to respectfully decline the nomination in order to avoid establishing a possibly improper precedent.

Senator Stanley nominated Senator Lodwick for Chairman of the Council. Representative Gannon nominated Senator Neu for Chairman of the Council.

Senator Neu asked unanimous consent to withdraw his name from consideration for the office of Chairman of the Council. Representative Gannon objected. Senator Neu moved that his name be withdrawn from consideration for the office of Chairman of the Council. The motion was adopted.

Senator Stanley moved that the nominations be closed and that the secretary be instructed to cast a unanimous ballot for Senator Lodwick as Chairman of the Council. The motion was unanimously adopted.

Senator Lodwick assumed the chair, and inquired if there were any objections to the tentative agenda prepared for the meeting by Mr. Garrison. No objections being expressed, Chairman Lodwick stated that the tentative agenda would be followed with the understanding that other matters may be brought up as Council members deem necessary.

The next order of business was the election of a Vice Chairman of the Council. Representative Varley nominated Representative McCartney for Vice Chairman. Representative Gannon nominated Representative Charles Miller for Vice Chairman.

Representative Harbor moved that the nominations cease. The motion was unanimously adopted.

Senator Frommelt pointed out that the Legislative Research Committee was enlarged from its original six members to sixteen members, including the majority and minority party leadership of both houses, in 1965, and that the new Legislative Council follows the same pattern in its makeup. In each of the interims since 1965 the Chairman and Vice Chairman of the Legislative Research Committee have been members of different political parties, and Senator Frommelt stated he feels it is very important that this tradition be continued. He added that he firmly supports the concept that the majority party in each house should control the standing committees of that house, but the Legislative Council is different in organization and function from a standing committee.

Senator Stanley expressed the view that the new Legislative Council has broader powers and responsibilities than did the Legislative Research Committee. He added that with the adoption of annual

legislative sessions, the length of the interim period between sessions is greatly reduced and it therefore becomes vital that the Legislative Council insure that functions of the General Assembly which must be carried out in the interim proceed effectively and efficiently. Senator Stanley stated that for these reasons he believes it is necessary and proper that both the Chairman and Vice Chairman of the Legislative Council be members of the majority party, but declared that there is no intent to make the Council anything other than a bipartisan committee.

After further discussion, Senator Frommelt requested that the election of the Vice Chairman of the Council be by oral roll-call vote. No objection being expressed, it was so ordered. Representative McCartney was elected Vice Chairman by a vote of nine to five, with Representatives McCartney and Charles Miller abstaining.

Senator Stanley moved that the Director of the Legislative Service Bureau be designated secretary of the Legislative Council, with the understanding that he may delegate to members of the Bureau staff such duties of the Office of Council Secretary as he deems necessary or desirable. The motion was unanimously adopted.

The Council then proceeded to the adoption of permanent rules. Mr. Garrison presented a list of eight proposed rules, explaining that they are based on the rules and operation of the 1967-69 Legislative Research Committee.

The first proposed rule was tentatively approved without discussion as follows:

1. Nine members shall constitute a quorum.

With respect to proposed Rule 2, Senator Hill pointed out that the rules of the previous Legislative Research Committee had provided that when the full membership was not present for a meeting as few as seven of the sixteen members of the Committee could constitute a majority on any question. He suggested that in view of the broadened powers of the new Legislative Council, particularly with regard to expenditure of substantial amounts of money for certain purposes, no less than a majority of the full membership of the Council should be able to decide any question other than adjournment or recess. After some discussion, Senator O'Malley moved to strike from line two of proposed Rule 2 the word "seven" and insert in lieu thereof the word "nine". The motion was adopted, and proposed Rule 2 was tentatively approved as follows:

2. Majority vote of those present is necessary to carry any action, but not less than nine votes in any instance shall be considered a majority except on adjournment or recess.

Following a brief discussion of the applicability of Mason's Manual of Legislative Procedure to the proceedings of the Legislative Council, as opposed to Robert's Rules of Order, proposed Rule 3 was tentatively approved as follows:

3. Whenever Mason's Manual of Legislative Procedure does not conflict with the rules specifically adopted by the Council, Mason's Manual of Legislative Procedure shall govern the deliberations of the Council.

Senator Hill expressed objection to proposed Rule 4, because it could permit a Council member to vote on a substantive question without benefit of hearing the discussion on the question. In response to an inquiry from the Chair, Council members agreed that the proposed rule should be interpreted as requiring a Council member to be present for at least some portion of any given meeting in order to exercise the right of leaving a written vote with the Council Secretary on any question to be decided at that particular meeting. Senator Frommelt then moved to strike from line two of proposed Rule 4 the word "session" and insert in lieu thereof the word "meeting". The motion was adopted, and proposed Rule 4 was tentatively approved as follows:

4. Whenever a member is obliged to leave a meeting and desires to register his vote on any question presented at that meeting, he may do so in writing, recording the same with the secretary.

Senator Stanley said that he had no objection to proposed Rule 5, but pointed out that the last sentence of section 35 of House File 390 requires the Council to "hold regular meetings". It was suggested that possibly the Council should establish a certain day and week of each month for a regular meeting, but several Council members remarked that past experience indicates such a policy is not practical. It was agreed that reminder letters and reply cards will be mailed to Council members prior to each meeting, even though the meeting date may have been established by motion at the previous meeting. Proposed Rule 5 was tentatively approved without further discussion as follows:

5. Meetings shall be set by motion before adjournment, or by call of the Chairman of the Council with the approval of the Vice Chairman if meetings are necessary before the date set in the motion.

Proposed Rule 6 was tentatively approved without discussion as follows:

6. Rules may be changed by a majority vote of the Council as provided in Rule 2.

Mr. Garrison explained that the first paragraph of proposed Rule 7, authorizing the Chairman and Vice Chairman of the Council to suggest to the full Council the membership and chairmen of study committees, is repeated from the rules of the 1967-1969 Legislative Research Committee. The second paragraph of proposed Rule 7, authorizing as an alternative procedure the establishment of a subcommittee of the Council to recommend to the Council the membership and chairmen of study committees, has been added because this is the practice which was actually followed by the previous Legislative Research Committee.

There was considerable discussion of proposed Rule 7. Several possible changes were suggested, but it was decided to defer action on this particular rule until the afternoon session of the present meeting in order to permit the proposed rule to be rewritten during the noon hour.

Representative Gannon requested that in rewriting proposed Rule 7, provision be made for minority party members of the Council to name at least one member of any subcommittee appointed pursuant to the proposed rule. He explained that Rule 7 of the 1967-1969 Legislative Research Committee, providing for the Chairman and Vice Chairman to suggest to the full Committee membership and chairmen of standing committees, had assured that both parties would be represented in drawing up proposed membership lists for study committees. Since both the Chairman and Vice Chairman of the new Legislative Council would represent the majority party, Representative Gannon expressed belief that specific provision should be made for representation of the minority party on any subcommittee established to suggest to the full Council membership and chairmen for study committees.

Some Council members questioned whether there is any need for proposed Rule 8, providing for the Council to establish subcommittees to carry out the duties of the Council and delegate authority to such subcommittees. Senator Frommelt suggested that the Council would have such authority in any case and that individual subcommittees could be created and authority delegated to them as the need arises. Senator Stanley expressed partial agreement with Senator Frommelt, and moved to amend proposed Rule 8 by striking all after the word "meeting" in the second sentence and inserting in lieu thereof a period. The motion was adopted, and proposed Rule 8 was then tentatively approved as follows:

8. The Council may create subcommittees for the purpose of carrying out the duties of the Council and may delegate such authority as the Council may desire to the subcommittees. The actions of the subcommittees shall be reported to the Council at each meeting.

Senator Stanley then moved that proposed Rules 1 through 6, inclusive, and proposed Rule 8 be finally adopted in the form in which they were tentatively approved. The motion was adopted unanimously. A copy of the rules of the 1969-1971 Legislative Council is attached to and by this reference made a part of these minutes.

Pursuant to the agenda, Chairman Lodwick next called upon Mr. Garrison for a review of some of the provisions of House File 390. Mr. Garrison suggested that the parts of House File 390 which are perhaps of greatest significance or interest for members of the Legislative Council at this time are:

- Sec. 14, specifically the third paragraph relating to appropriation of funds for the renovation, remodeling, or preparation of the legislative chambers, offices, or other areas or facilities used or to be used by the legislative branch, and for purchase of legislative equipment and supplies as deemed necessary.
- Sec. 16, relating to meetings of standing committees when the General Assembly is not in session.
- Sec. 17, relating to the duties of standing committees.
- Sec. 18, relating to prefiling of bills in advance of any session of the General Assembly. Mr. Garrison suggested that the Council consider the formulation of rules to implement section 18 prior to the second regular session of the Sixty-third General Assembly.
- Secs. 35 and 36, establishing the Legislative Council and prescribing its powers and duties. Mr. Garrison particularly pointed out the authority of the Council to establish priority for carrying out requested research work, and to allocate Legislative Service Bureau staff among the various standing committees and special interim study committees which may be functioning at any given time.
- Sec. 45, providing for the Legislative Service Bureau to assist standing and special interim study committees in various specified ways, as authorized by the Legislative Council.

Chief Clerk of the House William Kendrick and Secretary of the Senate Carroll Lane arrived at the meeting at 11:30 a.m. At the suggestion of Chairman Lodwick, the remaining items on the Council's agenda were deferred until later in the day, in order to proceed immediately to a brief discussion of the method of paying legislators for authorized committee work during the forthcoming interim. It was agreed that the Council would then devote the balance of the morning session to preparation for the scheduled afternoon meeting with the chairmen of the several standing committees of the Senate and House.

Mr. Kendrick and Mr. Garrison explained that they have discussed with the State Comptroller the best method of paying legislators for interim work. Since the Comptroller already has a complete legislative payroll established, he would prefer to continue using this same payroll for payment of per diem and reimbursement of expenses to legislators serving on interim committees. This procedure will not only expedite payment of per diem and reimbursement for expenses which are due legislators, but will avoid duplication and thus allow each legislator to receive only one W-2 form from the state for all pay received for legislative service.

In order to implement this arrangement, it is intended that the Legislative Service Bureau personnel will distribute vouchers at each legislative committee meeting during the interim for which Bureau personnel provide staff services, ascertain attendance at the meeting, and collect the vouchers and forward them to the Chief Clerk's office for final processing. Mr. Kendrick emphasized that his office and the Comptroller's office will be cooperating in providing this service to legislators engaged in interim work, but that neither the Chief Clerk's office nor the Comptroller's office will approve or disapprove the claims of legislators for per diem pay and reimbursement for expenses. The actual approval or disapproval of such claims is a function of the Legislative Council.

In reply to a question, Mr. Lane said he has no objections to procedure suggested by Mr. Kendrick and Mr. Garrison. He added that it is reasonable to process the per diem and reimbursement claims of senators as well as representatives through the Chief Clerk's office, because the House payroll clerk is to be retained through the interim but the Senate payroll clerk has not been retained.

Representative Gannon inquired whether payment of per diem and reimbursement for expenses to members of the Budget and Financial Control Committee will also be handled through the Chief Clerk's office. Mr. Kendrick replied that this is a matter for the members of the Budget and Financial Control Committee to

determine, but that the service is available if it wishes to make use of it.

Representative Leroy Miller moved that the Legislative Council authorize the Chief Clerk's office and the Legislative Service Bureau to implement the centralized accounting procedure for payment of per diem and reimbursement for expenses of legislators serving on interim committees in the manner described by Mr. Kendrick and Mr. Garrison. The motion was unanimously adopted.

Chairman Lodwick pointed out that the Council was scheduled to meet with chairmen of the standing committees of the Senate and House at 1:30 p.m. He noted that the afternoon session of the meeting would be held in Senate Committee Room 22, since Room 24 does not have sufficient space for all of the persons expected to attend the afternoon session.

Senator Neu suggested that the chairmen of the standing committees be requested to submit in writing, to the Council through the Service Bureau, information on the number and purpose of meetings of their standing committees which it is believed should be held during the present interim, the purposes for which the meetings are to be held, and the projects to be undertaken by the standing committees during the interim. He added that if the Council approves one or more meetings of any given standing committee, the standing committee still must clear the exact date of each meeting with the Legislative Service Bureau in order to assure that there will be staff personnel and a meeting room available for the committee.

Senator Stanley endorsed Senator Neu's suggestions, and moved that each standing committee chairman be requested to submit in writing prior to the next meeting of the Legislative Council a proposed interim program for his committee for the period prior to the convening of the next regular session of the General Assembly. There was some discussion of whether the proposed interim program for each standing committee should be prepared by the committee chairman alone, by the committee chairman and the ranking member, or by the full standing committee, but no conclusions were reached on this point.

Concern was expressed by Representative Cochran that some standing committee chairmen who do not have any significant projects to undertake at this time might feel it necessary to suggest make-work projects in order to avoid the possibility that their committees would be excluded from holding more than one meeting during the interim. Senator Neu replied that it should be emphasized to the standing committee chairmen that if a need for work by a standing committee on a particular project, which is not presently foreseen, arises later in the interim the Council will be prepared to give consideration to such need at that time.

Senator Stanley's motion was adopted unanimously. It was agreed that the Chairman, Vice Chairman, and Secretary of the Council should meet during the noon hour to work out procedure for the afternoon session.

The meeting was recessed at 12:00 Noon, and reconvened in Senate Committee Room 22 at 1:40 p.m. with all persons present who had been present during the morning session. Also attending the afternoon session were the following chairmen and ranking members of Senate and House standing committees:

Senator Charles F. Balloun, Conservation and Recreation
Senator W. Charlene Conklin, Schools
Senator Leigh R. Curran, Iowa Development
Senator Lucas J. DeKoster, Judiciary
Senator Joseph B. Flatt, Higher Education
Senator Jim Griffin, Commerce
Senator Ernest Kosek, Social Services
Senator Vernon H. Kyhl, Law Enforcement
Senator Clifton C. Lamborn, Transportation
Senator J. Henry Lucken, Human and Industrial Relations
Senator Francis L. Messerly, Appropriations
Senator Roger J. Shaff, Ways and Means
Senator Richard L. Stephens, Agriculture
Senator John M. Walsh, Cities and Towns
Representative Ray C. Cunningham, Cities and Towns
Representative Elmer H. Den Herder, Ways and Means
Representative Harold O. Fischer, Commerce
Representative William Hill, Judiciary
Representative Edgar H. Holden, Social Services
Representative Lester L. Kluever, Higher Education
Representative Floyd H. Millen, Human and Industrial Relations
Representative Alfred Nielsen, Law Enforcement
Representative Louis A. Peterson, County Government
Representative Charles F. Strothman, Agriculture
Representative William P. Winkelman, Iowa Development

Immediately upon reconvening, Chairman Lodwick requested that Senator Stanley present the revised version of proposed Rule 7 of the Legislative Council. Senator Stanley did so, and moved final adoption of Rule 7 as rewritten.

Representative Gannon objected to the revised version of the proposed rule. He reiterated his earlier request that the rule provide for representation of the minority party on any subcommittee established to recommend membership and chairmen of study committees, with the minority party representative to be selected by the minority party members of the Council. Senator Stanley stated he is opposed

to Representative Gannon's suggestion but added that the minority party will certainly be consulted about the membership of any study committees which may be established by the Council.

Senator Hill moved to amend the proposed Rule 7 so as to specify that any subcommittee established to suggest the membership and chairmen of study committees shall include the minority floor leaders of the Senate and House of Representatives. Senator Neu pointed out that Senator Hill's proposal would in effect require that any subcommittee be composed of the Council Chairman and Vice Chairman and the two minority floor leaders, and that if it were desired to include additional Council members on the subcommittee it would be necessary to increase the size of the subcommittee to more than four members. He therefore moved as a substitute for the Hill motion that proposed Rule 7 be revised to provide that either the Chairman or Vice Chairman of the Council should be a member of any subcommittee established to suggest the membership and chairmen of study committees, and also that a requirement be added to the proposed rule that any such subcommittee include members of both political parties.

Representative Gannon raised a point of order that while Senator Neu could properly move to amend Senator Hill's amendment, he was out of order in moving to substitute one amendment for another. The Chair ruled the point not well taken.

Senator Stanley requested division of Senator Neu's motion, the portion which would change the wording of the rule as proposed to be division I and the portion which would add an additional provision to the proposed rule to be division II. Representative Gannon objected to the division, but the Chair ruled the motion could be divided and it was so ordered.

Representative Gannon then made the following parliamentary inquiry: What would be the effect of the adoption of only one of the two divisions of the Neu substitute for the Hill amendment to proposed Rule 7? The Chair replied that if either division of the Neu substitute were adopted, it would be regarded as having been adopted as a substitute for the Hill amendment.

Voting by show of hands, the Council defeated division I of the Neu substitute for the Hill amendment, and adopted division II. Proposed Rule 7, as amended, was then finally adopted as follows:

7. The Council upon its motion may create a subcommittee to suggest the membership and chairmen of some or all study committees. The Chairman and Vice Chairman of the Council shall be members of such subcommittee. The subcommittee shall include members of both political parties.

In any situation where the preceding sentence does not apply, the Chairman and Vice Chairman shall suggest to the Council the membership and chairman of each study committee authorized.

All appointments suggested to the Council under this rule shall be approved as provided in Rule 2.

Chairman Lodwick then called on Representative McCartney to present to the standing committee chairmen a summary of the policy which the Council intends to follow with regard to interim work by standing and study committees. Representative McCartney spoke for several minutes, emphasizing the following points:

- a. The chairman of each Senate and House standing committee is requested to submit to the Legislative Council prior to its next meeting, on forms to be provided by the Legislative Service Bureau, information regarding the goals which the chairmen believe their committees should achieve or work toward during the interim, the number of meetings which it is believed should be held by each standing committee during the interim, the frequency of such meetings, and the purposes for each meeting.
- b. It is the prerogative of the chairman of each standing committee to decide how the information which the Legislative Council is requesting should be prepared. This may be done by the chairman in consultation with the ranking member of his committee, with chairmen of subcommittees of his committee, or through a meeting of some or all members of the standing committee. Under House File 390, each standing committee may hold one meeting during each interim without authorization from the Legislative Council.
- c. The purpose of submitting the requested information to the Legislative Council is to inform the Council what each standing committee believes should be accomplished in its area of responsibility during the interim. While there is some degree of uncertainty in organizing to provide necessary staff services and facilities for conduct of interim legislative work during this first interim between annual sessions, it is apparent that conducting the studies requested or directed by the several resolutions adopted by both houses of the General Assembly will place a heavy demand upon the available staff resources of the Legislative Service Bureau, and therefore the amount of staff help which can be provided to standing committees for interim work will obviously be limited.

- d. In the interest of efficiency, the Council strongly encourages the selection of projects of a relatively limited scope, the scheduling of joint meetings of counterpart standing committees of the Senate and House of Representatives, and the utilization of subcommittees rather than the full membership of the standing committees in conducting interim projects.
- e. Once the holding of a meeting or series of meetings by a standing committee during the interim has been approved by the Legislative Council, it will be necessary for the chairman of the standing committee involved to clear each individual meeting date with the Director of the Legislative Service Bureau in order to assure that a meeting room and the necessary staff assistance will be available on the date for which the meeting is called.
- f. It is quite likely that the need for work by some of the standing committees on certain problems, which is not presently apparent or does not now appear particularly serious, will arise later in the interim. The Council plans to meet often enough to take necessary action with respect to such matters, and will not automatically rule out any project which has not been proposed by a standing committee at the time of the Council's next meeting. However the Council is most desirous of having as much information as possible, at the time of its next meeting, regarding interim projects which standing committees wish to undertake.

Chairman Lodwick called upon Mr. Garrison for any additional comments he might care to make. Mr. Garrison reviewed the arrangements agreed upon by the Council during the morning session of the present meeting for payment of per diem and reimbursement for expenses to which legislators are entitled for interim work. Mr. Garrison added that within the limits of available staff personnel and policy adopted by the Legislative Council, the Service Bureau will try to have at least one staff person present for every interim meeting of a standing committee. The Service Bureau will assist with all necessary arrangements for interim meetings of standing committees, including reservation of meeting rooms, notification of committee members, and arrangements with individuals or agencies whom the standing committee desires to have present or represented at any meeting. Staff assistance will also be provided to the fullest extent possible for drafting or amending bills for standing committees, as well as in making a sufficient number of copies of the draft material available to members of the standing committee and other interested parties.

Chairman Lodwick then invited questions from legislators present. Representative Fischer inquired whether the Council policies and guidelines summarized by Representative McCartney will be made available to chairmen of standing committees in written form. Chairman Lodwick replied in the affirmative. Mr. Garrison added that this material will be available the first part of the week of June 16.

Senator Shaff asked for some indication of the proper size for subcommittees which might be appointed to carry out interim work for a standing committee or joint standing committee. Representative McCartney replied that the determination of the proper size for a subcommittee should be left to the discretion of the standing committee chairman or chairmen involved. Chairman Lodwick commented that the size of the subcommittee would depend to some extent on the nature of the project the subcommittee is to undertake.

Representative Peterson asked whether each standing committee chairman will be notified of each interim meeting of a standing committee, rather than just the meetings of his own committee, so it would be possible for him to attend meetings of other committees which might be of interest to him. At Chairman Lodwick's request, Mr. Garrison outlined briefly the plans for issuance by the Legislative Service Bureau of an interim informational publication. This publication will be considerably more abbreviated than the newsletters issued in previous legislative interims, and will contain much less detail about each of the meetings reported. However, it will be issued oftener, and its primary purpose will be to advise legislators of the date and general purpose of forthcoming meetings of legislative committees, rather than to report on meetings already held.

Representative Strothman inquired whether the various studies requested by resolutions adopted by both houses of the General Assembly will be handled by the Legislative Council. Chairman Lodwick replied in the affirmative, adding that the studies will be staffed by the Legislative Service Bureau and the membership of the various study committees involved will be determined by the Legislative Council or as specified in the respective resolutions.

Representative Strothman then inquired about the status of study requests contained in resolutions which passed only one house of the General Assembly. Senator Neu commented that so far as he was concerned the status of any such study request would be no different from that of a study request which had not passed either house of the General Assembly; a standing committee could propose to pursue the study in question during the interim but the Legislative Council would have to approve the proposal. Several Council members expressed agreement with Senator Neu's comment.

Senator Lamborn inquired about procedure of subcommittees of the Appropriations Committees. Chairman Lodwick referred the question to Senator Messerly, who stated that perhaps a meeting of the whole Appropriations Committee should be held to discuss the question raised by Senator Lamborn. Senator Lamborn suggested that possibly it would be unnecessary to call the full Appropriations Committee together, and that instead a meeting of the several subcommittee chairmen might be held.

Representative Varley commented that he believes Senator Lamborn's suggestion has merit. Senator Hill expressed objection, pointing out that if the meeting were limited to chairmen of subcommittees the minority party would not be represented.

Senator Messerly asked how soon it would be possible for a standing committee or a subcommittee of a standing committee to begin work on a study or interim project, once it has been decided what objectives should be pursued during the interim. Chairman Lodwick replied that the project would have to be reviewed and approved by the Legislative Council and it is hoped to hold the next meeting of the Council within thirty days after the present meeting.

Senator Messerly observed that there is great concern with the recent sizable increases in tuition at the three state universities, and expressed hope that it would be possible to begin a study or interim review of this matter with very little delay. Senator Flatt commented that possibly the Budget and Financial Control Committee, which is independent of the Legislative Council, could begin a study of tuition rates at the state universities immediately. Representative Fischer suggested that the Council might consider taking special action to authorize such a study to begin at once, since it is a particularly pressing matter.

Senator Kosek stated that he wished to inquire about the conduct of two of the interim studies requested by resolutions passed by both houses of the General Assembly. The first is the study of care and treatment afforded to the chronically ill, mentally ill, mentally retarded and handicapped in facilities licensed by the Department of Health or Department of Social Services, requested by HCR 33. The second is the study of the "Medicaid" program, requested by HCR 29. Chairman Lodwick replied that the first of the two studies referred to by Senator Kosek is assigned jointly to the Commissioner of Health and Commissioner of Social Services, rather than to a legislative body. The study of the Medicaid program will be carried out by the Legislative Council in accordance with the terms of HCR 29.

Representative Winkelman asked whether it will be permissible to hold meetings of standing committees or subcommittees of standing

committees elsewhere than in Des Moines during the interim, either with or without compensation being paid the members of the committee or subcommittee, and if so whether such a meeting can be regarded as an official meeting. Senator Neu commented that a committee or subcommittee can meet anytime and anywhere if its members do not intend to claim compensation for attending the meeting. Any meeting for which compensation is to be claimed would have to be held in accordance with the provisions of section 16 of House File 390.

In answer to a question, Senator Stanley stated that hearings held by standing committees or subcommittees of standing committees would be treated in the same manner as any other committee or subcommittee meeting. That is, the hearings would have to be proposed to the Legislative Council as a part of the projected interim work of the committee, and approved by the Council.

Representative Hill inquired what discretion standing committee chairmen would have as to the number of subcommittees which could be established by any one standing committee, and the number of meetings each subcommittee might hold. Chairman Lodwick replied that the number of subcommittees to be formed is a matter for each standing committee chairman to decide, with such consultations as he sees fit, but the Council will have to approve each meeting of any subcommittee.

Speaker Harbor and Representative Leroy Miller again suggested that much of the necessary planning for interim work by standing committees could be done by the chairmen and ranking members of the respective committees, without the necessity of calling the full committees together. Representative Gannon and Senator Frommelt requested that any standing committee chairman who followed this suggestion also include in the planning meeting the ranking minority member of each standing committee.

Chairman Lodwick expressed appreciation to all of the standing committee chairmen present for attending the meeting. He stated that there was some additional business to come before the Legislative Council before it adjourns, but that the standing committee chairmen were free to leave at this time or to remain for the balance of the Council meeting if they cared to do so.

Mr. Garrison briefly reviewed some aspects of the 1969-1971 Legislative Service Bureau budget. He stated that, taking into account all expenses which it is anticipated that the Bureau will incur during the coming year, it would not appear safe to count on financing from the Bureau budget more than five of the eight interim studies requested by resolutions adopted by both houses of the General Assembly. However, the municipal laws study resolution

appropriated \$25,000 for the cost of that study, and since two of the other study request resolutions specifically direct that study committee members be drawn from appropriate standing committees of the Senate and House, it appears reasonable to finance these studies from funds available to the General Assembly rather than the Service Bureau appropriation.

Chairman Lodwick said that time would not permit a detailed consideration of the budget and related matters at the present meeting. He requested that Mr. Garrison provide Council members with a written budget breakdown prior to the next Council meeting.

Mr. Garrison directed the Council members' attention to a list of possible Council subcommittees, and their suggested areas of responsibility. He explained that the list is based on the procedure followed by the previous Legislative Research Committee.

Senator Hill moved that, pursuant to Rule 7 adopted earlier during the present meeting, a subcommittee consisting of the Council Chairman and Vice Chairman, Senator Frommelt, Senator Neu, and Representative Gannon be appointed to suggest membership and chairment for the study committees to be established during the present interim by the Council. Senator Stanley made a substitute motion that a subcommittee on studies be created to suggest membership and chairmen of all study committees under jurisdiction of the Council, and that the subcommittee be named by the Council Chairman and Vice Chairman.

Senator Hill and Representative Gannon expressed opposition to Senator Stanley's substitute motion. Senator Stanley stated that under Rule 7 the minority party is assured representation on the studies subcommittee. Representative Gannon replied that what is at issue is whether the majority party or the minority party shall determine who represents the minority party on the studies subcommittee. The vote on the motion was taken by a show of hands. Senator Stanley's substitute motion was adopted by vote of 10 to 6.

The Council was informed that the Secretary of the Senate had presented to the Executive Council a request that installation of window air conditioners in the offices of the Senate majority and minority floor leaders be authorized, but had been informed by the Executive Council that the matter should be referred to the Legislative Council. It was suggested that possibly the matter should be deferred until the subcommittees suggested by Mr. Garrison had been established. However, Senator Frommelt pointed out that due to the location of the floor leaders' offices they become quite uncomfortable during the summer months. He added that a clerical employee will be using his office at least two days a week during the present interim, and that the primary purpose of the proposed window air conditioner is to provide this employee a reasonable degree of comfort during the summer months. If the matter is to be deferred until the Council's subcommittees have been appointed and

organized, it is likely that much of the summer will have elapsed before the proposed air conditioning unit can be installed.

In answer to a question, Senator O'Malley confirmed that a study of air conditioning needs in all areas of the State House is being made, but added that the study has been in progress for some time and it is not known exactly when the study will be completed. It was pointed out that installation of window air conditioners, should not require any structural alterations in the building, although some adjustments in the wiring might have to be made in order to provide an adequate electrical outlet to run the units.

Senator Lange moved that the Council authorize the installation of window air conditioners in the offices of the majority and minority floor leaders of each house, in consultation with the capitol electricians and subject to a check on the status of plans for overall air conditioning of the State House. The motion was adopted unanimously.

There was further discussion of the possible appointment of additional Council subcommittees, in addition to the studies subcommittee. Representative Varley moved to adopt the subcommittee structure outlined in the material discussed earlier except that the Legislative Procedures Subcommittee should be designated "Legislative Procedures and Facilities Subcommittee." The motion was unanimously adopted.

Mr. Garrison called to the attention of Council members the 1969 National Legislative Conference, to be held in St. Louis August 26-29. For a number of years Iowa has been represented at this annual Conference by members of the Legislative Research Committee, as well as by the Chief Clerk of the House and the Director and one or more staff members of the Legislative Research Bureau. Council members who have previously attended this Conference advised that reservations for Iowa delegates be made as soon as possible, since it is advantageous for the delegates to stay in the same hotel where the Conference sessions are held.

Senator O'Malley moved that the Council authorize any of its members who so desire, the Director of the Legislative Service Bureau, and Bureau staff members designated by the Bureau Director to attend the 1969 National Legislative Conference, and that the Bureau Director make the necessary reservations at the earliest possible time. The motion was unanimously adopted.

After a brief discussion, Senator O'Malley moved that the next meeting of the Legislative Council be held at 9:30 a.m., Wednesday, July 9, in the State House. The motion was unanimously adopted.

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

PHILIP E. BURKS
Acting Secretary

SERGE H. GARRISON
Secretary