



Legislative  
Service  
Bureau

# MINUTES

## Iowa Legislative Council

June 25, 1997

Second Meeting of the 1997-1998 Biennium

### MEMBERS PRESENT

Senator Stewart Iverson, Jr., Chairperson

Speaker Ron Corbett, Vice Chairperson

Senator Nancy Boettger  
Senator Tom Flynn  
Senator Michael Gronstal  
Senator Rod Halvorson  
Senator John Jensen  
Senator Patty Judge  
Senator Mary Kramer

Senator Derryl McLaren  
Senator Jack Rife  
Representative Dennis Cohoon  
Representative John Connors  
Representative Chuck Gipp  
Representative Betty Grundberg  
Representative Libby Jacobs

Representative Pam Jochum  
Representative David Millage  
Representative Pat Murphy  
Representative David Schrader  
Representative Brent Siegrist  
Representative Harold Van Maanen

## MEETING IN BRIEF

Minutes prepared by Thane  
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3566

1. **Procedural Business.**
2. **Pricing of Legal Publications.**
3. **Iowa Supreme Court Rule Changes.**
4. **Rules for Prefiling Bills - 1998 Session.**
5. **Report of the Legislative Fiscal Committee.**
6. **Report of the Studies Committee.**
7. **Report of the Service Committee.**
8. **Report of the Capital Projects Committee.**
9. **Health Insurance/Wellness Presentation.**
10. **Legislative Pay Resolution.**
11. **State Fairgrounds Infrastructure Funding Resolution.**
12. **Congratulatory Letter to Lottery Commissioner.**
13. **Study Committee Memberships.**
14. **Attachments.**

### COUNCIL BUSINESS

#### 1. **Procedural Business.**

**Call to Order.** The second meeting of the 1997-1998 Legislative Council was called to order by Chairperson Senator Stewart Iverson, Jr., at 2:16 p.m., Wednesday, June 25, 1997, in Room 116, State Capitol, Des Moines, Iowa.



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**Minutes of May 21 Meeting.** Chairperson Iverson asked for additions or corrections to the minutes of the May 21 meeting. There being none, Representative Connors moved that the minutes be approved as submitted. The motion carried unanimously.

**Adjournment.** The meeting was adjourned at 4:23 p.m.

### **2. Pricing of Legal Publications.**

Ms. Diane Bolender, Director, Legislative Service Bureau, briefly reviewed the recommendations of Mr. Jerry Gamble, Acting Superintendent of Printing, Department of General Services, regarding the purchase prices for subscriptions to the Iowa Administrative Bulletin, the Iowa Administrative Code Supplement, and the Iowa Court Rules Supplement, the price of an Iowa Administrative Code green binder, and the purchase price for all volumes of the Iowa Administrative Code. He has recommended that the first three annual subscription prices increase 3 percent to \$237 plus sales tax for the Iowa Administrative Bulletin, \$382 plus sales tax for the Iowa Administrative Code Supplement, and \$75 plus sales tax for the Iowa Court Rules Supplement; the cost of an Iowa Administrative Code green binder increase by \$.95 to \$10.55 plus sales tax; and the cost of purchasing all volumes of the Iowa Administrative Code be increased by 2 percent to \$1,086 plus sales tax. There being no discussion, Representative Connors moved that the price recommendations of the Department of General Service be adopted. The motion was unanimously adopted. A copy of the memoranda is filed with the Legislative Service Bureau.

### **3. Iowa Supreme Court Rule Changes.**

Ms. Bolender commented that based on action taken by the Legislative Council at its May meeting, a copy of the proposed change in the Iowa Court Rules received from the Supreme Court has been mailed to the members of the Legislative Council. Unless the Legislative Council objects to a proposed rule or amendment, the rule will take effect 60 days after its submission to the Legislative Council. Senator Boettger moved that the proposed petition form for termination of parental rights and child support obligation be received and filed without objection. The motion was seconded by Senator Judge and adopted. A copy of the Iowa Supreme Court Rule petition form is filed with the Legislative Service Bureau.

### **4. Rules for Prefiling Bills - 1998 Session.**

Chairperson Iverson again recognized Ms. Bolender to review the proposed changes to 1998 Bill Prefiling Rules. Ms. Bolender noted that the proposed amendments to the rules are to change dates and to provide for confirmation of bill requests received by electronic message. She added that departmental memoranda submitted with bill requests will be attached to the bills when they are filed as study bills. Representative Van Maanen moved that the proposed amendments to the 1998 Bill Prefiling Rules be adopted. The motion was seconded by Representative Cohoon and adopted. A copy of the 1998 Bill Prefiling Rules is filed with the Legislative Service Bureau.



## **5. Report of the Legislative Fiscal Committee.**

Senator McLaren reviewed the discussion and recommendations of the Legislative Fiscal Committee at its June 4, 1997, meeting. He stated that the Committee discussed the implementation of lease-purchase legislation enacted in Senate File 2366, 1996 Legislative Session. He added that the legislation provides for approval of lease-purchase agreements of more than \$1 million by the General Assembly when in session or by the Legislative Council when the General Assembly is not in session, and the Governor. He stated that the Fiscal Committee recommends that the Legislative Council delegate the authority to approve or disapprove large lease-purchase agreements to the Fiscal Committee because the Fiscal Committee meets more regularly and the Fiscal Committee receives notification of all lease-purchase agreements on a monthly basis. After further comments, Senator McLaren moved the adoption of the Report of the Fiscal Committee. Discussion ensued with Representative Connors offering an amendment that the Legislative Council meet monthly or at least have a meeting by conference call to approve lease-purchase expenditures of more than \$1 million. Representative Millage responded that he believes it is costly to call a Legislative Council meeting unless there are a number of agenda items to be considered. He added that the Fiscal Committee is the appropriate legislative body to make these decisions. Senators Gronstal and Judge supported Representative Connors' amendment. A roll call vote was requested on the amendment by Representative Connors. The motion was defeated by a vote of 9 ayes and 13 nays. Those voting aye were Senators Flynn, Gronstal, Halvorson, and Judge, and Representatives Cohoon, Connors, Jochum, Murphy, and Schrader. Those voting nay were Chairperson Iverson, Vice Chairperson Corbett, Senators Boettger, Jensen, Kramer, McLaren, and Rife, and Representatives Gipp, Grundberg, Jacobs, Millage, Siegrist, and Van Maanen. Senator McLaren renewed his motion to adopt the Report of the Fiscal Committee. A roll call was requested and the motion was adopted by a vote of 13 ayes and 9 nays. Those voting aye were Chairperson Iverson, Vice Chairperson Corbett, Senators Boettger, Jensen, Kramer, McLaren, and Rife, and Representatives Gipp, Grundberg, Jacobs, Millage, Siegrist, and Van Maanen. Those voting nay were Senators Flynn, Gronstal, Halvorson, and Judge, and Representatives Cohoon, Connors, Jochum, Murphy, and Schrader. A copy of the Report of the Fiscal Committee is attached to these minutes.

## **6. Report of the Studies Committee.**

**Overview.** Representative Gipp reviewed the discussion and recommendations of the Studies Committee. He stated that the Committee recommends the establishment of nine interim studies, that a Legislative Oversight Committee be established as a standing committee of the Legislative Council, that a four-member Value-Added Production Task Force be created as provided in 1997 Iowa Acts, Senate File 542, and that the County Issuance of Motor Vehicle Licenses Study Committee be authorized not more than \$20,000 for costs to carry out the requirements of 1997 Iowa Acts, House File 372. Representative Gipp proposed an amendment to the procedural requirements of the Legislative Oversight Committee as follows: "All actions of the Legislative Oversight Committee shall require the affirmative vote of a majority of the members



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from each of the respective chambers." There being no objections, the amendment was adopted unanimously.

(Chairperson Iverson temporarily recessed the Council meeting because of a fire alarm at 2:40 p.m. The meeting was recalled to order at 2:55 p.m. with the members previously present again present.)

**Commission on Urban Planning.** Representative Gipp moved the adoption of the Report of the Studies Committee. Representative Schrader moved that the charge and membership of the Commission on Urban Planning, Growth Management of Cities, and Protection of Farmland be amended to reflect the guidelines and requirements of HCR 21. Representative Gipp responded that he believes the charge provisions contained in the Studies Committee Report are sufficient to cover the requirements of HCR 21, but he will not oppose the amendment. After discussion, Representative Schrader's amendment was adopted.

**Juvenile Issues Study.** Representative Schrader proposed that an additional study committee be created to respond to three study requests on juvenile justice and youth services as proposed in House File 715, Senate File 515, and HR 14. The study committee would have five members from each chamber and be authorized three meeting days. Representative Gipp replied that he will resist additional studies because of House budget constraints. After further discussion, Representative Schrader's motion was defeated on a voice vote.

**Sex Offender--Sexual Predator.** Representative Schrader next referred to memoranda and letters received by the Studies Committee from Representative Minnette Doderer, the Department of Public Safety, and others relating to sex offender registration and sexual predator laws which request study and recommendations for amendment in light of a recent U. S. Supreme Court ruling. The study committee would have five members from each chamber and two meeting days. Representative Gipp expressed the belief that the subjects have been studied thoroughly during recent legislative sessions and that Attorney General Tom Miller's legislative proposal in this subject area was enacted. Representative Siegrist suggested that amendments can be made next session by the respective Committees on Judiciary and Law Enforcement without additional interim study. Senator Gronstal and Representatives Jochum and Connors supported Representative Schrader's motion because of the need to address child protection issues and to study the complicated constitutional issues involved in the legislation. A roll call vote was requested. The motion was defeated on a roll call vote of 9 ayes and 13 nays. Those voting aye were Senators Flynn, Gronstal, Halvorson, and Judge, and Representatives Cohoon, Connors, Jochum, Murphy, and Schrader. Those voting nay were Chairperson Iverson, Vice Chairperson Corbett, Senators Boettger, Jensen, Kramer, McLaren, and Rife, and Representatives Gipp, Grundberg, Jacobs, Millage, Siegrist, and Van Maanen.

**Workers' Compensation Claims.** Representative Schrader next moved to strike the interim study entitled "Contested Workers' Compensation Claims." He expressed the belief that this study is unnecessary and will save interim study costs. Representative Gipp disagreed with Representative Schrader's assessment of the proposed interim



study, but he added that he will not oppose the motion. The motion was adopted by voice vote.

**Education Study.** Senator Gronstal distributed a letter written by him to the Studies Committee requesting a comprehensive study of Iowa's preschool services and K-12 and higher education systems. The request was for a total of six meeting days, three days for committee discussion and three days for public hearings outside of Des Moines. Representative Siegrist opposed the study request because he believes the study areas do not need interim study, only political debate and implementation. Senator Gronstal moved the adoption of the study request. A roll call vote was requested. The motion was defeated with 9 aye votes and 13 nay votes. Those voting aye were Senators Flynn, Gronstal, Halvorson, and Judge, and Representatives Cohoon, Connors, Jochum, Murphy, and Schrader. Those voting nay were Chairperson Iverson, Vice Chairperson Corbett, Senators Boettger, Jensen, Kramer, McLaren, and Rife, and Representatives Gipp, Grundberg, Jacobs, Millage, Siegrist, and Van Maanen.

**Criminal Sentencing--Sex Offender Registry and Sexual Predator Laws.** Representative Millage stated that the interim study relating to criminal sentencing is suited to the study of any problems needed to correct the sex offender registry law and to enact a sexual predator law. He moved to include specific reference to the sex offender registry and sexual predator legislation in the study charge. After discussion, a roll call vote was requested. The motion was adopted by 22 aye votes and no nay votes. Those voting aye were Chairperson Iverson, Vice Chairperson Corbett, and Senators Boettger, Flynn, Gronstal, Halvorson, Jensen, Judge, Kramer, McLaren, and Rife, and Representatives Cohoon, Connors, Gipp, Grundberg, Jacobs, Jochum, Millage, Murphy, Schrader, Siegrist, and Van Maanen.

**School Foundation Formula.** Representative Grundberg inquired regarding the inclusion of the school formation formula in the State and Local Taxation Study. Representative Gipp responded that the taxation study is broad enough to cover issues relating to the formula and the local property tax system.

**ICN Privatization.** Senator Flynn questioned the need for the interim study relating to privatizing the management of the Iowa Communications Network (ICN). Representative Gipp noted that there is support among legislators to sell the ICN and determining what the value is should be part of the study. He added that whether the state should continue to manage the ICN is an issue with many members. Senator Flynn moved to strike the interim study entitled "Privatizing Management of the Iowa Communications Network." He expressed the belief that the ICN is a highly specialized part of the education infrastructure of the state and should not be managed by the private sector. After further discussion, a roll call vote was requested and the motion was defeated by a vote of 9 ayes and 13 nays. Those voting aye were Senators Flynn, Gronstal, Halvorson, and Judge, and Representatives Cohoon, Connors, Jochum, Murphy, and Schrader. Those voting nay were Chairperson Iverson, Vice Chairperson Corbett, Senators Boettger, Jensen, Kramer, McLaren, and Rife, and Representatives Gipp, Grundberg, Jacobs, Millage, Siegrist, and Van Maanen.



**Motor Vehicle Licensing.** Senator Halvorson asked if the \$20,000 allocated for the County Issuance of Motor Vehicle Licenses Study Committee would be used for a customer survey. Representative Gipp responded that the bill requires a customer survey of the six counties affected and a cost comparison with licenses issued by the Department of Transportation.

**Adoption.** There being no further discussion, Representative Gipp moved the adoption of the Report of the Studies Committee, as amended. The motion was adopted. A copy of the Report of the Studies Committee, as amended and approved, is attached to these minutes. A copy of Senator Gronstal's letter requesting the study of educational areas is on file in the Legislative Service Bureau.

### **7. Report of the Service Committee.**

Chairperson Iverson recognized Representative Siegrist for the Report of the Service Committee. He reviewed the deliberations of the Committee including the deferral of items of business relating to at will employment and Internet access, and the receipt of annual personnel reports, promotions and resignations in the central staff agencies; a mission statement for the Computer Support Bureau; and a recommendation regarding access to the House and Senate Chambers by persons with physical disabilities. Senator Judge questioned whether the Senate should amend its rules to allow lobbyists who have physical disabilities on the floor while the Senate is in session. She suggested that other options be pursued. Chairperson Iverson commented that the Committee response and recommendations demonstrate to the U. S. Department of Justice that the Iowa General Assembly intends to comply with the federal Americans With Disabilities Act. He added that methods of compliance may change as remodeling of the State Capitol continues. After further discussion, Representative Siegrist moved the adoption of the Report of the Service Committee. The motion was adopted. A copy of the Report of the Service Committee is attached to these minutes.

### **8. Report of the Capital Projects Committee.**

Senator Jensen reported that the Capital Projects Committee received an update of the progress on Capitol space use and renovation from the Department of General Services. He also reported that the members of the Capital Projects Work Group are Senator Jensen, Senator Judge, Representative Gipp, and Representative Murphy. Senator Jensen moved the adoption of the Report of the Capital Projects Committee. The motion was adopted. A copy of the Capital Projects Committee Report is attached to these minutes.

### **9. Health Insurance/Wellness Presentation.**

Chairperson Iverson recognized Ms. Linda Hanson, Director, Department of Personnel, for a presentation on the projected budget for the State Wellness Program for the fiscal years 1998 through 2000. She presented a handout describing the specific features of the Wellness Program for each year and the budgeted costs. She stated that it is proposed that the costs of the program be paid from surplus state health insurance moneys. In reply to a question by Representative Millage, Ms. Hanson stated that she



is not requesting an appropriation and that the funds to be used are surplus state health insurance funds. She stated that the expenditure of the surplus funds must be approved by the Executive Council; however, the Executive Council asked her to consult the Legislative Council concerning such an expenditure for the State Wellness Program. Senator Gronstal commented that the Program appears to focus on state employees in the Polk County area and he is not sure that this is fair to state employees living elsewhere in the state. Vice Chairperson Corbett moved to have the issue referred to the Fiscal Committee. Chairperson Iverson pointed out that action by the Legislative Council is not necessary. He added that it is the responsibility of the Executive Council to approve or disapprove the expenditure. After discussion, Vice Chairperson Corbett withdrew his motion. Representative Murphy moved that the Legislative Council support the approval by the Executive Council of the expenditure of \$82,372 for the 1998 fiscal year State Wellness Program. The motion was adopted. Ms. Hanson's handout, entitled the "State Wellness Program," is filed with the Legislative Service Bureau.

#### **10. Legislative Pay Resolution.**

With regard to a legal memorandum relating to legislative personnel matters in the absence of a joint pay resolution that was requested at the May Legislative Council meeting of the Legislative Service Bureau and that had been distributed to Legislative Council members, Representative Schrader stated that the memorandum for the most part answers his question about the authority to adjust salaries for House and Senate personnel, but that the conclusion may set a dangerous precedent in allowing the two houses to treat their employees differently. He also stated that it is important for the General Assembly that a joint pay resolution be passed. No further action was taken.

#### **11. State Fairgrounds Infrastructure Funding Resolution.**

Vice Chairperson Corbett offered a proposed resolution sponsored by the Legislative Council expressing support during the 1998 legislative session for an appropriation of \$5,460,000 to the Iowa State Fair Foundation for renovation, restoration, and improvement projects at the Iowa State Fair. Of this amount, \$1,060,000 will be distributed to local fairs. In a reply to a question by Senator Gronstal, Mr. John Putney, Iowa State Fair Foundation, stated that a resolution of the Legislative Council is helpful and shows support by the General Assembly that can be used for future planning. Senator Halvorson moved an amendment so that the first two lines of the last paragraph of the Resolution will read as follows: "BE IT FURTHER RESOLVED, That the Legislative Council supports an appropriation, to be made by the 1998 Regular Session of the Seventy-". The amendment was adopted. After further discussion, the Legislative Council Resolution as amended was adopted. A copy of the Legislative Council Resolution, as amended and adopted, is attached to these minutes.

#### **12. Congratulatory Letter to Lottery Commissioner.**

Representative Connors commented that Dr. Edward J. Stanek, Lottery Commissioner, will be the recipient of the Peter J. O'Connell Lifetime Achievement Award for contributions to the lottery industry. He moved that the Legislative Council, under the



signatures of the Chairperson and Vice Chairperson, send a letter of congratulations to Dr. Stanek. The motion was adopted with Representatives Schrader and Van Maanen requesting to be recorded as voting nay.

### **13. Study Committee Memberships.**

Representative Jacobs requested that the legislative leaders appoint the members to the interim study committees, especially to the Legislative Oversight Committee, as soon as possible.

### **14. Attachments.**

- a. Report of the Fiscal Committee, June 4, 1997.
- b. Report of the Studies Committee, June 25, 1997 (as adopted).
- c. Report of the Service Committee, June 25, 1997.
- d. Report of the Capital Projects Committee, June 25, 1997.
- e. Legislative Council Resolution Supporting Funding for State Fair Infrastructure (as adopted).

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