

M I N U T E S

IOWA LEGISLATIVE COUNCIL

Tuesday, May 21, 1974

The eleventh meeting of the 1973-74 Iowa Legislative Council was called to order at 1:30 p.m., Tuesday, May 21, 1974 in the Speaker's Room of the State House. Council members present were:

Senator Clifton C. Lamborn, Chairman
Representative Edgar H. Holden, Vice Chairman
Speaker of the House Andrew Varley
Senator James E. Briles
Senator Lucas J. DeKoster
Senator Willard R. Hansen
Senator Eugene M. Hill
Senator John S. Murray*
Senator Karl Nolin
Senator Roger J. Shaff
Senator Earl M. Willits
Representative Dale M. Cochran
Representative Donald V. Doyle
Representative Richard Drake*
Representative Joan Lipsky
Representative James I. Middleswart
Representative Arthur A. Small, Jr.

*(Senator Murray was appointed to the Council to fill the vacancy created when Senator Shaff became an ex officio rather than an appointive member upon election as Senate President Pro Tem succeeding the late Vernon Kyhl; Representative Drake was appointed to the Council to fill the vacancy created by resignation of Representative David M. Stanley.) Legislative staff personnel present included Director Serge Garrison, Phil Burks and Burnetté Koebernick of the Legislative Service Bureau, Legislative Fiscal Director Gerry D. Rankin, Secretary of the Senate Ralph Brown, Senate Legal Counsel William Trent, Ralph Kaufman and Tom Thoren of the Senate staff, Assistant Chief Clerk of the House David Wray and House Legal Counsel Dan Dudley. A number of representatives of the news media and other interested persons attended the meeting.

Copies of pertinent information regarding three proposed new Legislative Service Bureau employees were distributed to Council members and Mr. Garrison noted that he had previously mailed to the members similar information on two other proposed new employees. He asked that action be taken on the recommendation for employment of these individuals at the present meeting if at all possible, because at least one of them had also been offered a position by another Iowa state agency.

Senator Briles noted that due to the press of other business during and immediately after the 1974 legislative session, it had not been feasible to follow the usual procedure of referring Mr. Garrison's recommendations for new Legislative Service Bureau

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employees to the Legislative Service Committee of the Council. He asked that this procedure be suspended and that the Legislative Council act as a whole, at the present meeting, on the recommendations for employment. There being no objection, it was so ordered. At Chairman Lamborn's request, Mr. Garrison briefly commented upon the qualifications of Ron Langston and Debra Jungman, proposed for employment as research analysts, Timothy J. Braunschweig and Gary Stewart, proposed for employment as legal counsels, and James William Ramey, proposed for employment as a temporary researcher to replace Mrs. Diane Bolender during her anticipated absence. Mr. Garrison recommended that Mr. Langston and Ms. Jungman be employed at starting annual salaries of \$9,300 each, Mr. Braunschweig and Mr. Stewart at starting annual salaries of \$12,200 each, all subject to future action by the Legislative Council, and that Mr. Ramey be employed for a period of three months at a salary of \$650 per month.

Speaker Varley moved that the Council approve Mr. Garrison's recommendations regarding new Legislative Service Bureau employees. The motion was seconded by Senator Briles, and adopted by a unanimous voice vote.

Senator Hill moved that the Legislative Council request the Merit Employment Commission to evaluate Legislative Service Bureau and Legislative Fiscal Bureau staff positions, on a personal audit basis. The motion was seconded by Senator Willits. After some discussion, the motion was adopted by a voice vote, Chairman Lamborn voting no.

The Council next considered purchase of drapes for the Legislative Service Bureau's offices. Mr. Garrison reported that although there do not appear to be sufficient funds for the needed drapes remaining from the appropriation for the remodeling project in the north and south areas of the Service Bureau offices, there are sufficient funds remaining from Bureau's regular appropriation for the 1974 fiscal year to cover the remaining costs of the needed new drapes as well as to purchase drapes for the east portion of the Service Bureau, which was not a part of the remodeling project. Mr. Garrison reported that bids had been requested and received from several potential suppliers in the city of Des Moines, and distributed figures showing the bids received from each. Copies of the total bids received are attached to and by this reference made a part of these minutes. He noted that it had been discovered only a few days previously that the drapes being offered by one of the firms which had submitted a bid are available from a firm known as Carpetland USA, which apparently is in a position to offer a lower figure, although a formal bid was not yet available from the firm. After some discussion, Senator DeKoster moved that the Legislative Service Bureau be authorized to expend from funds other than the appropriation for the remodeling project an amount necessary to supplement available project funds for the purchase of drapes for

the Legislative Service Bureau offices, to a maximum of \$8,000 total, it being understood that quality should be considered and not be sacrificed in order to obtain a lower price. The motion was seconded by Representative Holden.

In the discussion which followed, Representatives Lipsky and Cochran expressed objection to making bids of the other potential suppliers a matter of public knowledge at a time when the bid from Carpetland USA had not yet been received. Mr. Garrison explained that it had been anticipated that this bid would also be available by 1:30 p.m. on the present date, but that as of that moment it had not been received. He added that he was momentarily anticipating a telephone call stating the firm's bid for the drapes in which the Service Bureau is interested. Representative Cochran then moved that the matter be deferred until 3:20 p.m. The motion was unanimously adopted.

Senator DeKoster reported that the Legislative Fiscal Committee had met during the morning of the present date, had considered the Legislative Fiscal Director's proposed budget, but had made no decisions on the proposal and had deferred the matter. Senator DeKoster stated that, speaking as an individual Council member and not for the Fiscal Committee, it would be his suggestion that the Fiscal Director's proposed budget be referred to the Service Committee as is the Legislative Service Bureau budget. After a brief discussion, Chairman Lamborn so ordered.

Secretary of the Senate Ralph Brown noted that a change order had been approved during the recent legislative session, pursuant to which the new voting systems being built for the Senate and the House of Representatives would include a feature permitting display of a letter suffix behind the number of the bill or amendment under consideration, so as to permit indicating on the display board which division of an amendment is under consideration at a given moment. He explained that at the time this change order was approved, the need for a similar device on the console to be installed on the Lieutenant Governor's desk in the Senate was overlooked. He therefore requested approval of an additional change order to add this device to the Senate system, at a cost of \$400. On motion of Senator Willits, seconded by Senator Nolin, the Council unanimously approved this request.

Citizens' Aide Thomas Mayer appeared to report on the evaluation of the staff positions in his office by the Merit Employment Department. In response to a question from Representative Drake, Mr. Mayer stated that there are presently six employees in the Office of the Citizens' Aide, including himself, and that the Office handled some 1200 cases last year and will handle more than that this year. He stated that most cases originate from contacts with the agency, as opposed to being referred by other agencies, adding that it is his impression that

people learn of the existence of the agency through the news media. With respect to referrals from other agencies, Mr. Mayer stated that the largest single source of referrals is the Governor's office, although he added he welcomes and encourages referrals from the General Assembly.

Mr. Mayer stated that at one time a case file was made up on every matter which was brought to his office's attention, even though the matter might be handled by a single telephone call. In order to get a better idea of the actual increase in the office workload, he had gone to a system involving use of a telephone log, under which case files are opened only when it is necessary to go beyond a single telephone call in order to adequately handle a particular matter. Even on this basis, it appears that the case-load this year will be 200 higher than that last year.

In response to a question, Mr. Mayer stated that the Crime Commission grant for the correctional deputy has been renewed, although at a slightly lower level for the current year than was previously provided for a portion of a year.

Mr. Mayer requested that he be extended floor privileges by the General Assembly, since he is a legislative employee. Chairman Lamborn stated that that request should be directed to the Rules Committee of the next General Assembly.

Chairman Lamborn then recognized Senator Hansen for the report of the Studies Committee pursuant to its meeting of the previous day: The minutes of that Studies Committee meeting are attached to and by this reference made a part of these minutes. Senator Hansen reviewed the Studies Committee recommendations, inviting comments and questions of Council members as he did so.

Noting that one of the proposed studies given a priority 1 recommendation by the Studies Committee is that listed under the heading H.C.R. 142, Representative Small inquired whether it is anticipated that this study will in fact include further consideration of county officers' salary levels, which was the original subject of H.C.R. 142. Senator Shaff replied that he felt that the matter of county officers' salaries had been taken care of during the 1974 legislative session, and that the recommended study would address itself to other areas of county government. He noted that H.C.R. 142 itself makes reference to several other study requests from 1973, and that the Studies Committee had also included in this study proposal references to two 1974 study requests relating to county government, S.C.R. 120 and H.C.R. 125.

Representative Small expressed belief that the study requests included in H.C.R. 159 should have been included under the H.C.R. 142 study proposal, rather than being assigned to the Land Use Study Committee as the Studies Committee had recommended.

Representative Small so moved. Speaker Varley seconded the motion, commenting that he did so on the understanding that the Land Use Study Committee would be entitled to consider the subject matter of H.C.R. 159 insofar as it relates specifically to land use. He added that the Land Use Study Committee should not be drawn into questions involving the relationships of local government where these do not pertain directly to land use.

After some discussion, Senator Shaff moved to amend Representative Small's motion so as to specifically delete consideration of county officers' salaries from the study recommended by the Studies Committee under the heading H.C.R. 142. The motion was seconded by Senator Hill and unanimously adopted.

Representative Small's motion, as amended, was then adopted by a unanimous voice vote.

Representative Lipsky inquired about exactly what procedure is contemplated by the Studies Committee's recommendation with respect to continuation of the study of problems of elderly and handicapped, and related areas covered by study resolutions designated by the Committee's report. Senator Hansen explained that it is intended that the Legislative Service Bureau staff undertake preparation of a report or reports defining questions or problem areas and possibly identifying alternatives, after which a decision would be made regarding appointment or activities of a study committee in this area. Representative Lipsky questioned whether this procedure would provide the staff with adequate legislative guidance in undertaking the research involved.

Representative Lipsky objected to the priority 4 recommendation regarding H.C.R. 124, requesting a study of means to add the deaf and persons having impaired hearing. She moved that this be added to the studies to be undertaken pursuant to the recommendation headed H.C.R. 160/H.C.R. 145. The motion was seconded by Senator Willits, and adopted by a unanimous voice vote.

Senator Hill expressed disagreement with the priority 3 recommendation regarding H.C.R. 121, requesting a study of the distribution of road use tax fund moneys between and within jurisdictions, and in conjunction with the reclassification of roads and streets. Senator Hill stated that he considers this study more important than some of those which were given priority 1 recommendations. In reply, Senator Hansen questioned how productive the H.C.R. 121 study could realistically be expected to be in an election year, adding that it was the Studies Committee's thought that if such a committee is to be undertaken there is no point in doing so before the November election.

Senator Hill moved that the recommendation regarding H.C.R. 121 be changed from a priority 3 to a priority 1. Speaker

Varley moved, as a substitute for Senator Hill's motion, that the H.C.R. 121 request be referred to the House Transportation and Senate State Government Committees. The motion was seconded by Representative Drake and unaimously adopted.

Representative Doyle noted that the study of the Uniform Vehicle Code begun by a joint interim committee of the Senate and House Judiciary Committees during the 1973 interim apparently had been inadvertently omitted from the list of studies to be considered for continuation during the 1974 interim, which had been submitted to the Council's Studies Committee. He moved that authorization for continuation of this study be added to the list of study requests referred to the standing Judiciary Committees. Representative Drake inquired how complicated and controversial Representative Doyle anticipates that the Uniform Vehicle Code legislation will be, and whether it specifically addresses itself to problems relating to methods of sale and delivery of motor vehicle registration plates. In response, Representative Doyle stated that the legislation which will be prepared is simply a recodification of the existing provisions of Chapter 321, arranged in a more orderly fashion, and should not be controversial. He added that there is some consideration being given to a change in the formula by which the portion of the registration fee based on value of a vehicle is computed, but that the joint subcommittee has not addressed itself to issuance of registration plates. Representative Doyle's motion was adopted by a unanimous voice vote.

Representative Cochran moved that the Council transfer the assignment of the study requested by H.C.R. 166 from the Council's Fiscal Committee to the Standing Natural Resources Committees of the Senate and House of Representatives, for assignment to a joint subcommittee. Representative Middleswart explained that the reason that the Studies Committee had recommended assignment of this particular study request to the Legislative Fiscal Committee is that money was appropriated during the 1974 legislative session to do the research contemplated by the study request, and the Fiscal Committee's role would be to follow up and determine that the executive branch agencies involved were in fact achieving the intended purpose of this appropriation. Speaker Varley agreed, adding that he would be inclined to favor Representative Cochran's motion if there were no executive branch agencies with specific responsibility in the area involved, but since there are and since the agencies have been provided funds to do the necessary research, Speaker Varley said he feels it is quite appropriate to refer this matter to the Fiscal Committee for legislative oversight.

After further discussion, Representative Cochran's motion was defeated by a record roll call vote of 6 to 9. Those voting yes were Senators Hill, Nolin and Willits and Representatives

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Cochran, Doyle and Small; those voting no were Chairman Lamborn, Speaker Varley, Senators Briles, DeKoster, Hansen, Murray and Shaff and Representatives Drake and Lipsky; Representative Middleswart abstained.

On motion of Senator Hansen, seconded by Speaker Varley, the report of the Studies Committee, as amended and modified by Council action, was adopted on a unanimous voice vote.

Chairman Lamborn announced that except as otherwise determined by specific action of the Council, a meeting of the Legislative Council would be held on the second Wednesday of each month during the 1974 legislative interim, and that therefore the date for the next Legislative Council meeting would be Wednesday, June 12. Senator Hansen stated that a meeting of the Studies Committee would be held on the preceding day for the purpose of recommending appointments to study committees approved at the present Council meeting. Senators Briles and DeKoster indicated that the Service Committee and the Fiscal Committee would also each hold meetings on Tuesday, June 11.

Senator Willits moved that the Council direct its Administration Committee to conduct a comprehensive study of legislative space needs in the State House, assisted by Secretary of the Senate, the Chief Clerk of the House, the Legislative Service Bureau, the Legislative Fiscal Director and the Superintendent of Buildings and Grounds. The motion was seconded by Senator Hansen and unanimously adopted.

The Council resumed consideration of purchase of drapes for the Legislative Service Bureau office area. Mr. Garrison announced that the bid from Carpetland USA had now been received. It is in the amount of \$5,681 and would provide for the same drapes as the highest bid received. Senator DeKoster renewed his earlier motion, which was unanimously adopted.

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

SERGE H. GARRISON
Director

PHILIP E. BURKS
Senior Research Analyst