

MINUTES
IOWA LEGISLATIVE COUNCIL

May 11, 1994

PRELIMINARY BUSINESS

The ninth meeting of the 1993-1994 Iowa Legislative Council was called to order by Chairperson Senator Wally Horn at 1:40 p.m., Wednesday, May 11, 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 Donald E. Gettings
Senator Emil J. Husak
Senator John W. Jensen
Senator Jim Lind
Senator Larry Murphy
Senator William D. Palmer
Senator Jack Rife
Senator Maggie Tinsman
Representative Clifford O. Branstad
Representative John H. Connors
Representative Ron J. Corbett
Representative Teresa Garman
Representative Pam Jochum
Representative Mary A. Lundby
Representative Wayne McKinney
Representative Brent Siegrist
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. Cynthia Clingan, Assistant Secretary of the Senate; Mr. Greg Nichols, Administrative Assistant; Ms. Maryjo Welch, Administrative Assistant; Mr. Mark Brandsgard, 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 is present.

Representative Jochum moved that the minutes of the February 16 meeting be approved as submitted. The motion was adopted.

EDUCATION LEAVE REPORTS

Chairperson Horn recognized Ms. Diane Bolender for comments concerning the Educational Leave Reports for Fiscal Year 1993. She noted that pursuant to section 70A.25 the reports must be filed with the Legislative Council by each state department and agency and that each member has received a copy of these departmental reports. She added that reports consist of state employees who have requested and received educational leave or educational assistance during the reporting period.

Representative Connors moved that the Education Leave Reports for Fiscal Year 1993 be received and filed. The motion was adopted. A copy of the Reports is filed with the Legislative Service Bureau.

REPORT OF THE FISCAL COMMITTEE

Chairperson Horn recognized Representative Corbett for the Report of the Fiscal Committee. Representative Corbett stated that the Committee met on May 11 and received fiscal information on a number of topics. He stated that the Committee has two recommendations for approval: It recommends that it continue to receive a monthly status report from the Iowa Communications Network and that the Legislative Fiscal Bureau conduct an in-depth issue review study of the Office of State Fire Marshal and requests the cooperation of the Fire Marshal's Office in completion of the study.

Representative Connors noted that Governor Branstad had item vetoed funding portions of legislation providing for capitol restoration. He asked whether the Fiscal Committee had addressed the issue. Representative Corbett responded that, during the interim, discussion could be held with Governor Branstad concerning the future of the State Capitol restoration project and related fire, building code, and access compliance. Senator Husak expressed his disappointment that bonding authority could not be used for the State Capitol and Old Historical Building needs as well as for the needs of the State Board of Regents institutions. Senator Murphy commented that a significant problem may exist if some progress is not shown toward compliance with the requirements of the Americans with Disabilities Act.

Representative McKinney stated that he agrees with the comments of Senators Husak and Murphy. He added that Senate File 2326 was enacted as a bipartisan effort to correct serious building and fire safety code violations and the delay in action on the issue is unnecessary. In

reply to a question from Representative McKinney, Senator Palmer stated that sufficient statutory authority exists in Chapter 2 of the Code for the Legislative Council to correct handicapped access, fire safety, and other building code problems.

Representative Corbett 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.

REPORT OF THE SERVICE COMMITTEE

Speaker Harold Van Maanen was recognized for the Report of the Service Committee. He stated that the Committee received the personnel reports of the Legislative Service Bureau, the Legislative Fiscal Bureau, and the Citizens' Aide/Ombudsman and recommends the promotion of Ms. Gerry Rydell to the position of Editorial Assistant I. The Committee was also notified of the appointment of Mr. Duncan Fowler as Deputy Citizens' Aide/Ombudsman. Speaker Van Maanen also noted that two changes to the Personnel Guidelines of the Central Legislative Staff Agencies are recommended. He added that one relates to number of leave hours per calendar year and the second is the date for filing personal financial disclosure information.

In reply to a question by Senator Tinsman, Ms. Bolender replied that the hours of leave is changed from 2,088 hours to 2,080 hours and that the filing date for financial disclosure is changed to February 15, which is the same date as required for House members.

Speaker Van Maanen 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.

REPORT OF THE STUDIES COMMITTEE

Chairperson Horn recognized Representative Lundby for the Report of the Studies Committee. She stated that the Committee recommends the creation of an Animal Agriculture Study Committee with members and meeting days to be authorized at a future date. She added that additional interim committees will be recommended at the June meeting.

Representative Lundby moved the adoption of the Committee Report. The motion was adopted. A copy of the Report is attached to these minutes.

ANNUAL MEETING - MIDWESTERN LEGISLATIVE CONFERENCE

Representative John Connors reminded the Council of the Annual Meeting of the Midwestern Legislative Conference which will be held from August 14 through August 17 in

Des Moines. He briefly reviewed the conference topics and planned social events. He further noted that to date approximately \$42,000 has been pledged to support Iowa's hospitality.

Chairperson Horn thanked Representative Connors for his report and it was received and filed.

REPORT OF THE ADMINISTRATION COMMITTEE

Chairperson Horn recognized Senator Palmer for the Report of the Administration Committee. Regarding State Capitol restoration and repair, Senator Palmer stated that the Committee received a proposal from the staff of the Senate, House, and Central Staff agencies relating to materials and services which can be provided to persons with disabilities who want access to meetings and legislative sessions in the State Capitol. He stated that the provisions include interpreting services, printed materials, assistive listening systems, telephone access, and physical access to meeting rooms. Instead of access to the galleries, he stated that the Committee recommends the installation of closed circuit television cameras in the chambers to telecast the legislative proceedings to other accessible rooms for persons with disabilities. He also stated that the Committee recommends that the Health and Human Rights Appropriations Subcommittee be assigned a meeting room which allows access to persons with disabilities. He stated that the Committee recommends the renewal of the contract with Mead Data Central for the Iowa Code database for \$22,500. In concluding his report, he stated that the Committee requests the Legislative Service Bureau to obtain information and cost estimates from the Department of General Services to correct the most serious State Capitol building and fire code violations and report to the Committee.

In reply to a question by Representative McKinney, Senator Palmer stated that he will urge the Administration Committee to recommend that the Legislative Council approve the expenditure of moneys to correct the fire and building code violations. He added that he believes that there is legal authority for the Legislative Council to act. In reply to a question by Senator Lind, Senator Palmer stated that he does not believe that an Attorney General's Opinion is needed. After further discussion, Ms. Bolender read pertinent portions of Section 2.43 relating to the renovation, remodeling, and preparation of physical facilities to be used by the General Assembly or its legislative agencies.

Concerning a question by Senator Rife relating to the receipt of certain telecommunications equipment for providing state access to the Iowa Communications Network in the State Capitol, Chairperson Horn replied that a proposal to create a communications room in the State Capitol Building is on hold pending determination of needed equipment.

Senator Rife expressed concern about the total costs of correcting the fire and building code problems and asked if a dollar limit is provided in Chapter 2. Ms. Bolender answered that Section 2.12 appropriates to the General Assembly any funds in the state treasury not otherwise appropriated. Senator Husak commented that in the past, the Legislative Council has authorized expenditures for redistricting and air conditioning and that expenditures to correct safety hazards would certainly be appropriate.

Senator Boswell stated that the Administration Committee should be given sufficient time to collect necessary information and cost estimates and, hopefully, report to the Legislative Council at its June meeting.

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

After further discussion of repair and restoration needs and legislative committee oversight, the Council concluded that the Administration Committee should proceed to obtain information and cost estimates from the Department of General Services and other sources. However, the Administration Committee should keep the Fiscal Committee informed about its activities. Speaker Van Maanen suggested that the Committee focus on the most critical needs concerning fire and building code violations.

ADJOURNMENT

There being no further business to come before the Council, Speaker Van Maanen moved that the Legislative Council adjourn at 2:20 p.m. The motion was adopted.

Respectfully submitted,

MS. DIANE E. BOLENDER
Director

MR. THANE R. JOHNSON
Senior Research Analyst
2951LC

ATTACHMENTS

- 1. Report of the Fiscal Committee***
- 2. Report of the Service Committee***
- 3. Report of the Studies Committee***
- 4. Report of the Administration Committee***