

M I N U T E S
LEGISLATIVE COUNCIL

July 15, 1982

The sixteenth meeting of the 1981-1982 Legislative Council was called to order at 1:45 p.m., Thursday, July 15, 1982, in Committee Room 22 of the State House, Des Moines. Council members present were:

Senator Calvin O. Hultman, Chairperson
Speaker Delwyn Stromer, Vice Chairperson
Senator Gary L. Baugher
Senator James E. Briles
Senator C. Joseph Coleman
Senator C. W. Hutchins
Senator John W. Jensen
Senator Lowell L. Junkins
Senator John S. Murray
Senator William D. Palmer
Senator Ray Taylor
Representative Robert T. Anderson
Representative Donald D. Avenson
Representative Richard L. Byerly
Representative John H. Clark
Representative John H. Connors
Representative Ingwer L. Hansen
Representative Lester D. Menke
Representative Richard W. Welden

Other persons present for the meeting were:

Mr. Stan McCausland, Director of General Services
Mr. William Angrick, Citizens' Aide
Mr. Dennis Prouty, Legislative Fiscal Bureau
Mr. Serge Garrison, Legislative Service Bureau
Mr. Burnette Koebernick, Legislative Service Bureau
Ms. Diane Bolender, Legislative Service Bureau

Also present were a number of other Iowa legislative staff persons, news media representatives, and other interested individuals.

Speaker Stromer moved that the minutes of the June 15, 1982 meeting be approved as mailed to Council members, and the motion was adopted. Senator Murray moved that the Legislative Council receive the educational leave report, and the motion was adopted.

Chairperson Hultman recognized Mr. McCausland for a report concerning the installation of a fire alarm system in the Capitol building, which the Legislative Council had previously requested. Mr. McCausland stated that a complete fire alarm system for the Capitol presents a number of difficult architectural problems, but the recommended system can be completed in two phases. He stated that the first phase would include installation of fire alarms throughout the building so that all employees in the building would be able to hear the alarms. He indicated that the second phase

will provide protection for the building and would include installation of autosensors. He anticipates the cost of completion of the first phase at about \$50,000 and requests permission to discuss the proposed plans with the State Fire Marshal and the Des Moines City Fire Chief in order to obtain their approval. He commented that he would then bid the job which could be commenced in December and finished the middle of next spring.

Chairperson Hultman asked about the roles of the Legislative Council and the Executive Council. Mr. McCausland responded that he believes the responsibility of the Legislative Council includes the second and third floors of the Capitol which are used for legislative purposes. He stated that after consultation with persons knowledgeable about fire protection, he believes that any fire alarm system for legislative areas should tie in with the system already present in the Capitol. Speaker Stromer moved that Mr. McCausland be allowed to proceed with the first phase of the fire alarm system and report back to the Legislative Council. The motion carried.

Chairperson Hultman indicated that Mr. McCausland should report to the Administration Committee of the Legislative Council. He also asked Mr. McCausland to meet with the Executive Council and the Supreme Court on the matter before proceeding. Mr. McCausland agreed.

Senator Hultman called for a report from Mr. Garrison on the results of his discussions with Dr. John Fuller from LEAG concerning the marine fuel tax study. (NOTE: See June 15, 1982 minutes of the Legislative Council, page 5 for a discussion concerning the study.) Mr. Garrison indicated that Dr. Fuller had stated that the total cost of the study would be \$3,658 which does not include \$670.74 per month to pay the cost of a part-time researcher who would work on an hourly basis and be paid by the Legislative Service Bureau. Mr. Garrison stated that the study would include surveys conducted primarily by telephone, with some written surveys. Mr. Garrison expressed the belief that the procedure proposed is a good one and should be implemented. He referred members to correspondence in which Dr. Fuller states that the study would begin immediately and be completed by December 31, 1982.

Representative Welden expressed the belief that for the amount the study proposal will cost, it may be worth performing, but he added that the amounts of money that have been deposited in the Marine Fuel Tax Fund have stayed fairly constant over the years, and it might be advisable in the future to provide by law for the allocation of a specific amount to the Fund. Representative Welden moved that the Legislative Council approve the expenditure of \$3,658 to pay for the study proposed by Dr. John Fuller to fulfill the requirements of section 324.83 of the Code for this year and that the Legislative Council recommend to the Appropriations Committees and the Natural Resources Appropriation Subcommittees that the statute mandating the study be changed to provide for the

appropriation of a specific amount to the Fund. Section 324.83 directs the Legislative Service Bureau to conduct a study once every four years to determine the percentage of total motor fuel tax collected that is attributable to motor fuel used in watercraft. The motion carried.

Chairperson Hultman called for the report of the Legislative Fiscal Committee. A copy of the report is attached and by this reference made a part of these minutes. Senator Murray reviewed the report, commenting that during the months of April, May, and June and October, November, and December the state has experienced serious cash flow problems and both the Office of State Comptroller and the Legislative Fiscal Bureau were asked to develop a plan to improve the cash flow. Senator Murray expressed the belief that with regard to the general fund balances, the General Assembly needs to have a standard set of factors to judge estimated revenues and expenditures in order to determine whether revenue estimates are on target. He stated that the Legislative Fiscal Committee at its next meeting will have an extensive discussion of the factors used by the State Comptroller and the Legislative Fiscal Bureau at arriving at their revenue estimates. Senator Murray moved that the Legislative Council receive the report of the Legislative Fiscal Committee.

Representative Avenson asked about sales tax receipts. Senator Murray replied that the employees of the Legislative Fiscal Bureau constantly review its revenue estimates for the fiscal year and by silence, indicate that they stand by their estimate made for the next fiscal year. He commented that daily fluctuations are not as important as long-term trends.

Representative Avenson commented that the estimates of sales tax receipts for the fiscal year ending June 30, 1983 are for an 11.8 percent increase and for income tax receipts the increase is 14 percent. Representative Avenson expressed the belief that the economy in Iowa is not recovering, and it is important to monitor daily receipts in order to make decisions early on any cuts that may be required. Senator Murray reiterated that the agenda for the next Legislative Fiscal Committee meeting will be to receive more specific information as to the method used in determining revenue estimates. Representative Anderson commented that unless the economy begins growing soon, the state balances are of real concern.

Senator Murray's motion concerning the Legislative Fiscal Committee report was adopted.

Chairperson Hultman recognized Speaker Stromer for the Service Committee report. A copy of the Service Committee report is attached and by this reference made a part of these minutes. Speaker Stromer moved that items 1 and 2 of the Service Committee report be adopted. Representative Hansen seconded the motion, and it carried. Speaker Stromer moved that the third recommendation of the Service Committee be approved and Senator Junkins seconded the motion. The motion carried.

Mr. Garrison asked Council members to review rules for prefiling legislative bills for the 1983 General Assembly, stating that the rules have not been substantively changed except to update the dates for 1983. He stated that these rules may require changes at a future time if the deadlines which have been used in the past are changed in any way. Mr. Garrison noted that the rules have been changed to add language that once a legislator has approved a prefiled bill, the bill is available for review by the public. If the legislator does not want the text of the bill to be available for review by the public at this time, the Legislative Service Bureau must be informed and the bill will not be prefiled but will be held for personal introduction. Representative Menke moved that the rules for prefiling bills and procedures for implementing the prefiling rules be approved as submitted by Mr. Garrison. The motion carried.

Chairperson Hultman announced that the next Legislative Council meeting will be held August 11 if there is a need to meet.

Chairperson Hultman called for the report of the Studies Committee. A copy of the report of the Studies Committee is attached and by this reference made a part of these minutes. It was noted that the minutes of the Legislative Council of June 15 indicate it is not necessary for the Legislative Council to approve the membership indicated for each study. Representative Menke moved that the second recommendation for the establishment of an interim subcommittee to study the relationship between the growth in health care costs and the increases in fees charged by various types of insurers be approved. The motion carried.

Representative Menke moved that Recommendations 3, 4, and 5 of the Studies Committee report be approved by the Legislative Council.

Representative Anderson asked whether the Studies Committee discussed establishing a separate committee to review the bidding procedures used by the Board of Regents as it relates to the purchase of Indiana coal for use at the Regents' institutions. Chairperson Hultman interjected that the Contract and Bidding Procedures Subcommittee will determine whether a policy change is needed. Speaker Stromer commented that an Attorney General's opinion has been sought concerning the legality of the purchase of the Indiana coal, and it would be premature for the General Assembly to act until after the issuance of the Attorney General's opinion. Representative Menke's motion carried.

Mr. Garrison indicated that he had received correspondence from Chief Justice Reynoldson of the Iowa Supreme Court, with regard to Senate File 2250 which gives discretionary authority to the Supreme Court, after consultation with the Legislative Council, to determine which of the various Court Rules shall be printed in the Code of Iowa. Chairperson Hultman read the correspondence for the benefit of Council members. Justice Reynoldson stated that a

majority of members of the Supreme Court believes that no Court Rules should be published in the Code since the Rules are already published in the loose leaf Iowa Court Rules. Senator Taylor moved that the Legislative Council accept the recommendation of the Iowa Supreme Court and that the Code Editor be notified. The motion carried.

The Legislative Council adjourned at 2:35 p.m.

Respectfully submitted,

SERGE H. GARRISON
Director

DIANE BOLENDER
Senior Research Analyst