

M I N U T E S

IOWA LEGISLATIVE COUNCIL

June 14, 1990

PRELIMINARY BUSINESS

The thirteenth meeting of the 1989-1990 Legislative Council was called to order by Senator Bill Hutchins, Chairperson, at 2:34 p.m., Thursday, June 14, 1990, in Senate Room 22, State House, Des Moines, Iowa. Members present in addition to Chairperson Hutchins were:

Speaker Donald Avenson, Vice Chairperson
Lieutenant Governor Jo Ann Zimmerman
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Julia Gentleman
Senator Calvin O. Hultman
Senator Emil J. Husak
Senator Joe Welsh
Representative Bob Arnould
Representative Florence Buhr
Representative Kay Chapman
Representative William H. Harbor
Representative Tom Jochum
Representative Harold Van Maanen

Also present were:

Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Sandy Scharf, Director, Computer Support Bureau; 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 Hutchins noted that the roll had been taken as the members of the Legislative Council arrived. Chairperson Hutchins recognized Senator Coleman who moved to approve the minutes of the meeting of May 10, 1990, as distributed. The motion was adopted.

PUBLICATION COSTS

Chairperson Hutchins recognized Ms. Kristi Little, Superintendent, General Services Printing/Mail Division, Department of General Services, regarding optional publication costs. She stated that her letter to Ms. Bolender takes into consideration three legislative publications, including the Iowa Administrative Bulletin, Iowa Administrative Code Supplement, and Iowa Court Rules Supplement. She added that she is aware of current legislation and the state's interest in using recycled paper and soy oil-based ink, but she also noted that the cost of using quality recycled paper is quite high at the present time.

In reply to a question by Senator Husak, Ms. Little stated that it is not yet feasible to change the standards for paper for state publications to reduce the cost of using recycled paper. She stated that the technology to produce good quality recycled paper is currently lagging and the quality is not yet available at a reasonable price.

Senator Husak commented that the state of Michigan has invested more than \$5 million to upgrade paper plant facilities in that state to accommodate and provide recyclable paper of printable quality. He stated that he does not object to waiting for more competitive prices before Iowa moves toward using recycled paper in its publications, but he also emphasized the need by the General Assembly to move toward the use of recycled paper as soon as possible.

Vice Chairperson Avenson moved that the Legislative Council adopt the seven percent increase in the price of the three publications: Iowa Administrative Bulletin, Iowa Administrative Code Supplement, and Iowa Court Rules Supplement. He noted that the seven percent increase would include five percent for inflation and two percent for the cost of soy oil-based ink.

In reply to a question by Representative Chapman, Ms. Little stated that the 45 percent increase for the use of recycled paper also includes the seven percent increase for soy oil-based ink.

In reply to a question by Senator Coleman, Ms. Little replied that the state contract for collecting recyclable paper from the State Capitol Complex is currently held by the Cimino Corporation.

There being no further comments or questions, Vice Chairperson Avenson motioned to adopt a seven percent increase for the costs of the three legislative publications. The motion was adopted. A copy of Ms. Little's letter to Ms. Bolender is attached to and by this reference made a part of these minutes.

REPORT OF THE FISCAL COMMITTEE

Chairperson Hutchins recognized Senator Welsh for the report of the Fiscal Committee. Senator Welsh reviewed the report by noting that there are three recommendations for action of the Legislative Council and three items of information received by the Fiscal Committee. He noted that the first recommendation is that the Legislative Council approve the request of the Iowa Supreme Court for a two-year study to investigate bias in the court system, particularly against women and minorities. He also recommended that the Legislative Council support the use of the Resource Enhancement and Protection (REAP) Fund money for the temporary funding of capital projects by the Department of Natural Resources until corrective legislation can be enacted to allow for the funding from the Fish and Game Protection Fund. The third recommendation, he stated, is that the Legislative Council support the hiring of an Assistant Attorney General for pesticide enforcement and the payment of the salary of the Assistant from the Pesticide Fund.

In reply to a question by Chairperson Hutchins, Senator Welsh stated that he does not have a specific dollar amount for the capital projects to be temporarily funded from the REAP fund, but he does have a list of the projects and he intends that the REAP funds be used only for these capital projects less any project included on the list which was item vetoed from the 1990 appropriation bills.

Concerning contracting for engineering services by the Department of Natural Resources without a competitive bid, Senator Husak stated that he does not understand why engineering services are exempt from competitive bidding. He added that the General Assembly or the Legislative Council uses the bid process to employ consultants and he does not understand why this would not also apply to engineering services. After further discussion, Vice Chairperson Avenson stated that he does not believe that the Department of General Services or other executive departments are required by law to submit requests for professional services to the competitive bid process. He noted that this includes requests or bids for architectural services and engineering services.

In reply to a question by Representative Harbor concerning information received by the Fiscal Committee about the cost of certain programs at the South Tama School District, Representative Jochum stated that he does not believe that the South Tama School District applied for At-Risk Program funding from the state, but the school district asked the Fiscal Committee to review the problem which results from having to fund the district share of these costs with a large portion of the district exempt from property taxation due to the location of the Indian settlement at Tama. He stated that this is a unique situation and should be addressed.

After further comment, Senator Welsh moved that the recommendations of the Fiscal Committee be adopted. The motion was adopted. A copy of the report of the Fiscal Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE SERVICE COMMITTEE

Chairperson Hutchins recognized Representative Connors for the report of the Service Committee. Representative Connors proceeded to briefly review the 20 recommendations of the Committee.

Upon completion of the review, Senator Hultman asked what is an "uninterruptible power supply." Chairperson Hutchins replied that the "uninterruptible power supply" is a device which is designed to take power surges out of the electrical supply to a computer system and thus alleviates potentially serious damage to the system. In reply to another question by Senator Hultman, Mr. Scharf stated that the "uninterruptible power supply" had been discussed by the Legislative Council several year before, but the cost of the device at that time was approximately \$200,000. He stated that the cost has dropped substantially so that the purchase of an "uninterruptible power supply" unit is justified.

In reply to a question by Senator Husak, Representative Connors stated that the Dress Code which was adopted by the Committee and recommended to the Council is to apply to central legislative staff agencies. He stated that the caucus staff personnel are covered by the Rules and Administration Committees of the respective houses. Senator Husak stated that he believes the Dress Code should apply to all legislative employees regardless of their immediate employer.

There being no further comments, Representative Connors moved the adoption of the recommendations of the Service Committee. The motion was adopted. A copy of the report of the Service Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE ADMINISTRATION COMMITTEE

Senator Doyle reviewed the recommendations of the Committee and moved their adoption by the Council.

Chairperson Hutchins recognized Mr. Jack Dwyer, Secretary of the Senate, for a report of the remodeling of the Senate chambers and anterooms. Mr. Dwyer stated that the old carpeting is soon to be removed from the chamber. He stated that steps are being taken to remove asbestos which has been used to insulate wiring and heat ducts under the Senate floor. He added that after the removal of the carpeting, the wiring and related electrical equipment will be

replaced and new carpeting and drapes will be hung later during the summer months.

There being no further comments, Senator Doyle moved the adoption of the report of the Administration Committee. The report was adopted. A copy of the report of the Administration Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE STUDIES COMMITTEE

Chairperson Hutchins recognized Vice Chairperson Avenson for the report of the Studies Committee. Vice Chairperson Avenson noted that there are three recommendations from the Committee including the expansion of the membership of the MediPASS Implementation Oversight Committee, an additional charge to the Health Care Expansion Task Force, and an additional charge to the Redesign Lottery Funded Environmental Initiatives Study Committee.

Chairperson Hutchins recognized Senator Hultman for an amendment to increase the membership of the European Trade Study Committee from eight members to ten members from each house.

There being no objections to the amendment, it was adopted.

Concerning item #3 relating to expansion of the charge of the Redesign Lottery Funded Environmental Initiatives Study Committee to include oversight of an Ethanol Fueled Brazilian Truck Project at the University of Iowa, Chairperson Hutchins noted that if the project is abandoned, then by agreement with the federal government, the trucks must be destroyed. He stated without additional funding being authorized, there will be no choice but to have the trucks destroyed. A copy of the letter from Senator Coleman requesting continuation of the study by the Department of Chemical And Biochemical Engineering at the University of Iowa is filed with the Legislative Service Bureau.

There being no further discussion of the report, Vice Chairperson Avenson moved its adoption. The report was adopted. A copy of the report of the Studies Committee is attached to and by this reference made a part of these minutes.

COLLEGE AID COMMISSION ISSUES

Chairperson Hutchins brought to the attention of the Council a memorandum prepared by the Legislative Fiscal Bureau concerning particular issues relating to the handling of funding by the College Aid Commission. Chairperson Hutchins recognized Mr. Glenn Dickinson, Legislative Fiscal Bureau, who briefly reviewed the issue involved in the memorandum. Mr. Dickinson stated that there

are two concerns expressed in the memorandum: the return of approximately \$11 million from the Student Loan Reserve Fund to the federal government and the philosophy of the Commission regarding economic development in the state.

After further discussion, Vice Chairperson Avenson moved that the memorandum and the issues contained in the memorandum be referred to the Fiscal Committee. The motion was adopted. A copy of the memorandum is filed with the Legislative Service Bureau.

JUDICIAL COMPENSATION COMMISSION

Vice Chairperson Avenson stated that the membership to the Judicial Compensation Commission had been appointed two years ago, but the terms of office of the members appointed by the Legislative Council were not specified. He asked for approval for Ms. Bolender, Director of the Legislative Service Bureau, to determine by lot the members who would have two-year terms and the members who would have four-year terms.

There being no objections, Ms. Bolender was authorized to draw lots to determine the members' initial terms of office.

NEXT MEETING DATE AND ADJOURNMENT

Chairperson Hutchins noted that the next meeting of the Legislative Council is scheduled for Thursday, July 12, 1990. There being no further business to come before the Legislative Council, Chairperson Hutchins adjourned the meeting at 3:20 p.m.

Respectfully submitted,

DIANE BOLENDER
Director

THANE R. JOHNSON
Senior Research Analyst