

M I N U T E S
STUDIES COMMITTEE
OF THE
LEGISLATIVE COUNCIL

July 15, 1980

The meeting of the Studies Committee was called to order in the Speaker's Conference Room of the State House at 2:15 p.m. on July 15, 1980 by Representative Roger A. Halvorson, Co-chairperson. The following members were present in addition to Co-chairperson Halvorson:

Senator C. Joseph Coleman
Senator Lowell L. Junkins
Senator Richard R. Ramsey
Senator Ray Taylor
Representative Donald D. Avenson
Representative John H. Clark
Speaker William H. Harbor

Also present were Serge H. Garrison, Burnette E. Koebernick, and JoAnn Brown of the Legislative Service Bureau and other interested persons.

On motion of Senator Coleman, the minutes of the June 11, 1980 meeting were approved.

Co-chairperson Halvorson noted that an additional study has been requested since the last meeting and recognized Representative Carroll Perkins to comment on his letter to the Committee. A copy of Representative Perkins' letter is attached and by this reference made a part of the minutes.

Representative Perkins stated that he had attended a conference in Iowa City on the subject of hazardous waste disposal. He noted that other members of the General Assembly had also attended the meeting. He indicated that a number of the members of the General Assembly have been interested in this hazardous waste disposal subject for several years but it is now of vital importance to the state. Representative Perkins stated that there are no approved hazardous waste disposal sites in this state at the present time and that some of the industrial waste generated by industry in this state has been disposed of at approved sites in Missouri. At this time, many businesses have also been able to dispose of hazardous waste materials on their own property. However, effective November 1, 1980, new federal regulations will become effective which will force several existing sites to close because of the inability to comply with those new regulations. The business community is very concerned about what will occur after November 1, 1980. He noted that he feels a study is needed for the reasons specified in his letter and urged that the Studies Committee recommend a hazardous waste disposal study during the 1980 interim to address the issues.

Representative Avenson moved that the Studies Committee recommend to the Legislative Council that a Hazardous Waste Disposal study be approved. The motion was seconded by Senator Coleman. Representative Clark moved a substitute motion that the hazardous waste disposal study be conducted by the Iowa Coal Subcommittee, which was previously approved, and that the Subcommittee be granted one additional meeting day. The substitute motion was adopted unanimously.

Senator Ramsey moved that the Studies Committee recommend to the Legislative Council that the Probate Code study not be authorized. He stated that Senator DeKoster has indicated that the study is not necessary and it would take a great deal of time to review the current law. Senator Coleman suggested that the study ought not be deleted until the Studies Committee has heard from the Chairperson of the House Standing Committee on Judiciary and Law Enforcement regarding her position on the need for the study. Co-chairperson Halvorson noted that he had discussed the subject with Representative Shimanek and that Representative Shimanek has expressed sentiments similar to those expressed by Senator DeKoster about the need for the study. The Ramsey motion was adopted on a voice vote.

Co-chairperson Halvorson suggested that the Studies Committee review the appointments as submitted by the majority party leadership to each of the approved subcommittees. He noted that all House majority party members have been appointed to a subcommittee except for the Speaker, the Majority Leader, and the Chairperson of the House Standing Committee on Appropriations. Representative Avenson moved to change one of the minority party appointees on the Property Tax study noting that the list does not reflect his recommendations regarding appointments. Senator Coleman noted that in the past, the leadership from each House would get together and jointly make the appointments. Senator Junkins made a substitute motion that Representative Avenson make his minority party appointments and that he and Senator Ramsey review all Senate appointments and report the recommended membership to the Legislative Council the following day.

Following further discussion, Senator Junkins withdrew his substitute motion and Representative Avenson withdrew his motion and the Studies Committee reviewed the appointments with the respective leadership of each House naming the appointees to each subcommittee. A list of the appointments to each subcommittee is attached and by this reference made a part of these minutes.

Speaker Harbor moved that the Grain Elevator and Grain Grading Subcommittee be composed of members of the respective Standing Committees on Commerce and Agriculture rather than only from the respective Standing Committees on Commerce. The motion was seconded by Senator Junkins and unanimously adopted on a voice vote.

Senator Junkins noted that the list of approved studies indicates that the Governor's Economy Committee Recommendations Subcommittee is to be composed of members of the respective Standing Committees on State Government and the Joint State Government Appropriations Subcommittee. He stated that he believes that the motion which he made and which was subsequently adopted at the last meeting of the Legislative Council provided that the membership of the Subcommittee would be composed of the membership of the Standing Committees on Appropriations and State Government. Mr. Koebernick noted that the minutes of the June 11, 1980 meeting of the Legislative Council state that the membership be composed of members of the Standing Committees on State Government and the Joint State Government Appropriations Subcommittee. Senator Ramsey indicated that he is not opposed to this change. Senator Junkins noted that he would make a motion at the meeting of the Legislative Council to correct the minutes pursuant to this discussion.

Senator Junkins moved that the Transportation Study Subcommittee be authorized a membership composed of members of the respective Standing Committees on Transportation and Ways and Means. The motion was seconded by Senator Coleman and unanimously adopted by voice vote.

Representative Avenson moved that the membership of the Iowa Coal and Hazardous Waste Disposal Subcommittee be increased by four members, two from each House, to a total of fourteen members. The motion was seconded by Senator Coleman and unanimously adopted by voice vote. Speaker Harbor and Representative Avenson also noted that the Subcommittee should devote one meeting day to each of the subjects which the Subcommittee is directed to review.

Speaker Harbor moved that the membership of the Mandatory Spending Limits Subcommittee be expanded to include not only members from the respective Standing Committees on Ways and Means but also the membership of the respective Standing Committees on Appropriations and the Standing Joint Appropriations Subcommittees. The motion was seconded by Senator Taylor and unanimously adopted on a voice vote.

Senator Junkins moved to expand the membership of the Fair Play Subcommittee from the respective Standing Committees on State Government to the respective Standing Committees on State Government and County Government. The motion was adopted on a voice vote.

Senator Junkins noted that Senator Hutchins has indicated that a need exists for a study of the doctor shortage in rural areas and inquired as to whether the Studies Committee has considered establishing a subcommittee to look at the problems in this area. Mr. Koebernick noted that the issue had been raised at the last meeting of the Studies Committee and it was recommended that the State Department of Health be requested to submit the report of the

task force, which is currently reviewing the problem, to the respective Standing Committees on Human Resources and if it is determined that a study is needed at that time, a subcommittee can be established. Senator Junkins noted that it is his understanding that the State Department of Health has sent a letter to Senator Hultman and asked Senator Ramsey whether he is aware of the contents of the letter. Senator Ramsey noted that he has a copy of the letter which indicates that it is unlikely that the task force will have a report prepared prior to the convening of the next session of the General Assembly. Senator Junkins noted that there is a need for the study and at least one meeting should be approved but stated that he would make his recommendation to the Legislative Council at its meeting on July 16, 1980.

Representative Avenson noted that he has received correspondence from the Iowa Freedom of Information Council which indicates that a study may be needed regarding access to public records by members of the news media and moved that such a study be recommended by the Studies Committee to the Legislative Council. The motion was seconded by Senator Coleman. Senator Junkins suggested that if there are any problems in this area, the interested groups ought to present the issue to the Confidential Records Commission. Senator Taylor noted that he is a member of the Commission and that the Commission regularly addresses questions presented to it. The motion lost on a vote of two ayes and six nays.

Mr. Garrison inquired of the Studies Committee as to whether the co-chairs designated for each of the subcommittees are temporary co-chairs. Co-chairperson Halvorson noted that past practice has been to appoint temporary co-chairs and to allow the subcommittees to elect the permanent chairpersons or co-chairs and that this is the intent of the Studies Committee. Mr. Garrison also noted that the process has been begun for the appointment of citizen members to subcommittees where the appointment of citizen members is mandated.

Speaker Harbor moved that the Studies Committee recommend to the Legislative Council that the number of meeting days for all interim subcommittees for which more than two meetings have been recommended be reduced by one meeting. He noted that with the existing state of the economy and the reduction in state revenues, it is incumbent upon the legislative branch of government to demonstrate its willingness to curtail its expenditures. Speaker Harbor also emphasized that the subcommittees will be able to complete their work by beginning earlier in the day and working later. It will mean more organization prior to the first meeting and the use of time during the first meeting to accomplish part of the task assigned to the subcommittees. The members of the Studies Committee discussed the issue at length and agreed that the subcommittees should be encouraged to begin the meeting days earlier and work longer through the day to complete the study. Following the discussion, Speaker Harbor withdrew his motion.

Representative Avenson moved that the recommendations regarding membership be approved and submitted to the Legislative Council for its approval. The motion was seconded and unanimously adopted on a voice vote.

There being no further business before the Studies Committee, the meeting was adjourned at 3:50 p.m.

Respectfully Submitted

BURNETTE E. KOEBERNICK
Senior Legal Counsel