

M I N U T E S
IOWA LEGISLATIVE COUNCIL

August 16, 1989

PRELIMINARY BUSINESS

The fifth meeting of the 1989 - 1990 Legislative Council was called to order by Senator Bill Hutchins, Chairperson, at 2:15 p.m., Wednesday, August 16, 1989, in Senate Room 22, State House, Des Moines, Iowa. Members present, in addition to Chairperson Hutchins, were:

Speaker Don Avenson, Vice Chairperson
Lieutenant Governor Jo Ann Zimmerman
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Emil Husak
Senator John Nystrom
Senator Julia Gentleman
Senator Joe Welsh
Representative Bob Arnould
Representative Florence Buhr
Representative Kay Chapman
Representative John Connors
Representative Delwyn Stromer
Representative William H. Harbor
Representative Mary Lundby
Representative Tom Jochum
Representative Harold Van Maanen

Also present were Ms. Diane Bolender, Acting Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Bill Angrick, Citizens' Aide/Ombudsman; 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.

MINUTES APPROVED

Senator Coleman moved that the minutes of the July 19, 1989, Legislative Council meeting be approved as distributed. The motion was adopted.

PREFILING RULES ADOPTED

Chairperson Hutchins recognized Ms. Bolender, who briefly reviewed the proposed rules for prefiling legislative bills. She noted that the background statement submitted with departmental requests will be limited to one page or less in length. She added that prefiled bills from departments must be submitted to the Bureau not later than November 24, 1989, and when a departmental bill is prepared in final form, the Legislative Service Bureau, not the department or agency, will submit the bill to the presiding officers of the two houses for referral to the appropriate standing committee.

Senator Coleman expressed support for the procedure of submitting departmental prefiled bills to the leadership rather than to the committee chairs. He stated that the prefiled departmental bills should go to leadership before they are distributed to the appropriate committees.

There being no further comment, Chairperson Hutchins stated that the prefile rules would be adopted as submitted if there is no objection. There was no objection.

A copy of the Rules for Prefiling Legislative Bills for the 1990 General Assembly is attached to, and by this reference made a part of these minutes.

REPORTS OF THE FISCAL COMMITTEE

Chairperson Hutchins recognized Representative Tom Jochum for the Reports of the Fiscal Committee. Representative Jochum briefly reviewed the proceedings of the Fiscal Committee meetings for July 20 and August 14. There being no questions from the Council, Representative Jochum moved the adoption of the Reports. The motion was adopted. A copy of the Reports of the Fiscal Committee are 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 reviewed the provisions of the Report and asked for any questions of the Council members. There being no questions, Representative Connors moved the adoption of the Report. The Report was adopted. A copy of Report of the Service Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE LEGISLATIVE PROCEDURES COMMITTEE

Chairperson Hutchins recognized Speaker Avenson who presented a brief explanation of the Report of the Legislative Procedures Committee. Speaker Avenson stated that at its August 15 meeting, the Committee agreed that most funnel deadlines should be advanced by two weeks to provide for an early adjournment of the 1990 Legislative Session and the Committee had prepared proposed rules changes to accomplish this. He added that this would include a recommendation that the Fiscal Committee complete its visitations by November 1, 1989, and that the joint subcommittees of the Appropriation Committees are to meet for up to four days in advance of the 1990 Legislative Session. He added that the proposed schedule would provide for nine budget bills being reported out of subcommittee by the end of the fourth week of January, or not later than February 2nd, and a potential tenth budget bill be available for any needed revisions or adjustments following a special meeting of the Revenue Estimating Conference, which is to be held during the eleventh week of the 1990 Session.

In reply to a question by Senator Doyle, Chairperson Hutchins stated that additional changes to funnel dates not relating to the appropriations process will be considered as a part of the total recommendation being considered by the Legislative Procedures Committee.

Representative Stromer offered an amendment to the Committee's proposal for House Rule 31.8. He stated that his proposed amendment to House Rule 31.8 would remove the sunset so that the proposed change would apply for each future General Assembly rather than just the Second Session of the Seventy-Third General Assembly. Speaker Avenson responded that the proposed amendment is to House Rule 31.8 and does not apply to any joint rule. He noted that it should be considered as a part of changes proposed by the Rules and Administration Committee in the House rather than by the Legislative Council. After further discussion, Representative Stromer moved his amendment to House Rule 31.8 and asked for a record roll call. After a roll call vote, the amendment was defeated by a vote of ten nays, six ayes, and one present. Those voting nay were: Chairperson Hutchins, Senator Doyle, Senator Husak, Senator Welsh, Speaker Avenson, Representative Arnould, Representative Buhr, Representative Chapman, Representative Connors, and Representative Jochum. Those voting aye were: Senator Nystrom, Senator Gentleman, Representative Stromer, Representative Harbor, Representative Lundby, and Representative Van Maanen. Voting present was: Senator Coleman.

In reply to a question by Representative Stromer, Speaker Avenson responded that the proposal for four days of appropriation subcommittee meetings in December may be a structure to be continued in the future. In response to a question by Chairperson Hutchins, Representative Stromer responded that proposals from

Governor Branstad on appropriation and budget matters for the 1990 Session will probably be in the form of supplemental appropriations. In response to a question by Representative Van Maanen, Speaker Avenson stated that the tenth appropriation bill is intended to be limited to necessary changes in the other nine appropriation bills based on the latest revenue estimates by the Revenue Estimating Conference.

There being no further discussion, Speaker Avenson moved the adoption of the first six recommendations of the Legislative Procedures Committee as either Council directives or Council recommendations to the General Assembly. The motion was adopted.

Speaker Avenson stated that the remainder of the Report of the Legislative Procedures Committee relates to items which will be considered at additional meetings of the Committee. He stated that these will include recommendations concerning the establishment of a legislative budget, issues relating to statutes and rules that apply to the Ethics Committee, issues relating to membership and procedures of the Administrative Rules Review Committee, issues relating to the use of study bills, issues relating to the procedures and subject matter of Conference Committees, and issues relating to the timeliness of bill processing during the final weeks of a legislative session.

In response to a question from Representative Harbor, Speaker Avenson stated that Senator Tieden and other members of the Committee are concerned about the subject matter considered by Conference Committees and that these issues will be further discussed by the Committee.

There being no further comments, Speaker Avenson moved the adoption of the remainder of the Report of the Legislative Procedures Committee. The motion was adopted. A copy of the Report of the Legislative Procedures Committee and a copy of the amendment by Representative Stromer are attached to and by this reference made a part of these minutes.

REPORT OF THE ADMINISTRATION COMMITTEE

Chairperson Hutchins recognized Senator Doyle for the Report of the Administration Committee. Senator Doyle commented that a correction should be made in the first line of the Report changing the date July 12, 1989, to August 16, 1989. The change was made by unanimous consent. After a brief review of the recommendations for rewiring speakers in legislative offices and deferring a decision on the sale of legislative computer tapes, by Senator Doyle, Representative Connors asked if it is feasible to install audio monitors of some sort (for the benefit of blind persons) to be included with the proposed visual monitors displaying floor action in the House and Senate lounges. Senator Doyle responded that at this point only visual monitoring has been considered.

There being no further comments, Senator Doyle 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 and by this reference made a part of these minutes.

REPORT OF THE STUDIES COMMITTEE

Chairperson Hutchins recognized Speaker Avenson for the Report of the Studies Committee. After a brief review of the recommendations of the Report, Speaker Avenson moved adoption of the Report including approval of one additional item relating to a Justice Appropriations Subcommittee visitation request for a one-day meeting to tour the Newton Correctional Facility.

In regard to Item 7 relating to the Park and Recreation Enhancement Study Committee's request to employ George Butler Associations, Inc., as a consultant, Representative Stromer stated that there is a long-established policy regarding the employment of consultants, established as early as 1974 at the request of Senator Bass Van Gilst, which is not being followed. He added that the policy provides that open bidding procedures should be used for the employment of consultants. Senator Husak, a member of the Park and Recreation Enhancement Study Committee, stated that the Study Committee did review and scrutinize a number of possibilities for the position of consultant before concluding that George Butler Associates, Inc. would fulfill the contract best. He added that George Butler Associates, Inc., has earned an exemplary reputation in other completed legislative studies. After further discussion, Representative Stromer moved that the Legislative Council provide open competitive bids for the proposed study requested by the Park and Recreation Enhancement Study Committee.

After further discussion, Representative Stromer withdrew his motion and Speaker Avenson moved that the Administration Committee of the Legislative Council be authorized to establish a bidding procedure for consultants employed by the Legislative Council and its Study Committees. Representative Stromer seconded the motion and it was adopted.

There being no further discussion, the Report of the Studies Committee was adopted.

LEASE-PURCHASE REQUEST

Chairperson Hutchins recognized Mr. Robert Soldat, Department of General Services, regarding a lease-purchase request from the Department of General Services relating to the upgrade of a fingerprint information system for the Department of Public Safety. Chairperson Hutchins stated that the request is a part of a prenotice procedure between the executive branch and the legislative branch regarding lease-purchase agreements and subsequent funding of these agreements.

In reply to a question by Senator Welsh, Mr. Soldat deferred to Mr. Carroll Bidler, Department of Public Safety, for a response. Mr. Bidler responded that the four remote automatic fingerprint information system (A.F.I.S.) terminals would cost approximately \$1.2 million. Senator Welsh responded that he believes that the appropriation made by the General Assembly was for the outright purchase of four terminals and that five additional terminals would be purchased later. Representative Jochum commented that it is his recollection that the appropriation request was for four A.F.I.S. terminals required by lease-purchase over three years. Senator Husak commented that he does not recall the intent of the actual appropriation but his intent was to begin the process by authorizing an appropriation to purchase the first installment of the necessary terminals. In response to a question by Representative Buhr, Mr. Bidler stated that the location of the terminals is dependent on the training of the available fingerprint specialists. He stated that three sites have been selected, Davenport, Waterloo, and Sioux City, and that two additional possibilities are Cedar Rapids or Council Bluffs for the fourth terminal.

After reviewing the appropriations summary with Mr. Douglas Wulf, Legislative Fiscal Bureau, Chairperson Hutchins said that the summary refers to "\$410,000 - for remote A.F.I.S. terminals."

In reply to a question by Chairperson Hutchins, Mr. Soldat stated that the bidding process has been suspended until approval is received from the Legislative Council.

After further discussion, Senator Husak moved to defer action on the request for approval of the lease-purchase agreement for the purchase of the four A.F.I.S. terminals. In response to another question by Chairperson Hutchins, Mr. Bidler stated that the interest cost of the lease-purchase agreement would be approximately 8.05 percent per annum or \$85,000 total interest cost for the agreement.

There being no further discussion, the motion to defer action was adopted.

TELECOMMUNICATIONS NETWORK UPDATE

Chairperson Hutchins next recognized Mr. Glen Anderson, Department of General Services, for an update on the implementation of the telecommunications network provided for in House File 774. Mr. Anderson stated that the appropriation is for \$10 million contingent upon a sufficient state general fund balance which the Revenue Estimating Conference has recently approved. Mr. Anderson stated that a committee of state executive department heads has been appointed and that staff needs are being provided by the loan of persons from the Department of Education and the State Board of Regents. He added that the needs for staff are not being paid from the \$10 million appropriation. Mr.

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Anderson stated that a \$20,000 contract with Spectra Associates has been finalized with \$16,000 being used to provide a final design to the network and \$4,000 being set aside if expert witness fees are needed.

There being no questions of Mr. Anderson, Chairperson Hutchins thanked Mr. Anderson for his report.

ADJOURNMENT

There being no further business to come before the Legislative Council, Chairperson Hutchins adjourned the meeting at 3:06 p.m. The next scheduled meeting of the Legislative Council is Wednesday, September 20, 1989.

Respectfully submitted,

DIANE BOLENDER
Acting Director

THANE R. JOHNSON
Senior Research Analyst

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