

MINUTES

ADMINISTRATION COMMITTEE OF THE LEGISLATIVE COUNCIL

December 17, 1992

The meeting was called to order by Chairperson Representative Mike Peterson at 2:45 p.m. Those present in addition to Chairperson Peterson included:

**Senator Don Doyle, Vice Chairperson
Senator Dale Tieden
Representative Bill Harbor**

The minutes of the November 10, 1992, meeting of the Administration Committee were approved by unanimous consent. At the request of Chairperson Peterson, Mr. Mark Johnson, Legislative Service Bureau, informed the Committee that a check had been received in payment for the contract from Mead Data. In addition, Mr. Johnson stated that the Committee needs to recommend that the Legislative Council approve completion of the contract with West Publishing and receipt of a check for \$3,500. He explained that the Legislative Service Bureau had negotiated for the sale of the entire Code printout with West Publishing. In response to a question by Representative Harbor, Mr. Johnson stated that the \$3,500 figure had been arrived at by calculating that West Publishing has paid \$700 for a printout of the 1991 Code Supplement which was roughly one-fifth of the entire text of the Code. Senator Doyle moved the recommendation and it was approved by unanimous consent.

Chairperson Peterson noted that Mr. Carl Nielsen from the Iowa State Bar Association was not present to discuss the CD-ROM issue. Senator Tieden questioned Mr. Nielsen's intention in requesting time on the agenda from the Committee in the first place and Chairperson Peterson responded that his understanding was that Mr. Nielsen wanted the Committee to reconsider the motion made at the November 10, 1992, meeting to defer consideration of the CD-ROM issue. The Committee agreed to reconsider the earlier motion to defer.

The Committee, at the request of Chairperson Peterson, listened to Mr. Johnson's explanation of a letter and the ensuing proposal which was received from Ms. Linda Schlenker, Manager of Office Systems and Technologies with the Department of General Services, regarding executive branch access to the Iowa Code database on computer. Mr. Johnson discussed the contents of the proposed contract with the Department of General Services and asked the Committee to recommend that the Legislative Council move ahead with the contract between the Legislative Service Bureau and the Department of General Services. In response to a question by Chairperson Peterson, Mr. Johnson stated that certain executive branch departments have access to portions of the Code on computer, but that they do not have search capabilities. He added that this issue has been prevalent for some time. Representative Harbor questioned whether the restrictions regarding use of the Code information are normal

for this type of contract. Mr. Johnson replied that while the Legislative Service Bureau does not have extensive experience with this type of contract, he believes that the restrictions are similar to those contained in other contracts approved by the Committee.

Senator Doyle expressed concern over a department's ability to change the text of the Code base. Mr. Johnson explained that the actual Code database cannot be permanently altered or manipulated by a department and that any printout which an executive branch department makes has to state that it is an unofficial version of the Code. Senator Doyle questioned whether this contract will interfere with the Mead Data contract and whether the executive branch will decide to enter the publishing business. Mr. Johnson explained that under the terms of the contract, before any portion of the Code can be reprinted, permission must be received from the Director of the Legislative Service Bureau. Senator Doyle proposed that rather than receive prior permission from the Director of the Legislative Service Bureau, prior permission be required from the Legislative Council upon the recommendation of the Administration Committee. Senator Tieden questioned whether this will make the process too lengthy to be worthwhile. Mr. Johnson commented that the Legislative Service Bureau and the Department of General Services felt that the existing controls were sufficient, but that if the Committee feels the need to have further approval, that was certainly their prerogative. Senator Doyle explained that his concern was that leaving the decision making to the Director of the Legislative Service Bureau places that person in an awkward position. He moved that the contract be approved with an amendment requiring that any printing of data under the contract must receive the prior approval of the Legislative Council upon the recommendation of the Administration Committee. The motion was unanimously approved.

Senator Doyle moved that the Administration Committee recommend that the Legislative Council request the appropriate Committees in both the House and the Senate to review the statutory provision requiring free distribution of the Iowa Code and the necessity and the expense of publishing bound Senate and House journals. The motion was passed unanimously.

Chairperson Peterson thanked all the members of the Committee for their service and their friendship over the past two years during his Chairmanship and moved that the meeting be adjourned. The meeting was adjourned at 3:00 p.m.

Respectfully submitted

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