

MINUTES
STUDIES COMMITTEE OF THE LEGISLATIVE COUNCIL
June 15, 1994

PRELIMINARY BUSINESS

The seventh meeting of the Studies Committee of the Legislative Council for 1993-1994 was called to order by Chairperson Representative Mary Lundby at 12:42 p.m. on Wednesday, June 15, 1994, in Room 22 of the State Capitol Building in Des Moines, Iowa. Members present in addition to Chairperson Lundby were:

Senator Leonard Boswell
Senator Wally Horn
Senator Emil Husak
Senator Jim Lind
Senator Jack Rife
Representative Clifford Branstad
Representative Richard Vande Hoef

Also present were staff members of the Legislative Service Bureau, Legislative Fiscal Bureau, members of caucus and research staffs, and other interested persons.

Chairperson Lundby noted that a quorum was present. Upon motion of Senator Husak, the minutes of the previous meeting held on May 11, 1994, were approved without dissent.

REQUESTS FOR INTERIM STUDIES

Chairperson Lundby informed the members that she and Senator Horn had agreed on the four studies involving substance abuse, beverage containers, state and local tax review, and sentencing, but that she had not had a chance to review the other proposed studies.

Representative Branstad stated his desire that the proposed school finance review study encompass the whole school aid formula and include consideration of methods to provide financing to school districts that would relieve the burden of property taxes. In addition, he expressed his concern that the study committee would need more than two days to accomplish its proposed charge. Chairperson Lundby noted that two or three years ago there was a \$400,000 study done on school finance which did not result in any changes in the current financing system. She hoped that the proposed study would include recommendations as to whether the state should continue with the present formula or if a formula system is the best way to provide funding to the schools. Chairperson Lundby stated that the House has been authorized 120 legislator-days for interim committees and if all the proposals offered today are

adopted, 90 days will be assigned. She added that this would give the Studies Committee the flexibility to assign additional meeting days, if necessary.

Chairperson Lundby moved that a requirement be added to the charges of both the state and local tax review study and the economic development service delivery study that those committees meet at least once jointly to consider issues relating to the machinery and equipment property tax and the tax treatment of subchapter S corporations and their shareholders. Representative Vande Hoef seconded the motion. In response to a comment by Senator Husak regarding determination of the cost and the financing of the cost of the machinery and equipment tax, Chairperson Lundby expressed her belief that the state and local tax review study would look into that. There were no further comments and Chairperson Lundby's motion was adopted without dissent.

The Studies Committee then adopted the four studies which Chairperson Lundby and Senator Horn had previously agreed to.

Representative Vande Hoef asked if the proposed sentencing study committee would be required to meet jointly with the existing nonlegislative Intermediate Criminal Sanctions Task Force. In response, Senator Horn suggested that the two committees should coordinate activities but stated that he did not wish to mandate a joint meeting because the Task Force is not a legislative task force. Representative Vande Hoef stated he would talk with the appropriate chairpersons concerning coordination or possible joint meetings.

Senator Lind proposed and the other Committee members agreed that staff should provide Committee members with copies of reports of previous legislative studies conducted during the previous 10 years concerning the same topics as are to be studied by the Substance Abuse Care and Treatment Program, School Finance Review, Management of Beverage Containers, State and Local Tax Review, and Sentencing Study Committees.

The Committee next discussed the Animal Agriculture Study Committee whose establishment and charge were approved at the previous Legislative Council meeting. Senator Horn noted that the four meeting days allotment was merely a starting point and that there is flexibility to authorize more meeting days. Chairperson Lundby suggested that the membership should probably include persons who reside near a hog or cattle operation. Senator Husak's response, with Representative Vande Hoef concurring, was that these individuals will most likely be present and speak at the public hearings the Study Committee will be holding. Senator Boswell reported that he received a phone call from a small farmer, whose wife is a county supervisor, who lives one-half mile downwind from an operation with 390 sows. The farmer complained that the local board of supervisors does not know how to handle the situation. Senator Boswell added that he wondered why these concerns are just now coming to the forefront.

Senator Lind expressed his concern that the composition of the committee may lead people to perceive that it is pro-hog farmer. Chairperson Lundby agreed that the membership should include at least one representative of those people who are complaining about the

increase in size of these hog and cattle operations. Representative Branstad also thought this was a good idea. Chairperson Lundby moved that the Animal Agriculture Study Committee membership include two members who reside in residential areas and who are not actively engaged in farming and that all six of the public members be made nonvoting. The motion was seconded and adopted with Senator Horn and Representative Vande Hoef voting no. The Animal Agriculture Study Committee membership and meeting days were then approved.

The Studies Committee approved without dissent the Regulation of Long-Term Care in Iowa Health Care Facilities Study Committee.

The Committee next considered the proposed School Finance Review Study Committee. Chairperson Lundby, based on Representative Branstad's previous comment, moved that the charge include a consideration of the "reliance on property tax revenues" for funding the formula. This was adopted unanimously. In response to Senator Lind, regarding the number of meeting days, Chairperson Lundby reiterated that there is the flexibility to authorize additional meetings as necessary after all study committees have been approved. The motion to approve the study committee was adopted unanimously.

Senator Boswell asked who suggested the Economic Development Service Delivery System Study Committee. Chairperson Lundby said that it was in House File 2180, often referred to as the IPSCO bill, and the Speaker considers this study to be a priority. With no further discussion, the motion to approve the study was adopted.

The Committee next approved a requirement that all Legislative Council interim studies be completed by December 16, 1994. The Committee then approved the referral to the Judicial Compensation Commission of the request in House File 2418 for a review of the services provided and compensation paid to senior judges according to statute, including the current funding mechanism of payment from the judicial retirement fund. The Committee also approved authorization for the joint bipartisan leadership to make appointments to Legislative Council studies, permanent legislative committees, and other interim bodies on behalf of the Legislative Council.

OTHER BUSINESS

Senator Boswell indicated his desire to see the General Assembly create a legislative standing committee to deal with issues related to tourism.

Senator Rife asked whether there would be a child abuse study. Chairperson Lundby said that further consideration will be given to authorizing one.

A copy of the Studies Committee report is attached and by this reference made a part of these minutes.

ADJOURNMENT

There being no further business to come before the Committee, the Committee adjourned at 1:19 p.m.

Respectfully submitted,

MICHAEL J. GOEDERT
Senior Legal Counsel

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ATTACHMENT
June Studies Committee Report