

M I N U T E S
LEGISLATIVE COUNCIL

May 15, 1984

The twelfth meeting of the 1983-1984 Iowa Legislative Council was called to order at 2:00 p.m. by the Council Chairperson, Speaker Donald D. Avenson, on Tuesday, May 15, 1984, in Committee Room 22 of the State House, Des Moines. Members present were:

Speaker Donald D. Avenson, Chairperson
Senator Lowell L. Junkins, Vice Chairperson
Senator James Briles
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Merlin Hulse
Senator Calvin O. Hultman
Senator C. W. (Bill) Hutchins
Senator Charles Miller
Senator Arthur A. Small, Jr.
Representative Dale Cochran
Representative John H. Connors
Representative Betty Hoffmann-Bright
Representative Tom Jochum
Representative Jean Lloyd-Jones
Representative Lester D. Menke
Representative Lowell Norland
Representative Delwyn Stromer
Representative Richard Welden

Also present were:

Dr. John Fuller, Legislative Extended Assistance Group (LEAG),
University of Iowa
Mayor Ken Kew, Mason City, representing the Advisory Commission
on Intergovernmental Relations
Ms. Maggie Tinsman, Advisory Commission on Intergovernmental
Relations
Mr. Serge Garrison, Director, Legislative Service Bureau
Mr. Dennis Prouty, Director, Legislative Fiscal Bureau
Mr. Bill Angrick, Citizens' Aide
Mr. Burnette Koebernick, Senior Legal Counsel,
Legislative Service Bureau
Ms. Diane Bolender, Senior Research Analyst,
Legislative Service Bureau

Representative Hoffman-Bright moved that the minutes of the April 13, 1984 meeting be approved as distributed to Council members, and the motion was adopted. Representative Welden moved that the Legislative Council accept the Educational Leave Report, and the motion was adopted.

Senator Hultman moved that the Legislative Council adopt the proposed Rules for Prefiling Legislative Bills for the 1985 legislative session as proposed by Mr. Garrison. He indicated that the proposed rules should be sent to the executive agencies immediately and the Legislative Council will direct Mr. Garrison in August or September to send correspondence to these agencies asking them to send their bill requests for prefiled departmental bills early so that they can be properly processed before the 1985 legislative session.

Chairperson Avenson called for a report from Dr. Fuller. Dr. Fuller explained that LEAG is designed to increase the involvement of college and university researchers in public research for the Iowa General Assembly. He stated that it is time to begin the request for proposal process for the 1984 interim and listed a number a potential research topics. A copy of the information distributed by Dr. Fuller may be obtained from the Legislative Service Bureau upon request. Dr. Fuller stated that he will discuss specific topics with the Legislative Council at its June meeting and asked the Council to approve a target budget of \$30,000 for a group of studies to be conducted during the legislative interim.

Dr. Fuller stated that six reports were issued for the 1984 session of the General Assembly, and suggested that the proposed list this year is primarily concerned with economic development topics. Dr. Fuller commented about two small projects that might be conducted initially. The first would update past LEAG reports relating to local option taxes, ADC families eliminated from the program in 1981, and hazardous waste management. He indicated the cost for two reports would be about \$2,375. In addition Dr. Fuller commented that the issue of the farm credit crisis in Iowa has been important and for a cost of \$1,025, with additional funding provided by the Readers' Digest Foundation and the Murray Foundation, the study can be conducted.

Chairperson Avenson indicated that in June the Studies Committee will attempt to incorporate the LEAG proposals with proposed studies.

Senator Small suggested that a decision should be made immediately to fund the farm credit crisis in Iowa study. He moved that the Legislative Council approve funding for the study. Dr. Fuller indicated that if the approval is given on May 15, the report could be ready by October.

Representative Welden asked for further information about funding for LEAG projects. Chairperson Avenson indicated that during the last three years the funding for LEAG has been paid from an appropriation bill, but the funding was not included in the appropriation bill during the last session, but there was an amendment to provide the funding that was offered on the floor. Chairperson Avenson indicated that the amendment was withdrawn after discussion with affected persons, and he made the decision

that funding should be provided, with the approval of the Legislative Council, from section 2.12 of the Code as had been done in the past. Senator Small's motion was adopted.

Chairperson Avenson stated that the American Institute of Architects has asked that a member of the Legislative Council be designated to accept a citation from the Institute and Chairperson named Representative Connors, as Chairperson of the Capitol Centennial Celebration, to accept the citation.

Senator Junkins gave the report of the Studies Committee, a copy of which is attached and by this reference made a part of these minutes. Senator Hultman moved its adoption, and the motion was carried.

Senator Hutchins gave the report of the Service Committee, a copy of which is attached and by this reference made a part of these minutes. He moved its adoption, and the motion was carried.

Chairperson Avenson called for the Report of the Capitol Centennial Committee, a copy of which is attached and by this reference made a part of these minutes. Representative Connors reported that there currently exists a debit of \$1,310, but the estimated cost of the Capitol Centennial Celebration was between \$5,000 and \$10,000. Representative Connors asked for permission to sell to the State Historical Department on consignment memorabilia that remains to be sold and to sell to schools at \$1.50 big posters that originally sold for \$3.00 each. Representative Connors' motion was adopted.

Representative Connors added that \$802 was presented to the Executive Council for the Capitol restoration from sales of the State Capitol belt buckles.

Senator Hultman announced that Mr. Carl (Andy) Andersen, Station Manager of KMA radio station in Shenandoah has been appointed to fill a vacancy on the Professional and Occupational Regulation Commission because of the resignation of Mr. Rick Morain.

Senator Hultman asked whether the Legislative Procedures Study Committee will continue its work during the present interim. Chairperson Avenson responded in the affirmative, commenting that it is anticipated that the Study Committee will discuss the appropriations process and other legislative procedures.

Chairperson Avenson called for comments by Mayor Ken Kew of Mason City, representing the Advisory Commission on Intergovernmental Relations. Mayor Kew stated that the Commission has been working diligently for two years to fulfill its legislative mandate specified in Chapter 28C of the Code to discuss major governmental issues and develop recommendations. Mayor Kew expressed support for the following actions which were adopted by the General Assembly and were ACIR priorities:

1. Preventing local governments for being sued for antitrust purposes under the Iowa Anti-competition Law.
2. Comparative fault and joint and several liability provisions.
3. Holding local governments harmless from tort claims for community service providers.
4. Local option wheel tax.
5. Coinvestment of funds by cities.
6. Revision of county road budget reporting dates.

Mayor Kew listed the following as recommendations of the ACIR:

1. Provide for more local option taxes.
2. Authorize the Treasurer of State to establish a local government investment pool.
3. Provide for an interim study of tort liabilities to consider proposing an administrative procedure for handling public tort disputes.
4. Abolish the existing county compensation board and grant the county boards of supervisors the power to set salaries.

Mayor Kew announced that the ACIR research agenda for this year contains a proposal for a county government reorganization study of the need and desirability of instituting a variety of reforms, including the desirability of moving to a short ballot, the desirability of making county elections nonpartisan, the desirability of consolidating certain county offices and smaller counties, and ways to promote modern management practices in county government. He commented that the ACIR will be preparing a series of background reports on these issues and others and will hold public hearings to obtain further ideas on ways to improve county government.

Mayor Kew also stated that the ACIR will be looking at and examining intergovernmental problems relating to law enforcement and mental health and local government bond banks.

Mayor Kew introduced Jim Lynch, Staff Assistant for the Advisory Commission on Intergovernmental Relations.

Representative Stromer asked for more information about local government bond banks, which he indicated appeared to be a good idea. Mayor Kew responded that the research has not been completed for that topic.

Senator Briles pointed out that present law allows counties to consolidate offices and to join together with other counties. Mayor Kew agreed, but indicated that the provisions are not currently being used and with more publicity and education, they might be.

Mayor Kew introduced co-chairs Maggie Tinsman and Tom Allen.

Senator Hutchins expressed the belief that members of the General Assembly have worked long and hard to establish county compensation boards to set salaries of county officials. He expressed the belief that allowing a county board of supervisors of one political party to set salaries for elected officials of the other political party may not result in fairness. Mayor Kew expressed the belief that the voters would insure fairness. Ms. Tinsman commented that there is also control by using the publicity in the media. She noted that the county board of supervisors presently sets the county's entire budget, and wondered how that differs from establishing salaries of eleven officials. Senator Miller expressed disagreement with the ACIR's recommendation also.

Senator Briles moved that the Legislative Council accept the report of the Advisory Commission on Intergovernmental Relations. The motion was adopted.

Ms. Tinsman asked members of the Legislative Council to inform them if there are other studies they would like them to consider. Chairperson Avenson suggested that an inventory of capital needs of counties and cities may be an area that the General Assembly could look at with LEAG assistance. He suggested that there is a need to be knowledgeable about infrastructure needs of local governments. Ms. Tinsman responded that Chairperson Avenson's suggestion is a good one.

The next meeting of the Legislative Council will be held on June 12.

The Legislative Council adjourned at 2:55 p.m.

Respectfully submitted.

SERGE H. GARRISON, Director
Legislative Service Bureau

DIANE BOLENDER
Senior Research Analyst

Council/May
db/dg/56H