

MINUTES

SERVICE COMMITTEE OF THE LEGISLATIVE COUNCIL

November 29, 1994

PRELIMINARY BUSINESS

The November 29, 1994, meeting of the Service Committee of the Legislative Council was called to order by Representative Teresa Garman, Chairperson, at 9:13 a.m., in Room 22 of the Statehouse. Members of the Committee who were present at the meeting, in addition to Chairperson Garman, were as follows:

Senator Wally Horn
Senator Jack Rife
Representative John Connors

Also present at the meeting were Ms. Diane Bolender, Director of the Legislative Service Bureau; Mr. Dennis Prouty, Director of the Legislative Fiscal Bureau; Mr. Sanford Scharf, Director of the Legislative Computer Support Bureau; Mr. William Angrick, Citizens' Aide/Ombudsman; Mr. Duncan Fowler, Deputy Citizens' Aide/Ombudsman; members of legislative staff; and other interested persons.

Chairperson Garman noted that all members had received copies through the mail of the minutes of the last Committee meeting. Representative Connors moved that the reading of the minutes be dispensed with and that the minutes be approved as mailed. There was no discussion and the motion passed on a unanimous voice vote. Copies of the minutes are on file in the Legislative Service Bureau.

PERSONNEL REPORT OF THE LEGISLATIVE FISCAL BUREAU

Chairperson Garman recognized Mr. Dennis Prouty, Director of the Legislative Fiscal Bureau, for presentation of a personnel report. Copies of the report are on file in the Legislative Service Bureau. Mr. Prouty stated that part of his report is simply for the Committee's review and part requires Committee approval. He noted that one merit increase had been granted since his last personnel report and two vacancies, created when Ms. Tamara Fujinaka and Mr. Bradley Hudson obtained other employment, have been filled. He introduced the two new Fiscal Bureau employees, Ms. Angela Frey and Ms. Margaret Evans, to the Committee.

Mr. Prouty stated that the last part of his report consists of recommendations for the promotions of five staff people which do require Committee approval to take effect. Senator Rife asked whether four of the persons had received promotions in May, to which Mr. Prouty responded that the May date was the date of their last merit increase. He noted that depending on the particular employee's current pay grade and step, the promotions will represent either a

one- or a two-step increase. He then, in response to a comment from Senator Rife, discussed the history of how the Committee arrived at the current promotion policy and the circumstances under which he recommends promotions. He added that if the promotion calls for an increase in three or more grades, the employee will receive a two-step increase, but that if the promotion involves an increase in two or fewer pay grades, the employee will receive a one-step increase.

There were no further questions of Mr. Prouty concerning his report and Representative Connors moved that the Committee receive, file, and recommend approval of the recommendations contained in the report. Senator Rife seconded the motion. The motion carried on a unanimous voice vote.

PERSONNEL REPORT OF THE LEGISLATIVE SERVICE BUREAU

Chairperson Garman recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of a personnel report. Copies of the report are on file in the Legislative Service Bureau. Ms. Bolender indicated that her report includes a number of items, including notice of merit increases, notice of an upcoming retirement, and notice of three vacancies. She noted that the Service Bureau has filled several vacant positions in the Iowa Code and Administrative Code Divisions and that this information is contained in her report. She added that the Service Bureau had hired four new session-only proofreaders for the upcoming legislative session.

Ms. Bolender noted that she is also providing notice of change of status for two employees, Ms. Mary Carr, a legal counsel, and Ms. Janet Wilson, Deputy Code Editor, who will be both working on a half-time basis in the Iowa Code Division. Ms. Bolender stated that the change in status for both individuals creates a legal counsel vacancy which the Service Bureau is in the process of filling. Ms. Bolender concluded by noting that her list of proposed promotions is contained on the last page of her report. She noted that the people who are recommended for promotions either meet or exceed the requirements for the promotions and many have taken on extra duties prior to this promotion recommendation.

Representative Connors asked if the dates contained under the current grade and step information for each individual were the dates on which they last received a merit increase, to which Ms. Bolender responded in the affirmative.

There were no further questions of Ms. Bolender regarding her report. Representative Connors moved that the Committee receive, file, and recommend approval of the recommendations contained in the report. The motion carried on a unanimous voice vote.

PERSONNEL REPORT OF THE LEGISLATIVE COMPUTER SUPPORT BUREAU

Chairperson Garman recognized Mr. Sanford Scharf, Director of the Legislative Computer Support Bureau, for presentation of a personnel report. Copies of the report are on

file in the Legislative Service Bureau. Mr. Scharf stated that his report consists of notice of the granting of a merit increase and of the hiring of a new employee, Mr. Steven Casey. Mr. Scharf added that Mr. Casey is filling a vacancy which was created by the resignation of Mr. Joe Kroese. Mr. Scharf said that his request for promotion is for Mr. Steve Nelson, who is the Computer Support Bureau's Computer Operator. Mr. Scharf noted that Mr. Nelson is responsible for coordinating the help desk and his performance exceeds the requirements for the upgraded position.

There were no questions of Mr. Scharf, and Representative Connors moved that the Committee receive, file, and recommend approval of the recommendations contained in the report. There were no objections and the motion passed on a unanimous voice vote.

PERSONNEL REPORT OF THE OFFICE OF CITIZENS' AIDE/OMBUDSMAN

Chairperson Garman recognized Mr. William Angrick, Citizens' Aide/Ombudsman, for presentation of a personnel report. Copies of the report are on file in the Legislative Service Bureau. Mr. Angrick stated that his report consists of requests for approval for two promotions during the upcoming month. Mr. Angrick noted that Ms. Sheetz's promotion is for an increase of three pay grades, so that it will involve a two-step increase in pay. He said that the promotion for Mr. Burnham is only a two-pay grade change, so it will result in a one-step increase in pay.

There were no questions of Mr. Angrick and Representative Connors moved that the Committee receive, file, and recommend approval of the recommendations in the report. The motion carried on a unanimous voice vote.

FY 1996 BUDGET OF THE LEGISLATIVE FISCAL BUREAU

Chairperson Garman recognized Mr. Dennis Prouty for presentation of his budget request. A copy of the budget request is on file in the Legislative Service Bureau. He noted that on his budget request there is an asterisk beside the figure listed for personal services and that, as is noted in the footnote to his and each of the other budgets, the figure does not include any cost-of-living increases that may occur as a result of collective bargaining. He noted that when the salary bill is enacted by the General Assembly, the legislative agencies will revise their budgets to account for cost-of-living increases granted to state employees.

Representative Connors asked, and indicated that Speaker Van Maanen had requested, that Mr. Prouty include in his budget proposal information on the percentage of increase over last year's budget request. Mr. Prouty indicated that he could add that information to the proposal. Senator Rife asked what was meant by outside repairs and Mr. Prouty responded that this referred to repairs to equipment and service agreements. Senator Rife asked whether outside repairs were the same as outside services and Mr. Prouty indicated that they are not and that the latter category refers to situations where outside consultants are employed.

Senator Rife commented that Mr. Prouty's request for travel costs was down from the previous year.

There were no further questions and Representative Connors moved that the Committee recommend approval of the FY 96 budget request by the Legislative Council. The motion passed on a unanimous voice vote.

FY 1996 BUDGET OF THE LEGISLATIVE SERVICE BUREAU

Chairperson Garman recognized Ms. Diane Bolender for presentation of her budget request. A copy of the budget request is on file in the Legislative Service Bureau. Ms. Bolender noted that, like Mr. Prouty, her budget request does not include any money to cover cost-of-living increases for employees. She added that her printing and binding costs are down because in 1995-1996 the Service Bureau publishes the Code Supplement instead of the entire Code. She commented that most of the remaining items are at or near the levels requested last year.

Senator Rife asked whether the increase in the personal services portion of the Service Bureau budget meant that she anticipated that she would be paying out about \$300,000 in merit increases and promotions. Ms. Bolender responded in the negative, noting that the current FY 1995 budget amount will not fund salaries during the current fiscal year, partially due to the undertaking of the Administrative Code project. She noted that, where possible, current employees have been used, but that some part-time employees have worked additional hours. Senator Rife asked whether she anticipated that her FY 1995 actual figure would increase and Ms. Bolender indicated that she anticipates that the figure will be higher.

In response to a question from Senator Rife, Ms. Bolender stated that the increased costs associated with printing and binding last year were due to the printing and binding of the full Code. Senator Rife noted the decrease over two years in office equipment and then he asked why the professional and scientific services category had decreased significantly. Ms. Bolender stated that the decrease is due to the conclusion of contracts relating to the Administrative Code project.

There were no further questions and Representative Connors moved that the Committee recommend approval of the FY 1996 budget request by the Legislative Council. The motion passed on a unanimous voice vote.

FY 1996 BUDGET OF THE LEGISLATIVE COMPUTER SUPPORT BUREAU

Chairperson Garman recognized Mr. Sanford Scharf for presentation of his budget request. A copy of the budget request is on file in the Legislative Service Bureau. Mr. Scharf indicated, like the other directors' budgets, his budget is marked with an asterisk to reflect that his personal services budget amount does not include any funds to cover cost-of-living

increases for employees. Senator Rife asked whether the \$50,000 increase in salaries from last year's budget reflects additional pay for employees like Ms. Bolender's. Mr. Scharf stated that the increase reflects future merit step increases and any future promotions. He added that promotions, of course, would have to be approved before the cost is incurred.

Senator Rife asked what was included under repairs and services and Mr. Scharf stated that his agency is responsible for performing all of the repairs and services for the legislative branch computer equipment and that, although he anticipates that his actual cost will be less, he always needs to anticipate changes in equipment. Senator Rife asked Mr. Scharf whether he could move funds from one item allocation to another if the need arose and Mr. Scharf responded in the affirmative.

There were no further questions and Representative Connors moved that the FY 1996 budget request be recommended for approval by the Legislative Council. The motion carried on a unanimous voice vote.

FY 1996 BUDGET OF THE OFFICE OF CITIZENS' AIDE/OMBUDSMAN

Chairperson Garman recognized Mr. William Angrick for presentation of his budget request. A copy of the budget request is on file in the Legislative Service Bureau. Mr. Angrick noted that his FY 96 budget request represents a 7.9 percent increase over his previous budget. He said that his cost increases are largely driven by his personnel costs although the agency has experienced increases in costs for supplies and other items. Mr. Angrick stated that this proposed budget does provide funding for remodeling should the extra space that has been vacated in their building become available for their use.

Representative Connors asked what rent represents and whether the increase in rent is attributable to the additional space. Mr. Angrick stated that the rental figure relates to situations where the Citizens' Aide must go into the field during investigations and rent space to take testimony. He added that time spent on the Iowa Communications Network (ICN) taking testimony is also included in rental. Senator Rife asked what the increase in communications costs was attributable to, since the ICN costs appeared to come out of rental. Mr. Angrick noted that the office has been anticipating an increase in incoming calls and that the communications expenses include the cost of their 800 number. He added that the communications costs includes the costs of possible use of the dial-up ATT translation services, which is much less expensive than other methods of contracting for translation services.

In response to an inquiry by Representative Connors, Mr. Angrick explained that the incurrence of rental costs relates mainly to a judgment call on the part of an investigator as to whether a neutral site is needed to take testimony. He noted that if testimony relates to an investigation of the actions of a local official, the taking of testimony in a room in the local courthouse might not be appropriate.

Chairperson Garman asked whether the travel expenses reflect only in-state travel and Mr. Angrick responded that travel expenses are about half in-state and half out-of-state, due to various investigator schools being held out-of-state.

There were no further questions of Mr. Angrick and Representative Connors moved that the Committee recommend the adoption of the FY 96 budget request by the Legislative Council. The motion passed on a unanimous voice vote.

ENVIRONMENTAL OMBUDSMAN

Chairperson Garman again recognized Mr. Angrick for presentation of a report regarding the environmental ombudsman. Mr. Angrick stated that he is seeking approval to execute a Chapter 28E agreement between the Citizens' Aide and the Department of Natural Resources for employment of an environmental ombudsman. He noted that he had previously discussed the matter with the Committee and had received authority to negotiate the Chapter 28E agreement. He said that the purpose of the environmental ombudsman would be to investigate the acts of regulatory agencies carried out under auspices of the federal Clean Air Act on behalf of the Department of Natural Resources. Mr. Angrick indicated that the creation of the position would not result in any new FTE's for his office and costs would be paid for by the Department of Natural Resources from the permitting fees paid by persons regulated under the Act. Mr. Angrick said that the reason that he has been interested in the position is that, like with the passage of the underground storage tank legislation, his office tends to receive citizen complaints about regulators' activities and this would allow his office to handle the complaints and get paid to do so.

Senator Rife asked whether the new individual would be able to investigate complaints regarding underground storage tanks, to which Mr. Angrick responded in the negative, but indicated that given the person's qualifications, they could very likely give in-house advice on how to deal with those kinds of complaints.

There were no further questions and Senator Rife moved that Mr. Angrick be given authority to execute the Chapter 28E agreement. Representative Connors seconded the motion. The motion passed on a unanimous voice vote.

CONFLICT OF INTEREST OF CITIZENS' AIDE/OMBUDSMAN EMPLOYEE

Chairperson Garman again recognized Mr. Angrick for a report. Mr. Angrick stated that one of his employees, who has hired an attorney for a legal action who also happens to be the City Attorney for Colfax, has a conflict of interest that potentially could affect his work in the agency. He indicated that he intends to remove the employee from any dealings with the City of Colfax to avoid the conflict.

There were no questions of Mr. Angrick regarding the report and Representative Connors moved that the report be received and filed. The motion passed on a unanimous voice vote.

REPORT OF THE COMPUTER USER POLICY DIRECTION COMMITTEE

Chairperson Garman recognized Mr. Dennis Prouty for presentation of the report of the Computer User Policy Direction Committee. A copy of the report is attached to these Minutes and by this reference made a part thereof. Mr. Prouty noted that the Committee has been meeting throughout the summer and fall, and that item number one of the report is a result of a request that was made to Mr. Scharf from an executive branch agency regarding training for other state agency personnel. The Committee, Mr. Prouty said, is recommending that the Computer Support Bureau only provide training classes for legislators, legislative staff, and legislative access program subscribers. The second recommendation, he said, is that training classes of the Computer Support Bureau should have priority for use of the computer training room, with secondary priority given to legislative staff providing their own specialized training. He stated that if the room was otherwise still available, it could then be made available to other governmental agencies on a case-by-case basis.

Mr. Prouty stated that the next item contained in the report is a listing of the areas for which the Committee has formed subcommittees to assist in planning. The next item, he noted, is the report and recommendations of the budget subcommittee of the Computer User Policy Direction Committee. The recommendations, he stated, include a recommendation that the Computer Support Bureau's budget include requests from supported agencies for upgrades to computer hardware and software and a recommendation that the Computer User Policy Direction Committee review existing hardware and software and begin a planning process for future upgrades.

Chairperson Garman asked whether the policy listed in the report was the existing Computer Support Bureau policy and Mr. Prouty indicated that it was, but that it had not previously been articulated.

Senator Rife asked whether use of the computer room by other agencies free of charge would impact upon the Computer Support Bureau budget and whether CSB staff would have to be present. Mr. Scharf indicated that so far there had only been one request and no further inquiries. He added that anyone who used the room would be limited to the software capabilities that are available on the computer and the articulating of the policy would simply allow the Computer Support Bureau to control access to the room.

Representative Connors asked whether it would be possible to provide training to other agencies and assess them the costs of the training. Mr. Prouty indicated that this is a possibility, but that current trainers are already busy and to accomplish that might require hiring additional personnel. Representative Connors asked why the particular agency made the

request and Mr. Scharf indicated that the agency is also housed in the Lucas Building and had thought that it might be more convenient to receive training within the same building.

There were no further questions and Senator Horn moved that the report be received, filed, and recommendations contained in the report be transmitted to the Legislative Council. The motion passed on a unanimous voice vote.

REPORT OF THE SALARY SUBCOMMITTEE

Chairperson Garman recognized Representative Connors and Senator Rife for presentation of the report of the Salary Subcommittee. A copy of the report is on file in the Legislative Service Bureau. Senator Rife moved that the report be received and filed. The motion passed on a unanimous voice vote.

OTHER BUSINESS, ADJOURNMENT

There was no other business and Representative Connors moved that the Committee adjourn. The Committee adjourned at 9:50 a.m.

Respectfully submitted,

LESLIE E. W. HICKEY
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