

M I N U T E S

IOWA LEGISLATIVE COUNCIL

February 1, 1990

PRELIMINARY BUSINESS

The tenth meeting of the 1989-90 Legislative Council was called to order by Senator Bill Hutchins, Chairperson, at 12:16 p.m., Thursday, February 1, 1990, in Senate Room 22, State House, Des Moines, Iowa. Members present in addition to Chairperson Hutchins were:

Speaker Donald Avenson, Vice-chairperson  
Lieutenant Governor Jo Ann Zimmerman  
Senator C. Joseph Coleman  
Senator Calvin O. Hultman  
Senator Emil J. Husak  
Senator Donald V. Doyle  
Senator Julia Gentleman  
Senator Joe Welsh  
Senator Dale Tieden  
Senator Thomas Mann, Jr.  
Representative Bob Arnould  
Representative Florence Buhr  
Representative Kay Chapman  
Representative John Connors  
Representative Roger Halvorson  
Representative William Harbor  
Representative Mary Lundby  
Representative Tom Jochum  
Representative Harold Van Maanen

Also present were: Ms. Diane Bolender, 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; Mr. Richard Johnson, Legal Division Chief, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

ROLL CALL AND MINUTES

Chairperson Hutchins noted that the roll had been taken as the members of the Council arrived. He recognized Representative Connors who moved to dispense with the roll call and approve the minutes of the December 20 meeting as distributed. The motion was adopted.

REPORT OF THE CHILD CARE COMMITTEE

Chairperson Hutchins recognized Representative Buhr for the report of the Child Care Ad Hoc Committee. She stated that the Committee has completed the Legislative Council's directive to distribute a request for proposal to retain a consultant. She stated that the Iowa Methodist Medical Center Child Day Care has been retained to analyze the elements necessary to develop a quality state-of-the-art child day care service for children of employees located at the Capitol Complex. She added that the Iowa Methodist Medical Center Day Care has agreed to perform the consulting services for the agreed amount of \$15,000, but an additional \$5,000 is being requested for the following additional services: to conduct a survey of day care directors and staff to determine the causes of high turnover in day care provider staff, to provide a model for developing day care home systems for providing services to state employees, and to develop a request for proposal for obtaining prospective vendors to administer day care services to children of state employees.

There being no discussion of the request, Representative Buhr moved that the report of the Child Care Ad Hoc Committee, including approval of the \$5,000 expenditure, be adopted. The motion was adopted. A copy of the memorandum submitted by the Child Care Ad Hoc Committee is attached to and by this reference made a part of these minutes.

LEASE-PURCHASE REQUEST BY DEPARTMENT OF MANAGEMENT

Chairperson Hutchins noted the Council members had received information from Mr. Jack B. Walters, Director, Department of General Services, requesting approval from the Council for the lease-purchase of an Apple computer by the Department of Management with an estimated cost of \$11,795.00.

In reply to a question by Representative Chapman, Mr. Steve Wall, Department of Management, stated that the equipment included in the lease-purchase request would not be outmoded within the five-year lease-purchase request period, but the software may be outmoded within that time period.

After a discussion, Senator Welsh moved that the lease-purchase request from the Department of Management be referred to the appropriate Appropriations Subcommittee for further action. The motion was seconded by Senator Husak and adopted.

A copy of the lease-purchase request and supporting documentation is on file in the Legislative Service Bureau.

#### IOWA BUSINESS COUNCIL STUDY CONTINUATION

Chairperson Hutchins recognized Chief Clerk O'Hern for comments concerning a letter from Ernst and Young relating to a proposal to extend the Iowa Business Council study of information resources, systems, and technology which is available for use within the state. He added that the letter is a proposal to continue the study of the state's information systems.

Vice-chairperson Avenson stated that he believes the proposal has considerable merit, but he would prefer to defer the discussion of continued study until after the 1990 legislative session adjourns. He also proposed that a Committee of the Legislative Council be appointed to work with the consultant on the continued study of the state's information systems.

Senator Hultman commented that the proposed extension to the study should not be delayed. Vice-chairperson Avenson responded that he does not believe the Council or the members of the Council have time during the legislative session to devote to the proposed study.

After further discussion, Vice-chairperson Avenson moved that the proposal by Ernst and Young be referred to the Studies Committee for further action. The motion was adopted. A copy of the Ernst and Young proposal is attached to and by this reference made a part of these minutes.

#### REPORT OF THE REDISTRICTING TECHNOLOGY SELECTION COMMITTEE

Chairperson Hutchins updated the Legislative Council on what had occurred since the previous council meeting when the Council adopted a motion that the Redistricting Technology Selection Committee should negotiate with Election Data Services, Inc. and Public Systems Associates, Inc. for a redistricting computer system at a maximum expenditure of \$600,000 for the system. He added that the Redistricting Technology Selection Committee met yesterday, January 31, 1990, to consider the responses of the two vendors and make a recommendation to the Legislative Council.

Chairperson Hutchins stated that the Committee recommends that further negotiations be conducted with Election Data Services, Inc. to provide a redistricting computer software package for congressional and legislative redistricting purposes at the maximum expenditure of \$600,000 and including specific requirements as outlined in the report. After further discussion, Chairperson Hutchins moved the adoption of the Report of the Redistricting Technology Selection Committee.

Senator Hultman moved an amendment to paragraph six of the report that the term "direct or indirect" should be included in the sentences. He added that with the amendment paragraph six would read as follows: "The contract shall provide that Election Data Services, Inc. and its employees agree not to perform any Iowa reapportionment or Iowa redistricting related consulting services, directly or indirectly, with or without compensation, other than services provided to the Iowa Legislative Council, until September 1, 1991."

There being no other discussion, the motion was adopted.

In reply to a question by Senator Husak concerning item seven of the report relating to township boundaries, Mr. Gary Kaufman, Senior Legal Counsel, Legislative Service Bureau, replied that generally political subdivision lines will be observed in the reapportionment procedures, but cities have a preference of maintaining the integrity of their boundaries if split by a township line.

In reply to a question by Representative Harbor, Chairperson Hutchins stated that all of the required items included in the computer system and software package are included in the \$600,000 quoted price.

Representative Van Maanen stated that he still has concerns about the past affiliation of the Election Data Systems, Inc. with the Democratic Party and that he is concerned about EDS' promises to develop the necessary software enhancements for the redistricting process.

Chairperson Hutchins stated that he has no reason to believe that the recommended consultant will not fulfill the contract as outlined and he does not believe that the past affiliation of the consultant will in any way affect the nonpartisan procedures which have been developed for the redistricting process.

There being no further comments, Chairperson Hutchins renewed his motion to adopt the Committee report as amended. On a roll call vote, the motion was adopted by a vote of 12 ayes and 7 nays. Those voting aye were: Chairperson Hutchins, Vice-chairperson Avenson, Senator Mann, Senator Coleman, Senator Doyle, Senator Husak, Senator Welsh, Representative Arnould, Representative Buhr,

Representative Chapman, Representative Connors, and Representative Jochum. Those voting nay were: Senator Hultman, Senator Gentleman, Senator Tieden, Representative Halvorson, Representative Harbor, Representative Lundby, and Representative Van Maanen.

A copy of the report of the Redistricting Technology Selection Committee is attached to and by this reference made a part of these minutes.

Chairperson Hutchins noted that the Legislative Service Bureau will draft the contract for review by Senate and House legal counsels.

#### STATE TELECOMMUNICATIONS NETWORK

Senator Welsh stated that he has been contacted concerning terms that are included in contracts for establishment of a state telecommunications network that are being offered by the Department of General Services which in essence will penalize potential contractors who discuss matters relating to the state telecommunication network development with elected officers of the state. He stated that he does not understand why this type of "undue influence" language is present in the contract and that he objects to any type of contract restriction which would penalize a contractor or potential contractor who discusses matters relating to the telecommunication network development with a state legislator. He added that the legality of these provisions in the contracts should be reviewed by the Attorney General and he moved that the Attorney General be requested to review the legality of the state telecommunication network contracts being required by the Department of Management. Representative Connors moved that the Legislative Council direct the Department of General Services to strike the language. After further discussion the motion was adopted. The members of the joint leadership agreed to write a letter to the Department of General Services asking that the language be stricken.

The context of the contract provision is as follows: Any contact with any elected or appointed official or officer of the State of Iowa or any other employee of the State or any consultant hired by the State for this project, without the prior approval of the Purchasing and Materials Management Division, shall be considered an attempt to exert undue influence on the selection process and shall result in the summary rejection of the vendor's proposal.

ADJOURNMENT

There being no further business to come before the Legislative Council, Representative Connors moved that the Council adjourn at 12:42 p.m. The motion was adopted.

Respectfully submitted,

Thane R. Johnson  
Senior Research Analyst

# GENERAL ASSEMBLY OF IOWA

## LEGAL DIVISION

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DIVISION CHIEF  
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MARY M. CARR  
JULIE A. SMITH CRAGGS  
MICHAEL J. GOEDERT  
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SUSAN E. VOSS  
JANET L. WILSON  
DANIEL PITTS WINEGARDEN  
LESLIE E. WORKMAN

## RESEARCH DIVISION

PATRICIA A. FUNARO  
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## IOWA CODE DIVISION

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JOANN G. BROWN  
IOWA CODE EDITOR

January 31, 1990

## MEMORANDUM

TO: CHAIRPERSON HUTCHINS AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: Senator Elaine Szymoniak and Representative Florence Buhr  
Co-Chairpersons, Child Care at the Capitol Complex  
Ad Hoc Committee

RE: CONSULTANT REPORT AND REQUEST FOR APPROVAL OF ADDITIONAL FUNDING

On behalf of the Child Care at the Capitol Complex Ad Hoc Committee we hereby report that the Legislative Council directive to distribute the request for proposals approved by the Council on December 20, 1989, and retain a consultant has been fulfilled. Iowa Methodist Medical Center Child Care has been retained to analyze the elements necessary to develop a high quality, state-of-the-art child day care service for the children of employees located at the Capitol Complex. Iowa Methodist Medical Center Day Care meets the cost limit established by the Council by agreeing to perform the consulting services required by the request for proposals at a cost of \$15,000.

In addition, the consultant has proposed to provide additional services at a cost of \$5,000. The additional services include the following items: conduct a survey of day care directors and staff to determine the causes of high turnover in day care provider staff, provide a model for developing a day care home system for providing services to the children of state employees, and develop a request for proposal for obtaining prospective vendors to administer day care services to the children of state employees.

The Ad Hoc Committee considers the additional services proposed by the consultant to be vital to the successful completion of the study and requests approval of the Legislative Council to add the proposed additional services to the contract.

adhoc  
jp/dg/20

# Ernst & Young

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January 4, 1989

Mr. Joe O'Hern  
Chief Clerk  
Iowa Legislature  
State Capital Building  
Des Moines, Iowa 50319

Dear Mr. O'Hern

This letter is to acknowledge our discussions and interest in extending the Iowa Business Council (IBC) study. That study provided a review of the State of Iowa's information resources, systems and technology to identify potential opportunities available to the State. The extension of effort will specifically address issues and design of the approach to draft legislation and plan the implementation of key recommendations of the IBC study.

## BACKGROUND

The review of the State of Iowa's information resources, systems and technology was initiated by the Iowa Business Council to identify opportunities to:

- Improve access and integration of the state's information systems.
- Enhance social and economic results of state programs through more efficient and integrated use of information resources.
- Improve communications and partnership of business, government and education.

The study team consisted of information systems representatives of IBC member companies, selected stated agencies, and Ernst & Young. The study approach was structured to provide a high level review, with recommendations to identify policy and management directions rather than specific projects and operational changes.



The recommendations of the study reflect a consensus of study team members and include:

- **Expand and strengthen TIM Council** -- Broaden functional responsibilities for policy making, information technology planning and plan review, expand participation, and add high level staff.
- **Implement Agency-Level Strategic Information Systems Planning** -- Establish agency planning processes which link the Futures Agenda, agency business plans, and agency information systems plans over a long-range planning horizon.
- **Implement an Information Resource Center** -- Centralize the catalog of information resources and provide a clearinghouse of information access transactions.
- **Establish an Applied Research Program for New Technology Applications** -- Establish and fund process for applied research, with well defined approach for setting the research agenda and delivering research findings.
- **Establish Multi-year Technology Budget** -- Fund systems and technology projects to achieve full completion over a multi-year period.

## **OBJECTIVES**

The findings and recommendations of the IBC study provide ideas for change with significant impact. The identified improvement opportunities described as objectives for the IBC study can be realized. The proposed extension of this study will focus on defining and planning implementation requirements, and will address:

- **Focus** -- Defining the State's information technology management processes and structures to ensure that the energies and resources expended for information technology are focused on those programs and policy initiatives which have the greatest impact.
- **Value** -- Establishing guidelines for new investments in information technology in terms of planning, deployment and management to generate a sound economic return.
- **Positioning** -- Defining directions for the State to ensure that it has the capacity and flexibility to respond to future program demands and take advantage of future advances in technology.

In addition to defining and establishing technology leadership and a sound strategic agenda, the change process must establish a broad based consensus on the key elements of this agenda. Consensus requires both understanding and acceptance, and will act as a major factor in realizing changes.

## SCOPE AND APPROACH

Our approach will focus most on the information technology leadership model, and issues related to the IBC study recommendations which require legislative action. This extension of the study must initiate change in those areas for implementation of all of the recommendations (and realization of objectives) to follow.

Positioning of the project with respect to the Legislature and Executive Branch needs to evolve. Clearly, some of the IBC study recommendations require legislative change, while others have direct impact on State agencies and will require Executive directive to implement. The information technology leadership model (i.e., expansion and strengthening of the TIM Council) is not necessarily an Executive Branch organization, and will require coordination and cooperation of all of Iowa state government, including the University system.

We have structured our approach with the assumption of working with the Legislature as the client, recognizing that coordination is required with the Executive Branch and University system. We also expect that an ad hoc committee or task force organization will be formed to address issues, approach, and legislative requirements. We will serve to facilitate and coordinate this group as well as actively participate to ensure timely results. Membership should include high level representation from the Legislature, the Executive Branch University system, and private sector. Members should be carefully selected to provide a group with capacity to achieve consensus and to challenge the status quo of the planning, use and management of information technology in Iowa state government today. Our approach provides flexibility and includes the following general phases:

- **Phase I - Information Technology Leadership Model Feasibility and Issues Analysis** -- Our initial analysis will examine feasibility of creating an organization through legislation rather than Executive directive. During this phase, we will examine the issues and options for:
  - Organizational Placement
  - Leadership Responsibilities
  - Method of Operations
  - Membership and Roles
  - Management Focus.

Our analysis of issues will include a review of models operating successfully in other states, and will test consensus with key individuals in Iowa state government. If expansion of the TIM Council as an Executive Branch function is clearly indicated, we will recommend that the continuation of the project for implementation planning be transitioned to the Executive Branch.

- **Phase II - Issues Analysis of Other Recommendations --** There are several issues to consider with respect to the IBC study recommendations prior to considering legislative change. A preliminary identification of issues includes:
  - Program Management of Executive/Legislator Education in Information Technology.
  - Strategic Information Systems Planning Linkage to Budget Review/Approval.
  - Direction and Rollout for an Effective Strategic Information Systems Planning Process.
  - Organizational Placement, Method of Operations and Management Focus for an Information Resource Center.
  - Information Resource Sharing Access Policies, Pricing, and Value Added Service Offering.
  - Agenda and Program Management for Information Technology Applied Research.
  - Change Management for Multi-Year Technology Project Budgets.

In addressing these and other issues, we will prepare issue statements, research and analyze viable resolution options, coordinate discussions to identify consensus positions, and draft recommended courses of action.

- **Phase III - Draft Legislative Change --** We will assist in evaluating implementation requirements which require legislative change. Our analysis will address the design of organizational, operational and management models to achieve intended changes, and we will assist in translating these models to legislative and policy directive language. We will provide assistance and advice throughout the legislative process to ensure that consensus building and compromise contribute to the strength of the program initiative. We will also prepare and present special communications of our analyses and recommendations where necessary to further this process.

## **TIMING AND FEES**

We recognize the urgency in addressing the issues and drafting legislative change to meet the timeframe of the next legislative session. The schedule and fee estimates identified below reflect that an aggressive effort will be made, with the fee estimates as a not-to-exceed limit for services provided. The general schedule is as follows:

<u>Phase</u>	<u>Schedule</u>	<u>Fee Estimate</u>
I. Information Technology Leadership Model		
- Feasibility	1/15 - 2/2	\$20,000
- Issues Analysis	1/29 - 3/2	40,000
II. Other Issues Analysis	2/5 - 3/16	40,000
III. Draft Legislation and Support	<u>3/5 - 4/5</u>	<u>40,000</u>
Total	1/15 - 4/5	\$140,000

Our fees are exclusive of out-of-pocket expenses, which we estimate not to exceed \$20,000.

## **ENGAGEMENT ORGANIZATION**

Our staffing approach for this extension of the study will maintain the Ernst & Young team from the IBC study:

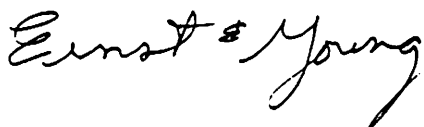
- Charles Raz, Engagement Executive
- Dave Kraft, Lead Consultant
- Tony Barga, Advisory Consultant

We will leverage the work and talent of other individuals who are/were directly involved in similar state government studies, and will apply any other resources of our firm which will be advantageous to this study and Iowa's objectives for its impact.

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We appreciate the opportunity to continue to provide our services to the State of Iowa in this important study. If you have any questions, please call Dave Kraft at (312) 645-3456 or Chuck Raz at (312) 645-3248 .

Very truly yours,



REPORT OF THE REDISTRICTING TECHNOLOGY SELECTION COMMITTEE  
TO THE LEGISLATIVE COUNCIL

February 1, 1990

On December 20, 1989, the Legislative Council adopted a motion that the Redistricting Technology Selection Committee should negotiate with Election Data Services, Inc. and Public Systems Associates, Inc. for a redistricting computer system at a maximum expenditure of \$600,000 for the computer system. Accordingly, letters were sent to both vendors and responses were received.

The Redistricting Technology Selection Committee met on January 31, 1990 to consider the responses of the two vendors and to make recommendations to the Legislative Council. The Committee makes the following report to the Legislative Council:

1. The Committee should conduct further negotiations with Election Data Services, Inc. for Election Data Services, Inc. to provide a redistricting computer software package for the Congressional and legislative redistricting activities of the Iowa General Assembly at a maximum expenditure of \$600,000, as provided in correspondence from Election Data Services, Inc., dated January 5, 1990. The software package will include specified data base development and redistricting system support.

2. As a part of the contract, Election Data Services, Inc. must agree to provide the required redistricting features that have already been demonstrated by them to the Redistricting Technology Selection Committee.

3. In addition to the features already demonstrated, the contract shall require provision of the following additional features not yet demonstrated by Election Data Services, Inc.:

- a. Delineation of the hierarchy of political subdivisions.
- b. Provision of a "rest of" function so that the computer will automatically assign the remaining pieces of isolated territory of a county or city into the next designed district.
- c. Contiguity check of pieces of territory which have not yet been assigned to a district.
- d. Cancel feature that will cancel a command and move on to another command relatively quickly.

4. Subject to further negotiation with Election Data Services, Inc., the contract shall address the following additional features:

- a. Ability to draw plans using subsets of the state.

- b. Ability to compute and generate written reports on length-width compactness and population dispersion compactness.
- c. Ability to generate written reports combining and renumbering house and senate districts.

5. The contract shall provide that all required software features be demonstrated by July 1, 1990, with the satisfactory performance of this requirement to be determined by the bipartisan subcommittee of the Redistricting Technology Selection Committee or the contract will be terminated.

6. The contract shall provide that Election Data Services, Inc. and its employees agree not to perform any Iowa reapportionment or Iowa redistricting related consulting services, with or without compensation, other than services provided to the Iowa Legislative Council, until September 1, 1991.

7. The data base should be developed that the generally smaller sized cities will not be divided along township boundaries except for cities divided by county lines.

Respectfully submitted, ..

SENATOR BILL HUTCHINS  
Chairperson