

# **MINUTES**

## **IOWA LEGISLATIVE COUNCIL**

December 1, 1993

### **PRELIMINARY BUSINESS**

The seventh meeting of the 1993-1994 Legislative Council was called to order by Chairperson Senator Wally Horn at 1:40 p.m., Wednesday, December 1, 1993, in Room 22, Statehouse, Des Moines, Iowa. Members present, in addition to Chairperson Horn, were:

Speaker Harold Van Maanen, Vice Chairperson  
Senator Leonard Boswell  
Senator Florence Buhr  
Senator Donald E. Gettings  
Senator Emil Husak  
Senator John Jensen  
Senator Jim Lind  
Senator Larry Murphy  
Senator William D. Palmer  
Senator Jack Rife  
Senator Maggie Tinsman  
Representative Bob Arnould  
Representative Clifford O. Branstad  
Representative John H. Connors  
Representative Ron J. Corbett  
Representative Teresa Garman  
Representative Pam Jochum  
Representative Brent Siegrist  
Representative Richard Vande Hoef

Also present during all or part of the meeting were: Ms. Diane Bolender, Director, Mr. Richard Johnson, Deputy Director, Mr. John Pollak, Committee Services Administrator, Mr. Mark Johnson, Legal Counsel, Ms. Leslie Hickey, Legal Counsel, Legislative Service Bureau; Mr. Dennis Prouty, Director, and Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Mr. Sandy Scharf, Director, Computer Support Bureau; Ms. Liz Isaacson, Chief Clerk of the House; Ms. Cynde Clingan, Assistant Secretary of the Senate; Mr. Greg Nichols, Senior Administrative Assistant; Ms. Maryjo Welch, Administrative Assistant; Mr. Mark Brandsgard, Senior Administrative Assistant; Mr. Warren Fye, Senior House Republican Caucus Staff Director; Ms. Paulee Lipsman, House Democratic Caucus Staff Director; Mr. Thane R. Johnson, Senior Research Analyst, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

## ROLL CALL AND MINUTES

Chairperson Horn stated that the roll was taken as the members arrived and that a quorum is present.

Representative Connors moved that the minutes of the October 27 meeting be approved as submitted. The motion was adopted.

## 1993 ELECTION LAWS SUPPLEMENT

Ms. Diane Bolender, Director, Legislative Service Bureau, reported that Ms. Kristi Little, Superintendent, Department of General Services' Printing Division, recommends a price of \$15.95 plus sales tax for the 1993 Election Laws Supplement. Ms. Bolender stated the quoted price will recoup the costs of publication as required by law. Representative Connors moved that the price recommended by Ms. Little be adopted. The motion was adopted. A copy of Ms. Little's letter is attached to these minutes.

## REPORT OF THE FISCAL COMMITTEE

Chairperson Horn recognized Senator Murphy for the Report of the Fiscal Committee. Senator Murphy stated that the Committee met on November 17 and received fiscal information on a number of topics. He added that the topics included an overview of the Judicial Department's operations, an overview of federal budget issues, a layers of management report from the Department of Personnel, an update on the Iowa Communications Network, and other topics. He added that the Committee makes no recommendations.

Senator Murphy moved to adopt the Report of the Fiscal Committee. The motion was adopted. A copy of the Report of the Fiscal Committee is attached to these minutes.

## REPORT OF THE ADMINISTRATION COMMITTEE

Chairperson Horn recognized Senator Palmer for the Report of the Administration Committee. Senator Palmer stated that the Committee has two primary recommendations to the Council. First, he stated, is a recommendation to remodel and reassign the office space of the Executive Council's secretary. He added that this recommendation includes offering space in the First Aid Room for the Executive Council's secretary, assigning space in the Lucas Building ground floor for legislative use, and assigning temporary use of the small legislative dining room as a smoking area. He concluded by stating the second recommendation authorizes the Legislative Service Bureau to negotiate the sale of all or a part of the electronic Code database to local governments which have requested the purchase. Senator Palmer moved the adoption of the Report of the Administration Committee.

In reply to a question by Representative Connors, Senator Palmer replied that the Committee recommendations do not include maintaining first aid facilities for the Statehouse. Representative Connors responded that the Statehouse should have first aid facilities for employees, legislators, and the general public who may need first aid while at the Statehouse. In reply to a question by Senator Lind, Senator Palmer stated that the remodeled space currently used by the Executive Council's secretary will probably be assigned to use by a Joint Appropriations Subcommittee. Concerning space for first aid facilities, Senator Buhr commented that there is no funding to provide first aid services and there has been no interest shown recently by local medical facilities to provide free first aid services.

Representative Connors also stated that an exhaust fan or similar system should be provided for the temporary smoking room. After further discussion, Representative Connors moved that the Report of the Administration Committee be amended to request the Administration Committee to further investigate the provision of first aid facilities in the State Capitol and to request legislative leadership to provide an adequate exhaust fan or system for the temporary smoking room in the State Capitol. Vice Chairperson Van Maanen commented that he is concerned about the lack of first aid services in the State Capitol and stated that perhaps the appropriation process should be utilized to provide for the services. Concerning an exhaust system for the smoking room, he stated that the projected costs are high and that he would contact the Department of General Services to find a solution regarding this issue. Chairperson Horn called for the question on Representative Connors' amendment to the Report. The motion was adopted by voice vote with Senator Buhr voting nay.

There being no further comments on the Report of the Administration Committee, as amended, Senator Palmer reiterated his motion to adopt the recommendations. The motion was adopted. A copy of the Report of the Administration Committee is attached to these minutes.

#### REPORT OF THE SERVICE COMMITTEE

Vice Chairperson Van Maanen presented the Report of the Service Committee. He stated that the Report covers several items, most of which relate to approval of promotions and the proposed budgets and budget allocations for the fiscal year beginning July 1, 1994, for the central legislative staff agencies. Vice Chairperson Van Maanen specifically noted that the Committee recommends the installation of a touch screen computer terminal for legislators' use outside each chamber, that the Law Library retain a session-only person to maintain the bill books in the Law Library, and that the staff directors of the central legislative staff agencies be retained in their current capacity.

There being no comments, Vice Chairperson Van Maanen moved the adoption of the Report of the Service Committee. The motion was adopted. A copy of the Report of the Service Committee is attached to these minutes.

## REPORT OF THE STUDIES COMMITTEE

Chairperson Horn presented the Report of the Studies Committee in the absence of Representative Mary Lundby. Chairperson Horn stated that the Committee met without a quorum of the Committee present. He added that the members present recommended the extension of the completion deadlines for the Adoption Reform and the Natural Disaster Preparedness Interim Study Committees, the extension of the completion deadline and one additional meeting day for the Rural Revitalization Study Committee, and the extension of the completion deadline and one additional meeting day during the 1994 legislative session for the Underground Storage Tanks Interim Study Committee. The Committee also received and filed a response from the Office of Governor that funds are not available to pay the per diem and expenses of legislators who are appointed to executive branch studies.

There being no discussion, Vice Chairperson Van Maanen moved that adoption of the Report of the Studies Committee. The motion was adopted. A copy of the Report is attached to these minutes.

## AMERICANS WITH DISABILITIES ACT

Chairperson Horn recognized Mr. Jack Dwyer, Secretary of the Senate, for comments on a memorandum relating to compliance with the federal Americans With Disabilities Act by legislative agencies. Mr. Dwyer stated that after review of the Act, he suggests that the Administration Committee of the Legislative Council would be the appropriate agency to coordinate and oversee compliance by legislative agencies. There being no comments, Chairperson Horn referred the memorandum relating to the federal Americans With Disabilities Act to the Administration Committee for further action. Copies of the memorandum are on file in the Legislative Service Bureau.

## GEORGE WASHINGTON CARVER RECOGNITION

Chairperson Horn recognized Dr. Carol Bradley, Legislative Liaison, Iowa State University of Science and Technology, for an explanation of the proposed Legislative Council Resolution recognizing Dr. George Washington Carver. She stated that the Resolution proposes designating January 5, 1994, as a day to honor Dr. George Washington Carver in the year of his one-hundredth alumni anniversary.

After a brief discussion, Senator Husak moved the adoption of the Resolution. The motion was adopted.

### OTHER DISCUSSION

Regarding the availability of per diem and expenses to gubernatorial appointees to executive branch studies, Representative Connors questioned whether the Governor still makes such payments to his appointees. Mr. Dennis Prouty, Legislative Fiscal Bureau Director, responded that to his knowledge the Governor still maintains a reduced budget item for the payment of such expenses. Chairperson Horn recognized Representative Arnould concerning the correspondence sent to Governor Terry Branstad concerning joint budget discussions with legislative leaders. Ms. Bolender stated that the letter was sent in early November at approximately the same time that the letter requesting per diem and expense payments for legislators appointed to executive branch task forces and study committees was sent. Mr. Gary Steinke responded to the per diem and expense request as noted in the Studies Committee report.

After discussion, Representative Arnould moved that a second letter requesting a budgetary meeting for the legislative leaders and the Governor be sent. Representative Siegrist responded that the first letter asked for a meeting within 60 days, which period has not yet expired. In addition, he added, the Revenue Estimating Conference will not meet until December 15 so it would be premature to meet earlier. He added that he would personally communicate with the Governor's Office concerning the request for the budget meeting. Representative Arnould responded that with Representative Siegrist's follow-up on this matter, he could see no further need for a second letter and withdrew his motion.

### NEXT MEETING

Chairperson Horn announced that the next meeting of the Legislative Council is tentatively scheduled for either January 5th or January 12th.

### ADJOURNMENT

There being no further business to come before the Council, Representative Connors moved that the Legislative Council adjourn at 2:10 p.m. The motion was adopted.

Respectfully submitted,

MS. DIANE E. BOLENDER  
Director

MR. THANE R. JOHNSON  
Senior Research Analyst