

MINUTES
IOWA LEGISLATIVE COUNCIL
JULY 18, 1991

PRELIMINARY BUSINESS

The fifth meeting of the 1991-1992 Legislative Council was called to order by the Chairperson, Speaker Bob Arnould, at 1:40 p.m., Thursday, July 18, 1991, in Committee Room 22, Statehouse, Des Moines, Iowa. Members present in addition to Chairperson Arnould were:

Senator Bill Hutchins, Vice Chairperson
Senator Leonard L. Boswell
Senator Donald V. Doyle
Senator Wally Horn
Senator Emil J. Husak
Senator John W. Jensen
Senator Jim Lind
Senator Jean Lloyd-Jones
Senator Jack Rife
Senator Dale Tieden
Senator Joe J. Welsh
Representative Janet Adams
Representative Kay Chapman
Representative John H. Connors
Representative Roger Halvorson
Representative William H. Harbor
Representative Thomas J. Jochum
Representative Wayne McKinney, Jr.
Representative Michael K. Peterson
Representative Harold Van Maanen

Also present were Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Mr. Sandy Scharf, Director, Computer Support Bureau; Mr. William Angrick, Citizens' Aide/Ombudsman; Ms. Patty Funaro, Research Analyst, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

MINUTES APPROVED

Chairperson Arnould recognized Senator Horn who moved to approve the Minutes of the meeting of June 13, 1991, as submitted. There being no additions or corrections, the motion was adopted.

REDISTRICTING PROJECT REPORT

Chairperson Arnould recognized Ms. Diane Bolender for a progress report on the Redistricting of Cities and Counties Project. Ms. Bolender reported that a memo included in the packets of the members provided the charges quoted by Election Data Services, Inc. to provide block-level population data by county. Ms. Bolender stated that initially Election Data Services, Inc., had estimated the costs to be \$1,500 per county, but that the current estimate is an initial fee of \$20,000 for information not to exceed 20 counties, a fee of \$1,000 for each county thereafter, and a fee of \$80,000 to \$85,000 for all 99 counties. Ms. Bolender indicated that a total of 10 counties have expressed an interest in utilizing the Legislative Service Bureau in redistricting efforts and that she would make proposals to those interested at a rate of approximately \$1,500 for smaller counties and at a higher rate for larger counties. She concluded by stating that if enough interest in utilizing the Service Bureau was expressed and the applicable fees totaled \$20,000 or more, the Service Bureau would provide redistricting for these counties, but if the applicable fees total is less than \$20,000, redistricting services would not be provided by the Service Bureau. There being no discussion, the report was received and filed.

REPORT OF THE IOWA COMMISSION ON INTERSTATE COOPERATION

Chairperson Arnould recognized Representative John Connors for the report of the Iowa Commission on Interstate Cooperation. Representative Connors reported that the state of Iowa would be hosting the Annual Meeting of the Council of State Governments in December 1992. He requested that the Council approve a loan for \$10,000 from moneys appropriated in section 2.12 of the Code to be used as seed money for the effort. Representative Connors assured the Legislative Council that the funds would be repaid by December 31, 1992. Representative Connors continued by saying that former Governors Hughes and Ray had agreed to be co-chairpersons for the event. Representative Connors also reported that an event coordinator would be hired. Following discussion by the members of the Council, Representative Connors moved approval of the Commission's request. The motion was adopted on a voice vote.

REPORT ON MEAD DATA CENTRAL CONTRACT

Chairperson Arnould recognized Representative Mike Peterson, Chairperson of the Administration Committee, for a report on the contract between Mead Data Central and the Legislative Council for the purchase of the Code of Iowa on computer tape. Representative Peterson reported that negotiations have been completed and that the contract has been signed by Chairperson Arnould and Vice Chairperson Hutchins, and that the contract would be finalized upon receipt of the second copy of the signed contract by Mead. Representative Peterson noted that the duration of the contract is three years, with an optional fourth year at a cost of \$12,500. Following discussion, Representative Peterson moved adoption of the report. The report was adopted on a voice vote.

REPORT OF THE FISCAL COMMITTEE

Chairperson Arnould recognized Senator Boswell for the report of the Fiscal Committee. Senator Boswell reported that the Fiscal Committee met on July 17 and recommends that no visitations be conducted during the 1991 interim, but that committee members could choose to make such visitations at their own expense. Additionally, Senator Boswell stated that the Committee directed the Legislative Fiscal Bureau to prepare background information on the machinery and equipment tax program. Senator Boswell reported that the Department of Human Services had presented information to the Committee regarding the Department of Human Services Field Office Restructuring Plan. He commented that the Department had taken action in a diligent manner to save money and that 43 positions had been retained by replacing higher level positions with mid-level positions. Additionally, he reported that the Committee had received information regarding tax and revenue anticipation notes, the FY 1991 ending balance, the Governor's 3.25 percent across-the-board reduction plan, and the reduction in force plan which requires several layoffs in anticipation of the outcome of the pending collective bargaining funding lawsuit.

Information was also provided to the Committee regarding the Department of General Services computer upgrade. Regarding the cancellation by the Department of Public Safety of its law enforcement training program, Senator Boswell reported that the current class had been cancelled, resulting in 19 fewer patrol officers on the road, one fewer in the Division of Criminal Investigation, and three fewer Capitol Police. Senator Boswell stated that the cancellation had taken place whether or not a reduction in funding does take place and he recommended that the Legislature be consulted prior to any similar action in the future. Finally, Senator Boswell reported that the Department of Personnel had hired the former director, who was not confirmed by the Senate, as a permanent employee of the Department at the salary he had received as director. He expressed the belief that the Committee was not pleased with this action.

In response to a question by Senator Hutchins regarding termination of the new employees of the Department of Public Safety and the problems with delays in renewals at the drivers' licensing stations, Senator Boswell replied that during the time employees are attending the Academy, general fund moneys are used and following this time, Road Use Tax Fund moneys are used to pay the salaries and expenses of these employees. He then commented that the drivers' licensing station problem had not been addressed by the Committee.

Senator Welsh reported that during the Fiscal Committee meeting the acting director of the Department of Personnel did not appear, but that the Committee did ask a question of Ms. Gretchen Tegeler regarding reduction-in-force notices. Senator Welsh continued by expressing concern about the decision of the Governor to make selective cuts in anticipation of the result of a pending lawsuit without input from the Legislature. A discussion followed regarding the accessibility and accuracy of information provided by the Department of Personnel and the Department of Management regarding reduction-in-force plans and the appropriateness of the selective cuts made in the Department of Public Safety.

Following this discussion, Senator Boswell moved adoption of the Fiscal Committee Report. A copy of the Report is attached and by this reference made a part of these Minutes. The motion was adopted.

SERVICE COMMITTEE REPORT

Chairperson Arnould recognized Senator Welsh for the Service Committee Report. Senator Welsh moved adoption of the report, and the motion was adopted. A copy of the Service Committee Report is attached to and by this reference made a part of these Minutes.

STUDIES COMMITTEE REPORT

Chairperson Arnould recognized Senator Hutchins for the Studies Committee Report. Senator Hutchins reported that the Studies Committee recommended the addition of three new interim study committees: Infant Mortality in Iowa, Curtailing Youth and Gang Violence, and Centralized Communication between Excavators and Pipeline Operators. He continued by reporting that the Committee also recommended that legislative leadership be authorized to appoint members to the Nursing Home Regulation Review Task Force and to the Indigent Defense Advisory Commission on behalf of the Legislative Council, and that Mr. Rick Keith, Iowa Grain and Feed Association, be appointed to the Quality Grain Advisory Committee as a replacement for Mr. Fred Tomlinson, who was the former representative of that association.

Representative Halvorson, at the request of Representative Van Maanen, recommended that the Legislative Council approve the expansion of membership on the K-12 Education Interim Committee to include eight members of each house and five public members. Senator Hutchins so moved and the motion was adopted. Senator Hutchins moved the adoption of the Report and the motion was adopted. A copy of the Report is attached to and by this reference made a part of these Minutes.

DISCUSSION OF THE PROPOSAL TO JOIN THE LAWSUIT ON COMPENSATION AND BENEFITS

Chairperson Arnould recognized Representative Connors for a discussion of Representative Connor's proposal made at the June Council meeting that the Legislative Council join the lawsuit filed by the employee collective bargaining units on their compensation and benefits. Representative Connors reviewed a memorandum from Doug Adkisson, Legal Counsel, Legislative Service Bureau, regarding the standing of the Legislative Council to support an action as a party plaintiff. Representative Connors summarized the memorandum stating that it appears that the Legislative Council would not have standing to support an action as a party plaintiff in the pending lawsuit.

REQUEST TO SUPPLY IOWA CODE ON DISK

Chairperson Arnould recognized Ms. Bolender to discuss the request from the Campaign Finance Disclosure Commission for approval to supply Iowa Code Chapter 56 on computer disk. Ms. Bolender reported that in the past the Legislative Council had been asked to approve such requests from executive branch agencies. There being no objections to the request, it was so ordered.

REPORT ON COURT RULES

Chairperson Arnould recognized Senator Doyle for a report on proposed changes in court rules regarding summary judgment proceedings. Senator Doyle moved to receive without objection the report of court rule changes. The motion was adopted.

ADDITIONAL BUSINESS

In response to a question by Senator Lind regarding the Legislative Council's approach in implementing legislative budget reductions corresponding to the 3.25 percent executive branch reductions, Chairperson Arnould responded that each

legislative department would make reductions in its respective budget. Senator Hutchins added that the Senate Rules and Administration Committee had met and adopted a 3.25 percent budget reduction and Chairperson Arnould replied that the House had also adopted the percent reduction. Chairperson Arnould stated that information regarding the percentage reductions of the House and Senate would be provided to the members of the Council.

Senator Boswell asked that the Council consider the issue of the reductions in the budget of the University of Northern Iowa for the current fiscal year and the ramifications of these reductions on increased enrollment. A discussion followed. The Council considered the idea of a special legislative session, but failed to make a recommendation regarding this issue.

ADJOURNMENT

There being no additional business to come before the Council, the meeting was adjourned at 2:35 p.m.

Respectfully submitted,

DIANE E. BOLENDER
Director, Legislative service Bureau

PATTY FUNARO
Research Analyst

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