

**MINUTES**  
**IOWA LEGISLATIVE COUNCIL**  
**December 17, 1992**

**PRELIMINARY BUSINESS**

The sixteenth meeting of the 1991-1992 Legislative Council was called to order by the Chairperson, Speaker Bob Arnould, at 3:50 p.m., Thursday, December 17, 1992, in Senate Room 22, Statehouse, Des Moines, Iowa. Members present in addition to Chairperson Arnould were:

Senator Wally Horn, Vice Chairperson  
Senator Leonard Boswell  
Senator Donald V. Doyle  
Senator Michael Gronstal  
Senator Larry Murphy  
Senator Jack Rife  
Senator Dale Tieden  
Representative Clifford Branstad  
Representative Kay Chapman  
Representative John H. Connors  
Representative Roger A. Halvorson  
Representative William H. Harbor  
Representative Thomas J. Jochum  
Representative Mary Lundby  
Representative Mike Peterson  
Representative Harold Van Maanen

Also present during all or part of the meeting were: Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Richard Johnson, Deputy Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Mr. Mark Johnson, Legal Counsel, Legislative Service Bureau; 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 Arnould stated that the roll was taken as the members of the Legislative Council arrived and that a formal roll call would not be taken. He also recognized Representative Connors who moved that the minutes of the November 10, 1992, meeting be approved as submitted. The motion was seconded by Senator Gronstal and adopted.

### PRICING OF 1993 CODE OF IOWA

Chairperson Arnould recognized Ms. Diane Bolender to review the contents of the letter from Ms. Kristi Little, Superintendent of Printing, regarding a recommendation for the price of the 1993 Code of Iowa. Ms. Bolender commented that the proposed price is based partially on estimated costs of printing, includes five volumes instead of four volumes, and that the proposed price has been established to partially offset the distribution of approximately 3,625 free Codes. She added that the recommended price is \$225.00 plus \$11.25 sales tax.

In reply to a question by Representative Halvorson, Representative Peterson replied that he could not specifically name all of the recipients of a free Code, but the Administration Committee has adopted a recommendation that the appropriate House and Senate committees review the statutory provision authorizing distribution of free Codes and whether or not bound volumes of the House and Senate Journals are needed.

There being no further discussion, Representative Connors moved the adoption of the recommended price for the 1993 Code of Iowa of \$225.00 plus \$11.25 sales tax. The motion was adopted. A copy of Ms. Little's letter is on file in the Legislative Service Bureau.

### REPORT OF THE FISCAL COMMITTEE

Chairperson Arnould recognized Senator Boswell for the Report of the Fiscal Committee. Senator Boswell deferred to Representative Jochum for comments on the Report. Concerning the problems of uncollected fines and court costs, he stated that the Committee recommends that the Attorney General, Judicial Department, and Iowa County Attorneys' Association jointly submit by February 1, 1993, proposed legislation to solve the problems or the General Assembly should proceed with its own legislation. Representative Chapman commented that the Department of Revenue and Finance is developing a computerized program of revenues and debts which are owed to various agencies of the state. In reply to a question by Representative Harbor, Representative Jochum replied that the total revenue owed to the state may be nearly \$1 billion, including a large percentage which represents unpaid child support. Representative Halvorson commented that counties do not appear to be interested in collecting the revenue and unpaid debts if the counties cannot keep the collections.

There being no further discussion, Senator Boswell moved that the Report of the Fiscal Committee be adopted. The motion was adopted. A copy of the Report of the Fiscal Committee is attached to these minutes.

### NEW LEGISLATOR ORIENTATION - EXPENSES

Ms. Bolender made a brief report on the New Legislator Orientation Program which was held on December 16 and 17, 1992. She noted that all of the legislators-elect without previous legislative experience attended the orientation program. She also noted that almost 20 spouses attended a special orientation program for spouses. Ms. Bolender distributed a memorandum to the Council asking for authority to pay the expenses of the New Legislator Orientation Program as outlined in the memorandum.

Representative Connors moved that individual expenses of legislators-elect be paid by the chamber of origin and that common expenses of the Program be paid jointly through the House and the Senate. The motion was adopted. A copy of the memorandum is attached to these minutes.

### IOWA COMMISSION ON INTERSTATE COOPERATION

Representative Connors, 1992 Chairman of the Council of State Governments, reported on the results of the 1992 Annual Meeting which was held in Des Moines, December 3-6. He briefly described the program content and social activities including the mini-Iowa State Fair which was held in the Des Moines Convention Center. He stated that the Annual Meeting was very successful, thanks in no small part to the CSG staff and the many Iowa volunteers. Chairperson Arnould thanked Representative Connors for his report and asked for applause of appreciation for those who took part in making the 1992 Annual Meeting successful.

### REPORT OF THE ADMINISTRATION COMMITTEE

Representative Peterson reviewed the report of the Administration Committee. The report includes information on the receipt of a contract payment for the 1993 Code Supplement database and requests the approval of a \$3,500 contract price for sale of a computer printout to West Publishing Company.

There being no discussion on the Report, Representative Peterson moved the adoption of the Report of the Administration Committee. The motion was adopted. A copy of the report is attached to these minutes.

### REPORT OF THE SERVICE COMMITTEE

Chairperson Arnould recognized Senator Gronstal for the Report of the Service Committee. Senator Gronstal stated that the report includes a recommendation to adopt personnel guidelines regarding gifts, sales of goods or services, sexual harassment, and conflicts of interest, and a number of personnel actions.

There being no comments, Senator Gronstal moved the adoption of the report of the Service Committee. The motion was adopted. A copy of the report is attached to these minutes.

#### REPORT OF THE STUDIES COMMITTEE

Senator Horn presented the report of the Studies Committee. He stated that the report recommends approval of travel expenses for a study committee speaker, report expenses, and authority to extend the deadline for completion of study committee work.

There being no comments, Senator Horn moved the adoption of the Studies Committee report. The motion was adopted. A copy of the Studies Committee report is attached to these minutes.

#### FAREWELL TO DEPARTING MEMBERS

Representative Connors extended congratulatory remarks and a thank you to those members who are leaving the General Assembly at the conclusion of this term of office.

#### RECONSIDERATION OF SEXUAL HARASSMENT POLICY

Representative Jochum stated that he was preoccupied during the earlier discussion concerning the sexual harassment policy and missed the opportunity to strongly oppose the amendment adopted to the proposed policy by the Service Committee. The amendment relates to section "c" of the policy relating to employee's responsibility. He asked for unanimous consent to reconsider approval of the sexual harassment policy. He expressed the belief that the amendment places the policy in violation of federal law. He also stated that requiring a complainant to confront the harasser first with notice of the unwelcome and offensive behavior will be awkward at best if the harasser is a higher ranking employee or elected official. Representative Connors replied that he offered the amendment in Committee because he believes that the accused should be notified that his or her behavior is considered offensive so that remedial action can be taken unilaterally if the accused's words or actions are unknowingly offensive to the complainant.

After further discussion, Representative Connors objected to reconsideration. Representative Jochum moved to reconsider the vote by which the sexual harassment policy was adopted. Representative Chapman stated that she strongly agrees with Representative Jochum's position and objected to the amendment in Committee discussion. Representative Lundby stated that there should be a middle ground where a confrontation between the accuser and accused is not necessary to

resolve a problem before a formal complaint is filed. Representative Jochum responded that he believes that the "middle ground" is to remove the amendment. After further discussion, the motion to reconsider was defeated by a division of 8 ayes and 9 nays.

After further discussion, Representative Peterson moved to re-refer the sexual harassment policy to the Service Committee for further review and consideration. Chairperson Arnould ruled the motion out of order in light of the defeat of the previous motion. Representative Peterson asked for unanimous consent to re-refer the sexual harassment policy to the Service Committee. Chairperson Arnould asked for objections and stated that unanimous consent was granted.

#### PRESENTATION OF GIFT

Vice Chairperson Horn presented Chairperson Arnould with a gift from the members of the Legislative Council for his service to the Legislative Council during the 1991-1992 biennium.

Chairperson Arnould thanked the members of the Council for the gift and for their cooperation during his term as chairperson.

#### ADJOURNMENT

There being no further business, Chairperson Arnould adjourned the meeting at 4:25 p.m.

Respectfully submitted,

DIANE E. BOLENDER  
DIRECTOR

THANE R. JOHNSON  
SENIOR RESEARCH ANALYST