

MINUTES
IOWA LEGISLATIVE COUNCIL
December 19, 1991

PRELIMINARY BUSINESS

The ninth meeting of the 1991-1992 Legislative Council was called to order by the Chairperson, Speaker Bob Arnould, at 1:10 p.m., Thursday, December 19, 1991, in Senate 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 E. Horn
Senator John Jensen
Senator Jim Lind
Senator Jean Lloyd-Jones
Senator Jack Rife
Senator Dale L. Tieden
Senator Maggie Tinsman
Senator Joe J. Welsh
Representative Clifford O. Branstad
Representative Kay Chapman
Representative John H. Connors
Representative Roger A. 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 E. Bolender, Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. William Angrick, Citizens' Aide/Ombudsman; Mr. Jack Dwyer, Secretary of the Senate; Mr. Joseph O'Hern, Chief Clerk of the House of Representatives; Mr. Sandy Scharf, Director, Computer Support Bureau; Mr. Richard Johnson, Deputy Director, Legislative Service Bureau; Mr. John Pollak, Administrator, Legal and Committee Services Division, 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 noted that the roll was taken as the members of the Council arrived and recognized Representative Connors who moved to approve the minutes of the meeting of November 19, 1991, as submitted. There being no additions or corrections, the motion was adopted unanimously.

NEW COUNCIL MEMBER

Chairperson Arnould recognized and welcomed Senator Maggie Tinsman as a new member of the Legislative Council, replacing Senator Jack Nystrom who resigned from the Senate.

PROPOSED COURT RULE

Senator Donald V. Doyle was recognized to briefly describe the proposed Court Rule change submitted by Chief Justice Arthur A. McGiverin. Senator Doyle stated that the proposed change will strike Iowa Rule of Civil Procedure 57 which provides that original notice is not to be served on a Sunday unless the plaintiff, or the plaintiff's attorney or agent endorses on the notice that personal service is impossible unless made on that day.

There being no comments from the Council, Senator Doyle moved that the proposed rule change be received and filed, without delay in the rule's implementation. The motion was adopted unanimously.

A copy of the proposed court rule change is on file with the Legislative Service Bureau.

1991 ELECTION LAW SUPPLEMENT PRICE

Chairperson Arnould recognized Ms. Diane Bolender for a brief explanation of the price recommended by Ms. Kristi Little, Superintendent of Printing, Department of General Services, for the 1991 Election Law Supplement. Ms. Bolender noted that the cost of preparation, printing, and distribution including 540 free copies, will require a charge of \$15 plus 60 cents tax.

There being no comments or questions from the Council, Representative Connors moved the price recommendation for the 1991 Election Law Supplement be adopted. The motion was adopted unanimously.

A copy of the letter from Ms. Little is attached to and by this reference made a part of these minutes.

REPORT OF THE SERVICE COMMITTEE

Senator Joe Welsh was recognized by Chairperson Arnould for the Report of the Service Committee. Senator Welsh stated that the Report includes a recommendation from the Computer User Policy Direction Committee that an electronic copy of the Code of Iowa database be made available on an annual contract basis to the Information Services Division of the Department of General Services. The Division would notify the Legislative Service Bureau of the agencies that are authorized to read, search, convenience print, and convenience copy the Iowa Code. The contract would also restrict public sales of materials to the cost of production and would prohibit reissuance of the electronic database to any private entity. He added that, in addition, the Report contains recent personnel actions of the Legislative Service Bureau.

There being no questions or comments, Senator Welsh 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 and by this reference made a part of these minutes.

REPORTS OF THE FISCAL COMMITTEE

Chairperson Arnould recognized Senator Leonard Boswell for the Reports of the Fiscal Committee. Senator Boswell stated that the Fiscal Committee met on November 20, 1991, and December 18, 1991, to receive information on several issues including an update on the Judicial Department's computer system (ICIS), state employee relocation programs, cost of the Department of Human Services program eligibility reasoning technology computer system (X-PERT), and an update on the Iowa Communications Network.

Concerning the policies for state employee relocation, Senator Boswell noted that standard policy allows a maximum of \$7,500 plus the actual cost of moving household goods. He added that the Iowa Department of Transportation (IDOT) allows up to \$20,000. For house hunting, he added, standard policy permits two days with pay plus meals and transportation at the in-state rate. IDOT, he added, allows five days for house hunting. For the transportation of vehicles, he stated that standard policy pays transportation for two vehicles while IDOT allows two vehicles or one vehicle per licensed driver in the family. While household goods are being transported, Senator Boswell stated that standard policy allows meals and lodging at state rates for up to five days and IDOT allows the same meals and lodging for 10 days. He stated that if temporary housing expense is needed, standard

policy allows up to 45 days and IDOT allows up to 90 days. Concerning the sale of a former residence, he stated that IDOT offers a market differential between the actual sale price of the former residence and the appraised value of the residence when less than appraised value. The standard policy does not offer this option, he concluded.

The summary of state moving expenses for the fiscal year beginning July 1, 1990, are as follows:

	Cost	No. of Employees	Average
IDOT	\$176,421	33	\$5,346
Regents	\$701,412	293	\$2,394
Others	\$253,097	79	\$3,204

Concerning the Iowa Communications Network, Senator Boswell noted that 220 miles of the total of 2,600 miles of cable have been laid. He added that some of the electronics are being installed and that 13 of the 15 community colleges are included in the program. He further noted that the Booz-Allen consultants (Governor's Committee on Spending Reform) estimate that the cost of the fiber optics system over 25 years will be \$163 million to \$176 million.

In reply to a question by Senator Rife concerning the development of the Department of Human Services' X-PERT computer system, Senator Boswell replied that the Human Services Council authorized the computer system as a pilot project.

Concerning the recommendations, Senator Boswell stated the Fiscal Committee recommends that the Legislative Council establish a panel of advisors to provide information to the Revenue Estimating Conference (REC) before its official meetings. He added that the REC should receive the information at least one week before its meeting and should be required to provide a written rationale for its estimates. He concluded by stating that the REC should give two weeks' notice of its meetings and publish minutes of its meetings.

There being no further questions or comments, Senator Boswell moved to receive and file the Report of the Fiscal Committee of December 18, 1991, and to adopt the Report of the Fiscal Committee of November 20, 1991. The motion was adopted.

A copy of the Report of the Fiscal Committee of November 20, 1991, is attached to and by the reference made a part of these minutes.

REPORT OF THE STUDIES COMMITTEE

Senator Bill Hutchins was recognized to present the Report of the Studies Committee. Senator Hutchins reported that two study committees were given deadline extensions to complete their respective studies and that the K-12 Education Reform Study Committee outlined its plans to continue work during the legislative session and into the next interim. He added that the K-12 Committee is also authorized to receive staff assistance from an individual under contract with the Legislative Service Bureau.

Senator Hutchins also noted that a new study, Review of Iowa's Handgun and Offensive Weapons Laws Study Committee, is authorized to begin meeting during the legislative session. He added that the membership will include 14 legislators and seven public members.

Senator Lind commented that discussion during the Studies Committee meeting seemed to favor minority representation on the Weapons Laws Study Committee. Senator Hutchins responded that the legislative leaders take these matters into consideration along with gender balance and other consideration when making appointments. Senator Lind responded that minority representation on this Study Committee should require considering the high proportion of representation that minorities have in the prison system and the criminal justice system as a whole. After further discussion, Senator Hutchins stated that he has no objection to an amendment to provide for minority representation on the proposed Study Committee. Senator Lind moved that item 3 of the Report of the Studies Committee be amended by adding the following sentence: "The membership of the committee shall include minority representation." There being no objections, the amendment was adopted.

In response to a question concerning item 4, Senator Hutchins reviewed the plans of the K-12 Education Reform Study Committee relating to meeting during the legislative session and the acquisition of additional staff assistance.

There being no further questions or comments, Senator Hutchins moved the adoption of the Report of the Studies Committee as amended. The motion was unanimously adopted.

A copy of the Report of the Studies Committee, as amended, is attached to and by this reference made a part of these minutes.

OTHER BUSINESS - COUNCIL OF STATE GOVERNMENTS MEETING

Chairperson Arnould recognized Representative John H. Connors, Chairperson of the Council of State Governments for 1992, for a report of the 1991 Annual Meeting in Newport, Rhode Island. Representative Connors briefly described the Annual Meeting and the Iowa delegation's participation in the Meeting and Iowa's invitation to delegates to attend the 1992

Annual Meeting to be held in Des Moines. A sample of the chocolate favors given to delegates was given to the members of the Legislative Council.

ADJOURNMENT

There being no other business to come before the Council, Senator Boswell moved that the Legislative Council adjourn at 1:27 p.m. The motion was adopted.

Respectfully submitted,

DIANE BOLENDER, Director

THANE R. JOHNSON, Senior Research Analyst

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