

M I N U T E S
LEGISLATIVE COUNCIL

June 12, 1974

The twelfth meeting of the Iowa Legislative Council was called to order at 10:05 a.m. by the Council Chairman, Senator Clifton C. Lamborn, in the Speaker's Room, State House, Des Moines, Iowa, on Wednesday, June 12, 1974. The following Council members were present:

Senator Clifton C. Lamborn, Chairman
Representative Edgar H. Holden, Vice Chairman
Lt. Governor Arthur A. Neu
Speaker Andrew Varley
Senator James E. Briles
Senator Lucas J. DeKoster
Senator Willard R. Hansen
Senator Eugene M. Hill
Senator John S. Murray
Senator Karl Nolin
Senator Roger J. Shaff
Representative Dale M. Cochran
Representative Donald V. Doyle
Representative Joan Lipsky
Representative James I. Middleswart
Representative Arthur A. Small, Jr.
Representative Delwyn Stromer

Also present were:

Mr. Serge H. Garrison, Director, Legislative Service Bureau
Mr. Gerry Rankin, Director, Legislative Fiscal Bureau
Mr. Ralph R. Brown, Secretary of the Senate
Mr. William Harbor, Chief Clerk of the House
Mr. Burnette Koebernick, Senior Legal Counsel, Legislative Service Bureau
Mrs. Diane Bolender, Research Analyst, Legislative Service Bureau
Mr. William Trent, Legal Counsel and Assistant Secretary of the Senate
Mr. David Wray, Assistant Chief Clerk of the House

Senator Shaff moved that the minutes of the May 15, 1974 Council meeting be approved as mailed to Council members. Senator Briles seconded the motion, and it carried.

Chairman Lamborn called for a report from Mr. Brown concerning a proposal for additional computer capabilities in legislative bill drafting. Mr. Brown briefly commented on a written statement, a copy of which is attached and by this reference made a part of these minutes.

Chairman Lamborn called upon Mr. Garrison to comment upon the effect of the use of additional computer capabilities upon the operations of the Legislative Service Bureau. Mr. Garrison

responded that the additional computer capability will simplify the operation and reduce the time required for bill typing and enrolling. He explained that the Code of Iowa, presently on computer tape for retrieval purposes, is not a perfect version of the Code, but using an updated error-free computer tape for bill typing purposes will provide a more accurate copy and enable the Code to be printed in a greatly reduced time due to removal of the necessity of proofreading sections that were not changed. He stated that the program is still being written by Data Processing, but that his employees are utilizing new terminals for training purposes. Mr. Brown added that Data Processing expects the program to be operational by December 1, 1974.

Chief Clerk Harbor commented on a proposal which he has discussed with Mr. Brown concerning printing only a proof journal and eliminating the printing of a corrected journal. This proposal does give consideration to the problems in the availability of a sufficient amount of newsprint. He mentioned other ramifications of such a change, including the need to provide for corrective inputs for legislative indexing. Chief Clerk Harbor also stated that he has sent questionnaires concerning the types of legislative material delivered to various state agencies and the ninety-nine county auditors to determine the utilization of the material by state offices and the county auditors and the legislative materials they would prefer to continue to receive. Mr. Wray presented a report concerning the results of the questionnaire, a copy of which is attached and by this reference made a part of these minutes.

Returning to the discussion concerning computer capabilities, Senator Murray asked about the costs of operation of the two terminals. Mr. Brown responded that the terminals would be leased only during a legislative session.

Representative Small inquired about the format of clip sheets and the time consuming process of cutting apart each amendment. He asked about procedures in other states, and received responses from persons present which indicate that Iowa appears to be rather flexible in allowing amendments to bills to be filed from the floor, a procedure which is not always feasible in states where the session length is strictly limited. It was noted that most other states have similar problems.

With regard to the additional use of computer terminals, Mr. Garrison explained that personnel from the Legislative Service Bureau are currently experimenting with the new terminals, but will be able to use the present system during the next session if necessary. He added that the new computer system will be developed so that conflicting amendments to the same sections will be evident.

Speaker Varley moved that the Administration Committee of the Legislative Council review the proposition of additional computer capabilities, as presented by Mr. Brown, under the assumption that the two houses and the Legislative Service Bureau

will attempt to develop and complete the program by the convening of the next legislative session.

Representative Small suggested that a legislative committee meet during the interim to analyze various procedures which might be used during the legislative session to streamline procedures. Chairman Lamborn agreed that the Administration Committee of the Legislative Council might study one amendment procedure as well as other procedures.

Senator Hill inquired whether the use of the computers in the House and Senate will necessitate an increase in personnel. Mr. Brown responded that in the Senate it is anticipated that no new personnel will be required, but present personnel may be required to work additional hours and an increased salary might be provided. Chief Clerk Harbor responded in the same manner, indicating perhaps one additional person may be needed.

Lt. Governor Neu inquired whether if Speaker Varley's motion prevails, the new program can be ready for the next session. Speaker Varley restated his motion to specify that the House and Senate and the Legislative Service Bureau proceed with the development of the computer program for additional computer capabilities in legislative bill drafting and amending and that the Administration Committee of the Legislative Council review the progress and report to the Council. Speaker Varley commented that it is anticipated that final approval for the project will not be granted at the present time. Senator Shaff seconded the motion, and it carried.

Chairman Lamborn called upon Senator DeKoster to present the report of the Legislative Fiscal Committee. Senator DeKoster briefly commented upon a written report, a copy of which is attached and by this reference made a part of these minutes. In addition to the report, Senator DeKoster suggested that the Legislative Fiscal Committee be granted the authority by the Legislative Council to approve requests of visitations by the Visitation Committees.

With regard to the written report, Chairman Lamborn asked about the Fiscal Committee's review of forms designed for reporting the status of appropriations to the General Assembly. Senator DeKoster explained that the forms would be used during the 1975 session, and during the latter part of the session would be completed and delivered to legislators several times daily. Senator Hill interjected that the Legislative Fiscal Committee intends to coordinate its forms with the Office of the State Comptroller to utilize uniform forms. It was noted that the State Comptroller has agreed to attend the next meeting of the Legislative Fiscal Committee. Mr. Rankin added that in addition to the forms, it is hoped that it will be possible that on a regularly scheduled basis in both the House and Senate, an oral report can be given by a representative of the Legislative Fiscal Bureau concerning the status of the budget and appropriations completed.

Brief discussion followed relating to distribution of appropriations status reports to members of the General Assembly with comments made that the report should be available, but not necessarily distributed to each member.

With regard to the request of the Legislative Fiscal Committee that Senator Hill and Senator Van Gilst be allowed to attend the Energy Crisis and Coal Utilization Conference in Louisville, Kentucky in lieu of the National Legislative Conference, Speaker Varley expressed the belief that the legislative members of the Energy Policy Council should be invited to attend. Senator Hill commented that he and Senator Van Gilst have coal mines located in their legislative districts. Senator Hill agreed that if legislative members of the Energy Policy Council are approved to attend the conference, he will withdraw his name. Speaker Varley moved that the four members of the Energy Policy Council be asked to attend the conference as well as Senator Van Gilst. Representative Middleswart seconded the motion, and it carried.

Representative Stromer moved that the Legislative Council approve the report of the Legislative Fiscal Committee as presented, except for Senator Hill's request to attend the Energy and Coal Conference in Louisville, and in addition allow the Legislative Fiscal Committee to approve visitations by the Visitations Committees. Senator Nolin seconded the motion, and it carried.

Chairman Lamborn called for a discussion of the report of the members of the Legislative Service Committee concerning the budget of the Office of the Citizens' Aide. Senator Briles briefly commented upon the report, a copy of which is attached and by this reference made a part of these minutes. Mr. Mayer indicated that the proposed salaries listed should include a salary of \$12,900 for the deputy for corrections. It was noted that the members of the Legislative Service Committee did not take action on the proposal of the Citizens' Aide for retroactive salary increases from January 1, 1974 to June 30, 1974. Mr. Mayer explained that at the October meeting of the Legislative Council, members had questioned whether the budget of the Citizens' Aide would allow increases in salaries from January 1, 1974, and they had asked him to return to a Council meeting in January for final approval. Mr. Mayer indicated that he presently has the money in the budget and requests a retroactive salary increase for the first and second deputies.

Chairman Lamborn asked about the manner in which the additional appropriation of \$10,000 allowed by the General Assembly during the 1974 session will be used. Mr. Mayer responded that the money will be used to employ an additional secretary, for additional expenses of travel with the increase to fifteen cents per mile, and for increased costs of incoming collect station-to-station telephone calls.

Representative Stromer stated that the Legislative Service Committee did not have a quorum at its meeting and actions

taken are not official although the members present had approved the appointment of the additional secretary. Senator Hill moved that the Legislative Council approve Mr. Mayer's request except for the retroactive salary increases. Representative Cochran moved a substitute motion that the entire report of the members of the Legislative Service Committee be approved. Senator Briles seconded the motion, and it carried.

Chairman Lamborn called upon Senator Hansen for a report of the Studies Committee. A copy of the report of the Studies Committee, as amended by the Legislative Council, is attached and by this reference made a part of these minutes. Chairman Lamborn recommended that he be replaced by Senator Plymat on the Problems of the Elderly and Handicapped Study Committee. Senator Shaff seconded the motion, and it carried.

Discussion followed relating to membership on study committees by geographic location of legislators and representation from specific areas of the state that contain the problems being studied. Discussion also related to legislators representing areas in which various state institutions are located serving on study committees which are studying the operations of those institutions.

Senator Briles moved that Representative Daggett be added to the Postsecondary Education Funding Study Committee. The motion died for lack of a second. Representative Cochran moved that Representative O'Halloran be substituted for Representative Dunton on the Postsecondary Education Funding Study Committee, due to the heavy workload of Legislative Fiscal Committee for Representative Dunton. Representative Small seconded the motion, and it lost. Representative Cochran moved that Representative Griffiee replace Representative Dunton. Senator Nolin seconded the motion, and it carried.

Representative Lipsky moved that Representative Mennenga replace Representative Jordan on the Pension and Retirement Programs Study Committee. Senator Murray seconded the motion. Senator Hill moved a substitute motion that Representative Byerly replace Representative Jordan. It was noted that Senator Curtis, Chairman of the Pension and Retirement Programs Study Committee, had requested that since the Study Committee has completed much of its preparatory work, the membership not be changed. Representative Cochran seconded Senator Hill's substitute motion, and it carried.

Senator Murray suggested that the membership of the Land Use Study Committee is too heavily concentrated with members of the General Assembly who represent the farming community and moved that Senator Griffin replace Senator Bergman on the Committee. Representative Lipsky seconded the motion, and it lost.

Senator Hill commented that governmental subdivisions in the Davenport metropolitan area have initiated cooperative endeavors, and he asked about representation on the Local Services

Study Committee from that area. Representative Holden responded that an advisory member of the Local Funding and Budgeting Study Committee, Mr. Warren Wood, is from the Davenport area and will be able to provide information to Committee members if his advisory membership is continued on the Study Committee.

Chairman Hansen moved that the report of the Studies Committee as amended be adopted. Senator DeKoster seconded the motion, and it carried on a voice vote.

Chairman Lamborn called the Council's attention to correspondence from Representative Grassley who indicated his desire to resign from the Legislative Council, but to remain as Chairman of the House Committee on Appropriations and as Co-Chairman of the Legislative Fiscal Committee. Chairman Lamborn also referred to correspondence addressed to Representative Elmer H. Den Herder from Speaker Andrew Varley appointing Representative Den Herder to replace Representative Grassley on the Council. Discussion followed relating to Chapter 2 of the Code which requires the Chairmen of the Committees on Appropriations to serve as members of the Legislative Council. The Council agreed to a further study of the Code and its implications with regard to Representative Grassley's resignation and no action was taken regarding Representative Den Herder's membership on the Council.

Representative Doyle requested approval of the following persons as advisory members of the Penal and Correctional Systems Study Committee for the 1974 interim, as recommended by the Committee:

1. Mr. Gene Johnson, juvenile police officer.
2. Mr. Donald Hoskins, attorney.
3. Ms. Josie Gittler, professor at the University of Iowa Law School.
4. Judge Eastman, juvenile judge.
5. Three inmates, one each from Rockwell City, Ft. Madison, and Anamosa, selected by the inmates.

Representative Doyle moved their approval by the Legislative Council. Senator Briles seconded the motion, and it carried. Representative Doyle added that the Study Committee anticipates a study of the juvenile justice system during the current interim, but believes that inmates from the three adult correction institutions will be valuable assets to the Study Committee.

Senator Hansen asked that Senator Forrest Schwengels be allowed to address the Committee concerning a request for a study of problems with the Red Rock Dam. He noted that study resolutions had been introduced into the General Assembly for a study of the problem, but the Studies Committee had not recommended the formation of a committee. Senator Schwengels stated that severe problems have occurred in both the Red Rock Dam and Coralville Dam areas causing extreme flooding. He explained that control over the water levels of the dams is determined by the Corps of Engineers

pursuant to contracts signed by the Corps of Engineers and the Iowa State Conservation Commission, but it appears that the contracts can be altered to alleviate the flooding problems. Senator Schwengels expressed the belief that there was not proper analysis for below dam watershed development before the contracts were signed, and he suggested that a study committee be established to review the problem with the Corps of Engineers and the Iowa State Conservation Commission and the Iowa State Soil Conservation Department. Senator Hansen noted that the Legislative Council had referred a similar problem concerning the Iowa River to the Conservation Commission for study and a report to the Legislative Council in August. Senator Hansen moved that the Legislative Council ask the Conservation Commission, in cooperation with the Soil Conservation Department, to explore flooding problems around the Red Rock and Coralville Dam areas and the provisions of contracts which have been signed by the Corps of Engineers and report to the Legislative Council in August. Senator Nolin seconded the motion, and it carried.

The Legislative Council recessed for lunch at 12:00 noon and reconvened at 1:40 p.m. with the same Council members present who had been present during the morning session in addition to Senator Earl M. Willits.

Chairman Lamborn called for a report of the Legislative Service Committee concerning the budget of the Legislative Fiscal Bureau. Representative Stromer, member of the Legislative Service Committee, reiterated that the Legislative Service Committee did not have a quorum present for its meeting, but the members made a report, a copy of which is attached and by this reference made a part of these minutes. He noted that the members had made no recommendation regarding the hiring and payment of additional employees in the office of the Legislative Fiscal Bureau.

Mr. Rankin explained that the Merit Employment Department evaluated the positions of the Legislative Fiscal Bureau and salaries were compared with similar positions in other states and with the State Comptroller's office. He commented that the Merit Employment Department had stated that the salary schedules recommended by him appeared to be conservative.

Mr. Rankin asked the Legislative Council for the authority to employ an additional legislative analyst to commence employment around July 1, 1974 and a secretary for the session commencing January 1, 1975, both positions to be paid from legislative funds until the next budget session. Senator Hill moved that the Council approve the employment of the additional legislative fiscal analyst and the part-time secretary on the dates recommended by Mr. Rankin and that the personnel be paid from funds available to the General Assembly. Representative Stromer moved a substitute motion that no action be taken until December concerning the employment of persons to be paid from General Assembly funds. Senator Nolin suggested that the employment of the legislative fiscal analyst should commence immediately. Representative

Stromer's motion to delay the employment lost, and Senator Hill's motion to employ carried. The report of the members of the Legislative Service Committee, including salary increases for present employees, was approved.

Chairman Lamborn called for the report of the members of the Legislative Service Committee concerning the budget of the Legislative Service Bureau. Senator Briles, Chairman of the Service Committee, asked for comments from Mr. Garrison. Mr. Garrison reviewed the proposed 1974-1975 budget of the Legislative Service Bureau, a copy of which is attached and by this reference made a part of these minutes. He briefly commented upon the diversity of quarterly expenses in such areas as per diem and travel of committee members and general office supplies and expenses. Mr. Garrison commented that he had also submitted position descriptions and classifications to the Merit Employment Department, and they were approved as submitted. He explained that he has employed, or anticipates employing, two new research analysts and two new legal counsels as of July 1, 1974. He requested permission to employ on November 1, 1974 an additional secretary under the legislative payroll and to transfer Mr. Zeman and Mr. Soldat, present employees of the Legislative Service Bureau, to the legislative payroll on November 1, 1974 and January 1, 1975 respectively.

Speaker Varley asked about the number of permanent employees of the Legislative Service Bureau who are covered under the Federal Minimum Hour and Wage Act. Mr. Garrison responded that it appears only the terminal operators are covered and all other permanent employees are exempt.

Discussion followed relating to whether the funds expended by the two legislative service agencies should be strictly budgeted or whether funds should be available from funds available to the General Assembly. It was noted that per diem for members of the General Assembly for attendance at various committee meetings is paid from several accounts, including the House, the Senate, the Legislative Fiscal Bureau, and the Legislative Service Bureau. It was suggested that a uniform manner of payment of per diem and expenses to members of the General Assembly for interim work might be considered by the Administration Committee.

Chairman Lamborn suggested that staffing be available for some standing committees during the 1975 legislative session. Council members agreed that such staff members should originally receive training from the Legislative Service Bureau. Mr. Garrison agreed that it appears that it will be possible to provide staff assistance to the State Government Committees and the Judiciary Committees during the legislative session, although there is not space available in the Legislative Service Bureau offices for the employment of additional persons for such positions.

Senator Briles moved that the Legislative Council approve the report of the members of the Legislative Service Committee,

including the budget as proposed by Mr. Garrison. Senator Hill seconded the motion, and it carried. A copy of Mr. Garrison's report to the members of the Legislative Council is available upon request in the office of the Legislative Service Bureau. Representative Middleswart expressed opposition to approval of salary increases as high as those recommended, noting that anticipated receipts to the state treasury may not be as high as expected. Mr. Garrison stated that for new employees, he anticipates a review of salaries at the end of the first six months of employment.

Senator Hansen moved that the Legislative Council approve the appointment of a committee to explore the problem of the cafeteria located in the basement of the State House and propose a solution. He suggested that the committee consist of himself, Representative Brockett, Chairman of the Capitol Planning Commission, and Senator Nolin. Senator Willits seconded the motion, and it carried.

It was noted that the next Legislative Council meeting is scheduled for July 10, although some Council members will be attending the Midwestern Conference of the Council of State Governments in Indiana. It was agreed to keep the second Wednesday as the date of the Council meeting.

The Legislative Council adjourned at 3:20 p.m.

Respectfully submitted,

DIANE BOLENDER
Research Analyst

SERGE H. GARRISON
Director