

M I N U T E S
LEGISLATIVE COUNCIL

July 14, 1976

The fifteenth meeting of 1975-1976 Iowa Legislative Council was called to order at 10:15 a.m., Wednesday, July 14, 1976 in the Speaker's Conference Room of the State House, Des Moines. Members attending the meeting were:

Speaker of the House Dale M. Cochran, Chairperson
President Pro Tem of the Senate Minnette Doderer, Vice
Chairperson
Lieutenant Governor Arthur A. Neu
Senator James E. Briles
Senator Eugene M. Hill
Senator George R. Kinley
Senator Clifton C. Lamborn
Senator William D. Palmer
Senator Steve Sovern
Senator Bass Van Gilst
Representative Elmer H. Den Herder
Representative Donald V. Doyle
Representative Keith Dunton
Representative Jerome Fitzgerald
Representative William J. Hargrave
Representative James I. Middleswart
Representative Floyd H. Millen
Representative Delwyn Stromer
Representative Andrew Varley

Senator Willard R. Hansen was present for the afternoon session of the meeting. Also in attendance at the meeting were a number of legislative staff personnel, representatives of the news media and other interested persons.

Representative Dunton moved that the minutes of the Council's June 9 meeting be approved as mailed to Council members. The motion was seconded by Representative Doyle and unanimously adopted.

Chairperson Cochran declared a recess of the Council meeting for the purpose of reconvening the Council's Studies Committee, which had met on the previous day.

Upon reconvening at 11:05 a.m., Chairperson Cochran recognized Secretary of the Senate Steve Cross for presentation of a proposal relative to legislative printing for future sessions, prepared by Mr. Cross and Chief Clerk of the House Dave Wray. A copy of the proposal is attached to and by this reference made a part of these minutes.

In presenting the proposal, Mr. Cross commented that the operation of the General Assembly is by its nature "labor-intensive" and offers little opportunity to save substantial amounts of money on salaries. The next largest category of expense in operation of the General Assembly is printing, and Mr. Cross suggested that the proposal does offer opportunities for significant savings in this area.

Chief Clerk Wray then described in detail the changes being proposed in the format of the Senate and House Journals, and the reasons for these changes. Mr. Wray also explained the various alternative ideas which had been explored, and why each of them was found unsatisfactory.

Senator Hill expressed some concern about the opportunity for authors of amendments to review the text of the amendments and have any necessary corrections made. Mr. Cross expressed confidence that this could be done satisfactorily through use of the clip sheets in the same form as they have been printed in past sessions.

In response to questions by Senators Kinley and Lamborn, Mr. Cross stated that a substantial number of other states already handle some or all of their legislative printing in the same general manner as is contemplated by the attached proposal. He added that similar printing methods are in quite common use by private business.

Senator Hill noted that during the 1967 Session the Iowa General Assembly had experimented with offset printing for bills, clip sheets, calendars and journals, using a printing firm with little or no prior experience in this area, and that the results had not been wholly satisfactory. He inquired who it is anticipated would bid on printing if the General Assembly should adopt the proposal as presented by Mr. Cross and Mr. Wray. Mr. Cross responded that the necessity of having each day's material available early in the morning, on the basis of copy prepared the previous afternoon or evening and printing being completed by a night labor force, effectively precludes any printing firm located outside Des Moines from bidding on the contract. He added that Superintendent of Printing Vern Lundquist had indicated that it is unlikely that any firm other than Wallace-Homestead, which has held the contract for legislative printing in prior years, would bid on the contract under the new procedures and labor time being proposed and required.

Representative Millen moved that the Council approve the proposal presented by Mr. Cross and Mr. Wray. The motion was seconded by Senator Kinley.

Senator Lamborn inquired if a decision had to be made on this matter at the present meeting. Mr. Wray responded in the affirmative, explaining that it will be necessary to order the paper on which legislative material will be printed during the 1977

session within the next few days, and that therefore it is necessary to make a decision as to which method of printing will be used for that session.

Representative Millen's motion was then adopted by an unanimous voice vote.

Chairperson Cochran noted that late in the previous interim the Council had discussed and acted upon the matter of out-of-state travel by Council members and other legislators to events such as the annual meeting of the National Conference of State Legislatures (NCSL) and the meetings which have been held in recent years between some Council members and members of the Iowa Congressional delegation in Washington, D.C. (See minutes of Council's December 19, 1975 meeting, pages 15-16, and accompanying minutes of December 18 meeting of Council's Administration Committee, pages 4-5 with attached statement of policy.) Mr. Garrison distributed copies of material relating to the forthcoming 1976 annual meeting of the NCSL in Kansas City August 31-September 3.

Representative Stromer commented that he would suggest that legislators and other persons who go to such meetings need to follow-up by reporting back to the Council and the General Assembly more effectively. He noted that at previous meetings such as the 1975 meeting between Council members and members of the Iowa Congressional delegation, the matter of the unfavorable rate of return of federal funds to Iowa, relative to federal revenue collected in the state, had been extensively discussed. The same matter was raised at the recent Midwestern Regional Conference of the Council of State Governments, and Representative Stromer asserted the reaction would suggest that many individuals had never heard of it before.

Chairperson Cochran asked how many of the Council members who were present are interested in attending the 1976 annual meeting of the NCSL if circumstances permit them to do so. Fifteen of the seventeen Council members present indicated such interest.

Senator Hill expressed the view that these annual meetings are well worth the cost of attendance by Council members and some other Iowa legislators. Representative Varley agreed, noting that this year's annual meeting is being held in a neighboring state and that a number of groups formed within the structure of the NCSL will be holding concurrent meetings during the Kansas City conference. Senator Hill inquired how many of the fifteen Council members who had indicated interest in attending the Kansas City conference are under an obligation to do so by reason of having accepted appointments to a NCSL committee or task force. Six Council members responded affirmatively.

Representative Stromer pointed out that members of the Legislative Fiscal Committee usually are also authorized to attend annual meetings of the NCSL, as are members of the leadership who

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do not serve on the Council. Senator Lamborn offered the comment that legislators who are not seeking reelection should not attend such meetings, and added that he does not believe these meetings are sufficiently productive to justify sending all or most members of the Legislative Council to them, particularly with respect to future conferences which presumably will be held at greater distances from Des Moines.

Senator Hill moved that the Council authorize those Council members and members of the Legislative Fiscal Committee who are not Council members who wish to attend the 1976 meeting of the NCSL to do so. The motion was seconded by Senator Van Gilst and adopted by a voice vote, Senator Lamborn voting in the negative.

The Council took up for discussion the question of a meeting between some of its members and the Iowa Congressional delegation later this summer or in the early fall. In response to a question from Senator Kinley, Chairperson Cochran noted that the pattern which has developed in recent years has been for such meetings to be held each spring in Iowa, during the time the General Assembly is in session, and each fall in Washington, D.C. He added that it had not been possible to arrange a meeting during the past spring at a time which was both convenient for Iowa legislators and coincident with a Congressional recess. Chairperson Cochran concluded by stating that U.S. Representative Neal Smith has suggested the dates of September 13-14, 1976, for a meeting between some members of the Iowa Legislative Council and the Iowa Congressional delegation in Washington, D.C.

Senator Hill expressed the view that such meetings have proven quite valuable in the past, but that the question of which Council members attend them should be decided on the basis of the subject matter to be covered. He added that the Council should review the agenda for the meeting in advance at one of its regular meetings, and that Council members who attend the meeting with the Congressional delegation should report to the full Council afterward. Representative Den Herder expressed agreement.

Senator Briles said that he does not believe that there should be a restriction on the number of Council members who can meet with the Congressional delegation, and also with other federal officials in Washington. He added that he has derived much value from these meetings in the past.

Senator Briles then moved that the Council send a delegation to meet with members of the Iowa Congressional delegation in Washington in September, 1976. The motion was seconded by Representative Dunton and unanimously adopted.

There was a brief discussion of the exact dates for the meeting with the Iowa Congressional delegation. Chairperson Cochran asked whether there were any specific objections to the suggested dates of September 13-14, and no objections were expressed. Chairperson Cochran then stated that an opportunity

will be offered each Council member to suggest topics for discussion with the Iowa Congressional delegation at the meeting.

Representative Varley requested that the date for the next Legislative Council meeting be discussed before the noon recess. Chairperson Cochran pointed out that although the Council's customary second Wednesday meeting date would fall on August 11, the Studies Committee had proposed that this date be advanced one week in order to expedite appointment of legislators to interim study committees and the organization and initiation of efforts by these study committees. No objection being expressed, Chairperson Cochran declared that the next meeting of the Legislative Council would be held on Wednesday, August 4. Several Chairpersons of Council committees indicated that these committees would plan to meet on the previous day.

The Council recessed for lunch at 12:00 noon. The meeting was reconvened in the Speaker's Conference Room at 1:50 p.m.

Chairperson Cochran noted that it would be necessary at the present meeting that the Council appoint two members to the Advisory Commission on Corrections Relief, established by House File 1539 of the 66th General Assembly, 1976 Session, since that statute requires these appointments be made prior to August 1. He entertained suggestions for possible appointees to these positions. Prospective appointees suggested by Council members present included Mr. Richard Aller, Des Moines; Mrs. Mary Louise Conley, Des Moines; Mr. Ray Cornell, Des Moines; Mr. Harold McCormick, Manchester; Mr. Evan Nolte, Mason City; District Judge Leo Oxberger, Des Moines; Professor John Stratton, Iowa City; and Mr. Bernard Volgelgesang, Des Moines.

Chairperson Cochran noted that pursuant to H.F. 1539, the Governor had appointed Mr. Ernest Buresh of Anamosa and Ms. Janet Johnson of Des Moines to the Advisory Commission on Corrections Relief. He continued that the statute also provides for two appointments to be made by the Chief Justice of the Supreme Court, but that as of the date of the present meeting these appointments had not been made. Council members requested that a list of the names suggested for the Council's two appointees be drawn up and circulated to assist the members in their consideration. The matter was then temporarily deferred.

The Council next took up for further consideration the proposed contract for development of an interactive budgeting and monitoring system, which had been discussed at the previous Council meeting. (See minutes of Council's June 9, 1976 meeting, pages 4-6.) Chairperson Cochran recognized Senator Hill, who presented and reviewed two previously-prepared resolutions relative to this matter. Copies of the respective resolutions, designated by roman numerals I and II, are attached to and by this reference made a part of these minutes.

Representative Stromer asked Senator Hill whether he foresees that either of the proposed committees, referred to in the attached resolutions might dissolve within a few years. Senator Hill replied in the affirmative, adding that in particular the proposed Information System Management Committee might well not be needed, in that form, after the system is established and has functioned for a time. In response to a further question from Representative Stromer, Senator Hill said he would estimate that the Information System Management Committee might have to meet four or five times a year.

Representative Stromer next asked Senator Hill whether he feels comfortable in making a proposal of such magnitude, which Representative Stromer asserted the House majority leadership had in effect rejected. Senator Hill answered in the affirmative, stating that section 2.12 of the Code covers the matter, although if a similar system were being established for the benefit of some state agency other than General Assembly that section would not apply.

Representative Stromer said he is very concerned about establishing a precedent for expenditures of the magnitude of that proposed in connection with the new interactive budgeting and monitoring system under the authority of section 2.12. Senator Hill replied that the General Assembly needs more adequate and timely information for budgeting and appropriations purposes, and that therefore the use of section 2.12 is fully justified. He added that he disagrees that the proposal to which Representative Stromer had referred was rejected by the House majority leadership; what happened was that the matter was on the calendar at the end of the session but was not taken up for lack of time. Representative Stromer asserted that the leadership could have taken the matter up if it wished to do so, and that its failure to do so was in effect a rejection. Senator Hill said he does not agree.

Lieutenant Governor Neu noted that at the Council's May 20, 1976 meeting, he had raised the question whether the Council was contemplating contracting with Coopers and Lybrand under the authority given in section 2.12 of the Code or whether the intent was to prepare and pass a specific appropriation bill for the purpose of developing the interactive budgeting and monitoring system. (See minutes of Council's April 28-May 20 meetings, pages 6-7.) The Lieutenant Governor said it had been his impression at that time that the Council's final decision at the meeting was to go the route of an appropriations bill, and that upon reviewing the minutes of the meeting in question he still believes that is the decision which was made. He asserted that the proposed new system will benefit executive branch agencies as well as the General Assembly, and that section 2.12 of the Code is simply not broad enough to support that kind of expenditure. He further stated that he fully agrees with Representative Stromer that in any case the proposed expenditure would establish a very bad precedent. He cited examples of prior use of section 2.12 by the Council for various expenditures he described as specifically and solely for the benefit of the General Assembly.

Lieutenant Governor Neu continued by stating that the resolutions presented by Senator Hill and changes in the proposed contract with Coopers and Lybrand do make the contract acceptable. He noted however, that the \$86,000 referred to in resolution I should be regarded as a maximum for the purposes indicated there. He also stated it is his understanding that the Legislative Fiscal Bureau will need only one new person for the long-term administration of the new system, although some additional people will be needed for a time in connection with the development and implementation of the system.

Senator Hill stated that failure to use the authority found in section 2.12 and 2.43 of the Code will result in a year's delay in implementing a much-needed system. He said he has no concern relative to any undue expansion of the authority provided in section 2.12, adding that he would oppose any such extension. He asserted that the fact that executive branch agencies may benefit from a system installed by and primarily for the General Assembly does not operate to place this expenditure outside the scope of what is contemplated by section 2.12.

Senator Hill then moved that the Council adopt the attached resolution designated I. The motion was seconded by Senator Van Gilst.

Senator Doderer expressed concern about item 5 of resolution I, stating that it had been her earlier understanding that the suggested figure for University of Iowa computer rental was \$10,000 rather than \$5,000, and that some officials of the University administration had been concerned about the adequacy of even that figure. There was some discussion of the matter, in connection with which Senator Doderer urged either raising the figure in question or modifying the proposal so that the computer equipment at Drake University would be utilized permanently, rather than temporarily pending installation of adequate equipment at the University of Iowa.

Representative Varley suggested that the projected time frame for development and implementation of the interactive budgeting and monitoring system is unrealistic. He added that he therefore questions whether Drake University should be involved at all, because it is quite likely that the General Assembly will not actually be ready to begin utilizing the needed computer equipment before such equipment has been installed at the University of Iowa.

Representative Millen stated that he and Senator Doderer had earlier placed a call to the State of Oregon and talked to persons there who are involved in adoption of a similar budgeting and monitoring system to that proposed for the State of Iowa. Representative Millen indicated that the persons to whom he and Senator Doderer had talked had expressed serious skepticism about the system at this time, and had related rumors of trouble which has recently arisen in the State of Washington, where the system was first implemented.

Representative Millen then moved to defer action on the proposed resolutions until the next Council meeting, and to direct that inquiries be made in the meantime to determine the current status of the system in the State of Washington. The motion was seconded by Representative Stromer.

Senators Hill and Van Gilst expressed opposition to Representative Millen's motion. Senator Hill commented that there need be no concern about the amount budgeted for computer rental from the University of Iowa, because the Council will be fair and will adjust this figure if it subsequently appears necessary. Senator Van Gilst stated that he has recently had the opportunity to discuss the interactive budgeting and monitoring system with a legislator from the State of Washington, and that this conversation had strengthened his conviction that the system would be beneficial to the Iowa General Assembly.

In response to questions by Representative Stromer, Legislative Fiscal Director Gerry Rankin stated that the total cost authorized by actions taken by the Council to date and proposed at the present meeting, in connection with development and implementation of the proposed interactive budgeting and monitoring system, would be the \$387,000 provided for in the proposed contract with Coopers and Lybrand plus the \$86,000 total of the items set forth in paragraph 5 of resolution I. Mr. Rankin added that the action taken by the Council at its June 9 meeting authorized the conclusion of a contract with Coopers and Lybrand for that firm to serve as consultants in connection with development and implementation of the proposed system, but did not specify the amount of the fees to be paid the firm.

Senator Doderer moved to amend Representative Millen's motion so as to provide that the proposed Information System Management Committee will hold at least one meeting before final Council action on the proposed resolutions. The amendment was seconded by Representative Stromer but was defeated on a voice vote.

Representative Millen's original motion was then defeated by a roll call vote of six to eleven with one abstention. Those voting yes were Senators Doderer, Briles, Hansen and Lamborn and Representatives Millen and Stromer; those voting no were Chairperson Cochran, Senators Hill, Kinley, Palmer, Sovern and Van Gilst and Representatives Doyle, Dunton, Fitzgerald, Hargrave and Middleswart; Representative Den Herder abstained.

In response to a question by Representative Stromer, Lieutenant Governor Neu stated that if the Council acts favorably on the motion by Senator Hill, he will sign the proposed contract with Coopers and Lybrand in his capacity as President of the Senate. However, he reiterated his concern over the precedent being established and his belief that the Council is not acting in accordance with the decision he believes was made at the May 20 meeting to proceed by the usual appropriations process.

Senator Hill's motion to adopt the attached resolution I was then adopted by a voice vote.

Senator Hill moved that the Council adopt the attached resolution II. The motion was seconded by Representative Dunton, and adopted by a voice vote.

Chairperson Cochran recognized Senator Kinley for the report of the Council's Studies Committee, pursuant to the Committee's meeting on the preceding day and on the morning of the present day. (The minutes of that meeting accompany these minutes.) Copies of a five page report of the Studies Committee's actions on the previous day, and a one page supplemental report of the Committee's action on the morning of the present day, were distributed to Council members present.

Representative Stromer raised questions regarding the Studies Committee's recommendation that an interim study committee be established pursuant to S.C.R. 109, to make a study relating to questions and ambiguities arising pursuant to the Public Employees Collective Bargaining Act and to the administration of the Act. Senator Hill discussed various matters that he believes merit review or consideration by the proposed study committee, adding that the Studies Committee had not contemplated that any limits would be placed upon the proposed study committee beyond those expressed in S.C.R. 109 as expanded by the Studies Committee's own recommendations to the Council. Representative Stromer suggested that the standing State Government Committees could handle these matters during the 1977 legislative session.

Representative Stromer also stated that, before voting to approve the proposed study to review the funding structure and programs offered by area education agencies, he wished to know what had been done pursuant to an appropriation made late in the first session of the 66th General Assembly to the Legislative Fiscal Bureau for the purpose of studying use of special education funds which are supposed to be made available by local school districts to area education agencies if these agencies serve certain special education students who would otherwise be served by the local districts directly. Mr. Rankin indicated that the funds so appropriated had not been used for that purpose but had been reverted by the Fiscal Bureau to the general fund.

Commenting on item 1 of the Studies Committee report, Senator Lamborn expressed doubt that a full-scale retirement study should be necessary so soon after completion of the study made by the interim committee which had been chaired by Senator Warren Curtis. He also expressed opposition to having as many as fourteen members on any interim study committee, as is proposed in connection with the interim committees recommended in the areas of energy, state road system finance, and legislative processes. Finally, Senator Lamborn said he questions whether anything constructive is likely to come of the proposed study of electric power and natural gas rate structures, recommended by the Studies Committee.

In connection with the last item, Senator Hill said he particularly objects to the present practice of utilities collecting increased rates under bond and placing the funds involved in escrow accounts for prolonged periods of time, while the Iowa Commerce Commission is considering whether to authorize the rate increases involved. Representative Dunton agreed, adding that it is his understanding that in at least two neighboring states the utility regulatory commissions have relatively short periods of time in which to make decisions on proposed rate increase, but the increases cannot be collected by the utilities involved during that time.

Senator Doderer noted that the Studies Committee apparently does not intend to continue the Discriminatory Practices Study Committee which functioned during the 1975 legislative interim. She urged that this Study Committee be allowed to complete the work it began during that interim.

Senator Kinley formally moved to adopt the report of the Studies Committee, recommending establishment of ten special interim study committees and two special joint interim subcommittees of standing committees of the Senate and House of Representatives. The motion was seconded by Representative Fitzgerald.

Senator Doderer moved to amend Senator Kinley's motion so as to direct that the joint interim subcommittee of the Senate Standing Committee on Rules and Administration and the House Standing Committee on Administration, proposed pursuant to HCR 104 for the purpose of studying alternative methods of providing legislative staff and of compensating employees of the general assembly, also consider on what basis Legislative Service Bureau, Legislative Fiscal Bureau and Citizens' Aide employees should be paid. Senator Doderer's amendment was seconded by Senator Palmer, and unanimously adopted.

Representative Hargrave pointed out that S.J.R. 1008, pursuant to which the interim retirement system study is being proposed, carries an appropriation of \$6,500. In response to a question, Mr. Garrison agreed that the intent of the general assembly was to use this money for a study of peace officers' retirement systems specifically. However, he added that the Council could make additional money available for the other aspects of the retirement study as recommended to the Council by its Studies Committee.

In response to questions raised by Representative Doyle, Senator Kinley explained that the intent of the Studies Committee is that the Council establish the ten special interim study committees and two joint interim subcommittees of standing committees specifically recommended in the first part of its report to the Council, and that the five requests for interim study efforts separately listed in the Studies Committee's report be referred to the chairpersons of the respective standing committees

with a recommendation for consideration as areas of endeavor by the appropriate standing committees during the 1976 legislative interim. He added that the chairpersons of the various standing committees would neither be required to undertake any of these five studies nor precluded from suggesting other areas which they may believe worthy of attention.

Senator Lamborn moved to strike from the Studies Committee's recommendation relative to the retirement study prescribed by S.J.R. 1008 the sentence reading "The Studies Committee also recommends that the study committee study the feasibility of merging the several retirement systems." He explained that he does not believe any such effort will be productive.

Senator Hill expressed opposition to Senator Lamborn's motion, stating that it is desirable to move toward consolidation of the various state retirement programs. Representative Stromer also expressed opposition to the motion.

Senator Lamborn's motion was defeated by a voice vote.

Representative Stromer moved that the Studies Committee's recommendations be amended by replacing the proposed study to review funding structure and programs offered by area education agencies, as requested by H.C.R. 145, with the study of current secondary and post-secondary vocational and career education programs, requested by H.C.R. 142, and that H.C.R. 145 instead be referred to the appropriate standing committee chairpersons. The motion died for lack of a second.

Senator Hansen moved that the Studies Committee's recommendations be amended by deleting both the proposed study of any of the subject matters recommended by various resolutions relative to energy matters and the proposed study of electric power and natural gas rate structure pursuant to H.C.R. 118, and instead referring these requests to the respective standing Energy Policy Committees. This motion also died for a lack of a second.

Senator Doderer moved to amend the Studies Committee's recommendations by providing that the members of the proposed committee to study subject matters recommended by the various resolutions relative to energy matters be drawn from the membership of either the standing Committees on Energy or the standing Committees on Natural Resources, rather than the Energy Committees only. The motion was seconded by Senator Hansen. Senator Kinley expressed opposition to the motion, stating that he had conferred with Senate Committee on Energy Chairperson James Gallagher and had been assured that the appointment of seven members of the Senate Energy Committee to the proposed study committee would create no serious difficulty. Senator Doderer then withdrew her amendment.

Representative Stromer moved that members of the proposed study committee on energy matters be drawn from either the standing

Committees on Energy or the standing Committee on Agriculture. The motion was seconded by Senator Doderer, but was defeated on a voice vote.

Senator Kinley's pending motion to approve establishment of the special interim study committees and of joint interim subcommittees of standing committees, as recommended by the Studies Committee, was adopted by a voice vote.

Senator Kinley then moved that the Council approve the remainder of the Studies Committee's recommendations, relative to referral of certain requests for interim study efforts to chairpersons of the respective standing committees, either with or without recommendations as to the advisability of conducting such studies during the current interim. The motion was seconded by Representative Hargrave.

There was some discussion of the language of the Studies Committee's recommendations to the chairpersons of the respective standing committees. Senator Kinley stressed that the Studies Committee anticipates meeting again on August 3, that additional special interim study committees could be approved at that time, and that recommendations of standing committee chairpersons for establishment of joint interim subcommittees would also be reviewed at that time. Senator Doderer and Representative Hargrave expressed particular concern about the Studies Committee's recommendation that the proposal to continue the legislative study of penal and correctional facilities be referred to the chairpersons of the respective Committees on Human Resources, Senator Doderer strongly urging that the Penal and Correctional Systems Study Committee which functioned during the 1975 legislative interim be continued. At the conclusion of this discussion, Senator Kinley moved that the reference to a study of penal and correctional facilities be deleted from a list of possible interim study activities recommended for referral by the Council to the chairpersons of appropriate standing committees. The motion was seconded by Representative Fitzgerald and adopted by a unanimous voice vote.

Representative Fitzgerald moved that all standing committee chairpersons be contacted and requested to submit their recommendations for establishment of joint interim subcommittees to the Council's Studies Committee no later than July 26. The motion was seconded by Representative Dunton and adopted by a unanimous voice vote.

The Council then resumed consideration of the appointments to be made to the Advisory Commission on Corrections Relief, pursuant to H.F. 1539. Copies of a list of prospective appointees previously suggested by Council members were distributed, and it was decided to proceed by asking each Council member present to indicate on his or her copy of the list that member's choices for the appointments.

Tabulation of the ballots so marked showed that Harold McCormick was the first choice of Council members for appointment to the Commission, and that Dr. John Stratton and Mary Louise Conley were tied for the second highest number of votes. A second ballot was taken, resulting in selection of Dr. Stratton for the other appointment to the Commission.

Chairperson Cochran recognized Senator Palmer for the report of the Legislative Fiscal Committee. A copy of the report is attached to and by this reference made a part of these minutes.

There was a brief discussion of section 15 of S.F. 1261 of the Sixty-sixth General Assembly, in connection with the second paragraph of the attached Fiscal Committee report. Senator Hill moved that the Fiscal Committee be authorized to recommend two doctors of osteopathic medicine and surgery for appointment to augment the Visitation Committee on Education for the purpose of reviewing the College of Osteopathic Medicine and Surgery, pursuant to that section. The motion was adopted by a unanimous voice vote.

Senator Palmer moved that the Council approve the request of Senator Berl Priebe, Chairperson of the Human Resources Visitation Committee, that members of the joint Senate-House Human Resources Appropriations Subcommittee who are not members of the Human Resources Visitation Committee be authorized to attend the meetings of that Visitation Committee. The motion was seconded by Senator Kinley and, after a brief discussion, approved by a unanimous voice vote.

Senator Palmer moved that the Council receive the report of the Fiscal Committee. The motion was seconded by Representative Dunton and adopted by a unanimous voice vote.

Chairperson Cochran recognized Senator Doderer for the report of the Council's Service Committee. A copy of the report is attached to and by this reference made a part of these minutes.

In explanation of Item 5 of the Service Committee's report, Senator Doderer noted that this year, as in the past, the Directors of the Legislative Service Bureau, and the Legislative Fiscal Bureau and the Citizens' Aide presented detailed salary recommendations with each employee listed by name and a specific salary increase recommended. She explained that under these circumstances the Service Committee cannot reduce the overall amount of money to be expended for salary increases without entering into discussions of individual employees and their specific salaries.

Some discussion of the salary recommendations for employees of the three agencies responsible to the Legislative Council followed. Senator Palmer expressed the view that not every employee is entitled to a merit salary increase each year. He expressed concern that legislative employees may be treated more favorably, or may appear to be receiving more favorable treatment,

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than other state employees in respect to salary. He also questioned whether employees of the three agencies responsible to the Council and other legislative employees are treated on the same basis with respect to salary and related matters.

At the conclusion of this discussion, Senator Dodèrer moved that the Council approve the report of the Service Committee with respect to salaries of employees of the Legislative Fiscal Bureau and Legislative Service Bureau. The motion was seconded by Senator Palmer, and adopted by a unanimous voice vote.

Senator Doderer moved that the Council approve the employment of Mr. Roger A. Nowadzky in the position of Legal Counsel in the Legislative Service Bureau. The motion was seconded by Senator Sovern and adopted by a unanimous voice vote.

Referring to Items 3 and 4 of the attached Service Committee report, Senator Doderer explained that the appropriation for the Office of the Citizens' Aide made by the recent session of the General Assembly was not sufficient to fund salary increases for the staff of that office at the same rate as the Council had just approved for the Legislative Service Bureau and Legislative Fiscal Bureau. There was some discussion of how this situation had arisen, and of the Service Committee's recommendations with respect to it.

At the conclusion of the discussion, Senator Doderer moved that the Council authorize a salary increase of five percent for each member of the staff of the Office of the Citizens' Aide, with the understanding that the Service Committee will meet prior to the Council's August 4 meeting to rework the Citizens' Aide's budget for the balance of the current fiscal year. The motion was seconded by Representative Dunton.

Chairperson Cochran recognized Citizens' Aide Tom Mayer who stated that he would not overspend the appropriation to his office for the current fiscal year. He explained that in recommending salary increases of more than five percent for members of his office staff, it had been his impression that it had been decided to make a supplemental appropriation to his office early in the 1977 legislative session. He added that if that is not done, he would have no alternative but to lay off a member of his staff in order to bring the total outlay for salaries for the fiscal year within the limits of the existing appropriation.

Representative Middleswart expressed the view that there would be no difficulty in obtaining approval of a supplemental appropriation to the Office of the Citizens' Aide early next year. Chairperson Cochran inquired why, if it is now possible to be so confident that a supplemental appropriation will be made, the General Assembly did not see fit to make an adequate appropriation for the current fiscal year during the recent session. Representative Middleswart replied that he is unable to answer that question, but asserted that the General Assembly established the

Citizens' Aide Office and that if the legislature is now unwilling to fund it adequately it should abolish the office.

Senator Palmer commented that if the Council intends to review the entire budget process with respect to the Office of the Citizens' Aide, it should invite in the Appropriations subcommittee chairpersons involved to defend the existing appropriation. Senator Palmer added that the amount of the deficiency in the appropriation for the office which Mr. Mayer had discussed with him late in the 1976 Session was far less than the \$10,000 Mr. Mayer had mentioned at the present meeting.

In response, Mr. Mayer explained that at the time he had discussed this matter with Senator Palmer, he had been under the impression that funds for both the uniform cost-of-living salary increases and merit increases would be provided separately from his office's regular appropriation. There was some additional discussion of this matter, in the course of which Representative Varley supported Senator Doderer's pending motion and pointed out that regardless of the reasons for whatever deficiency may exist there is no way for the Council to increase the appropriation to the Office of the Citizens' Aide prior to the beginning of the 1977 legislative session.

Senator Doderer's motion was then adopted by a unanimous voice vote.

Chairperson Cochran again recognized Senate Secretary Cross and Chief Clerk Wray, who noted that the Council at its previous meeting had authorized them to solicit bids for installation of new audio systems in the Senate and House chambers. They had designated Friday, August 6 as the date for opening these bids, on the assumption that the Council would be meeting on the following Wednesday as would ordinarily be the case. Since the Council had decided to advance the date of its next meeting to August 4, and it was not now possible to change the date for opening of bids on the audio systems, Mr. Cross and Mr. Wray requested direction from the Council as to how they should proceed in this matter. They noted that the time available for completion of the installation prior to the 1977 session is minimal, and that a delay in awarding the contract until the date of the Council's September meeting would prevent completion of this work by the time the 1977 session convenes.

After a brief discussion, Representative Millen moved that Mr. Cross and Mr. Wray be authorized to handle the opening of the bids and to prepare and send to Council members a letter of recommendation with respect to awarding of the contract, and that Council members respond to the letter by WATS line as promptly as possible. The motion was seconded by Representative Dunton, and adopted by a unanimous voice vote.

Chairperson Cochran stated that in view of the late hour, the consideration of a contract for updating and correcting the

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electronic tape Code of Iowa would be deferred until the Council's August meeting.

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

SERGE H. GARRISON

Director

PHIL BURKS

Senior Research Analyst