



Legislative  
Service  
Bureau

# MINUTES

Iowa Legislative Council

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June 23, 1998

Fifth Meeting of 1997-1998 Biennium

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## MEMBERS PRESENT

Senator Stewart Iverson, Jr., Chairperson

Speaker Ron Corbett, Vice Chairperson

Senator Nancy Boettger  
Senator Michael Gronstal  
Senator Rod Halvorsen  
Senator Johnie Hammond  
Senator John Jensen  
Senator Patty Judge

Senator Mary Kramer  
Senator Derryl McLaren  
Representative Dennis Cohoon  
Representative Chuck Gipp  
Representative Betty Grundberg  
Representative Pam Jochum

Representative David Millage  
Representative Pat Murphy  
Representative David Schrader  
Representative Brent Siegrist  
Representative Harold Van Maanen

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## MEETING IN BRIEF

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1. **Procedural Business.**
  2. **Rules for Prefiling Bills.**
  3. **Report of the Fiscal Committee.**
  4. **Report of the International Relations Committee.**
  5. **Report of the Studies Committee.**
  6. **Report of the Service Committee.**
  7. **Informal Attorney General's Opinion - Disability Veto.**
  8. **Capitol Space Study.**
  9. **Attachments.**
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## COMMITTEE BUSINESS

### 1. **Procedural Business.**

**Call to Order.** The fifth meeting of the 1997-1998 Legislative Council was called to order by Chairperson Senator Stewart Iverson, Jr., at 2:05 p.m., Tuesday, June 23, 1998, in the State Historical Building Auditorium, Des Moines, Iowa.

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**Minutes of May 27 Meeting.** Chairperson Iverson asked for additions or corrections to the minutes of the May 27 meeting. Representative Harold Van Maanen requested a correction to a statement attributed to him on page 5, item 9, relating to the discussion of the gambling rules proposed by the State Racing and Gaming Commission. He stated that the word "objections" should be changed to the word "support." The statement should read as follows: "Representative Van Maanen commented that, notwithstanding his support for the proposed rules, he also objects to any proposal by the Council to direct or influence the actions of the Administrative Rules Review Committee." There being no further additions or corrections, Representative Van Maanen moved approval of the minutes of the May 27 meeting as corrected. The motion was adopted unanimously.

**Adjournment.** Senator Patty Judge moved that the Council meeting adjourn at 3:45 p.m. The motion was adopted.

### **2. Rules For Prefiling Bills.**

Ms. Diane Bolender, Director, Legislative Service Bureau, briefly reviewed the rules for the prefiling of legislative bills for the 1999 Legislative Session. She noted that the 1998 rules are amended to provide that a bill request for the 1999 Legislative Session is valid only for that session. Other amendments to the prefiling rules related to date changes and to provisions allowing candidates elected in the November election to file bill requests. Representative Betty Grundberg moved that the proposed prefiling rules for the 1999 Session be adopted. The motion carried unanimously. A copy of the 1999 Session Rules for Prefiling Legislative Bills is filed with the Legislative Service Bureau.

### **3. Report of the Fiscal Committee.**

Chairperson Iverson recognized Representative David Millage for the Report of the Fiscal Committee. He stated that the Committee met on June 3 and received a revenue update from the Legislative Fiscal Bureau. The update included the Governor's item vetoes, balances in the Rebuild Iowa Infrastructure Fund (RIIF), built-in budget increases for fiscal year 2000, and estimated reversions. The update also included appropriation transfers within the Department of Corrections, lease-purchase notifications, a status report on the Iowa Communications Network (ICN), the medical assistance provisions relating to payments for Viagra prescriptions, and revenue implications of proposed moratorium rules of the State Racing and Gaming Commission. Representative Millage moved that the Report of the Fiscal Committee be received and filed. The motion was adopted. A copy of the Report of the Fiscal Committee is attached to these minutes.

### **4. Report of the International Relations Committee.**

Senator Nancy Boettger stated that the International Relations Committee met on June 23 and made the following five recommendations:

- a. That the Committee reaffirms its charge to develop goals and procedures to facilitate communication between the Iowa General Assembly and international governments.



b. That the Committee intends to become more involved in the various aspects of international relations, including greeting and hosting international visitors, and requests that the leadership of the General Assembly include the Committee in planning for and hosting of international visitors.

c. That the Committee reaffirms the 1996 Report of the International Relations Committee with two amendments to items #4 and #9 as follows:

(1) That the Legislative Council allocates \$10,000 for each two-year period beginning July 1, 1998, to the Legislative Service Bureau to be used by the Legislative Information Office to purchase official gifts for official international visitors and for use by representatives of the Iowa General Assembly on official visits to foreign nations.

(2) That the Legislative Council allocates \$15,000 to be used by the Iowa General Assembly to pay expenses of hosting official international delegations during each two-year period beginning July 1, 1998.

d. That the Committee will explore means of developing an international relations agenda which coordinates the efforts of the Committee with state agencies, state universities, and the Iowa congressional delegation.

e. That the director of each nonpartisan and caucus staff of the Iowa General Assembly appoint one contact person who may be called upon by the Legislative Information Office to assist in planning for and hosting of international visitors.

Senator Boettger moved the adoption of the Report of the International Relations Committee. The motion was adopted unanimously. A copy of the Report of the International Relations Committee is attached to these minutes.

## **5. Report of the Studies Committee.**

Representative Chuck Gipp was recognized to present the Report of the Studies Committee. Representative Gipp stated that the Committee reviewed the requests for new interim studies and recommends the establishment of seven interim study committees which are in addition to those approved at the May 1998 Council meeting. The new study committees recommended include the Public Retirement Systems Committee, Sentencing Commission, Deregulation and Restructuring of the Electric Utility Industry, Libraries, Treatment of Indigent Persons through University of Iowa Hospitals and Clinics, Teacher Preparation Study Committee, and Private Industry Employment of Inmates. In addition, he stated that the report recommends that the Legislative Oversight Committee be authorized to contract for an independent review of the state's progress in implementing century date change programming, that the Office of Citizens' Aide/Ombudsman is authorized to contract for a \$150,000 study to review the state's child protection system, and that the question of a study of the State Medical Examiner's Office be referred to the Legislative Fiscal Committee. Senators Jensen and Boettger inquired whether the establishment of an ethanol study committee had been discussed, and Representative Gipp replied that an ethanol study was discussed, but its establishment was not recommended.



Senator Michael Gronstal submitted a written amendment to the Report which would expand the scope of the Teacher Preparation Study Committee to include the issue of class size. He added that the amendment will increase the meeting days from three days to 10 days and the committee membership from three members of each house to seven members of each house. Senator Gronstal moved the adoption of his amendment. The motion was seconded by Senator Rod Halvorson. Representative Gipp stated that he would resist the expansion of the study scope and the number of meeting days. Representative Grundberg expressed the belief that teacher preparation and class size are separate issues, and she would oppose expanding the scope of the teacher preparation study, but she could support increasing the membership from three to five members of each house. Representative Millage moved an amendment to the Gronstal amendment to strike everything except that the membership of the study committee would be five members of each house. Senator Johnie Hammond stated that she supports Senator Gronstal's amendment because reducing class size is far more important to education improvement than improving teacher and administrator preparation programs. Representative David Schrader requested a division of the Millage amendment to allow a separate vote on the five members of each house and the remainder of the amendment. The division to reduce the membership requested in the Gronstal motion from seven members to five members of each house was adopted. The division to increase the scope of the study to include class size and the meeting days to 10 days was defeated by a roll call vote of 11 nays and eight ayes. Those voting nay were: Senators Iverson, Boettger, Jensen, Kramer, and McLaren, and Representatives Corbett, Gipp, Grundberg, Millage, Siegrist, and Van Maanen. Those voting aye were: Senators Gronstal, Halvorson, Hammond, and Judge, and Representatives Cohoon, Jochum, Murphy, and Schrader.

Senator Halvorson moved that the Teacher Preparation Study Committee be required to complete its study by August 14, 1998, and submit its final report by that date. He stated that the recommendations of this Committee should be available if a special session is called to address education issues. Representative Gipp urged defeat of the motion because the time frame for the study would be too short. On a roll call vote, the motion was defeated by 11 nays to eight ayes. Those voting nay were: Senators Iverson, Boettger, Jensen, Kramer, and McLaren, and Representatives Corbett, Gipp, Grundberg, Millage, Siegrist, and Van Maanen. Those voting aye were: Senators Gronstal, Halvorson, Hammond, and Judge, and Representatives Cohoon, Jochum, Murphy, and Schrader.

Representative Gipp moved the adoption of the Report of the Studies Committee as amended. The motion was adopted. A copy of the Report of the Studies Committee is attached to these minutes.

### **6. Report of the Service Committee.**

Representative Brent Siegrist presented the Report of the Service Committee. He stated that the Committee received the June 1998 and annual personnel reports from the central legislative staff agencies and recommends that the various promotions listed in



the reports be approved by the Legislative Council. He added that the Committee also recommends that the Computer Support Bureau continue to store home pages for each of the four legislative caucuses on the Iowa General Assembly's internet home page for another six-month trial period or until the next Legislative Council meeting following the additional six-month trial period. He concluded by stating that the Committee also received an oral report from the Director of the Legislative Service Bureau concerning the hiring, retention, and cross-training of support personnel.

Representative Siegrist moved the adoption of the Report of the Service Committee. The motion was carried. A copy of the Report of the Service Committee is attached to these minutes.

## **7. Informal Attorney General's Opinion - Disability Veto.**

Senator Gronstal moved that the Legislative Council employ a legal counsel to litigate the constitutionality of the item vetoes by Governor Branstad in 1998 Iowa Acts, House File 2496, which strike disability benefits for special service members of the Iowa Public Employees' Retirement System. He added that House File 2496 is not an appropriation bill and, therefore, the item vetoes are unconstitutional and should be challenged. Representative Millage expressed the belief that he does not support the Legislative Council challenging a gubernatorial veto. Senator Halvorson commented that the Legislative Council has successfully challenged vetoes in the past and that this effort should have bipartisan support. Representative Gipp stated that litigation would be a costly process and that an alternative of submitting legislation during the 1999 session is a better approach. He added that since the vetoed provisions had a delayed effective date of July 1, 1999, the same effect can be realized through the enactment of legislation in 1999. Senator Derryl McLaren expressed the belief that the vetoed legislation was not in an appropriation bill and that these vetoes should not go unchallenged. He suggested that an Attorney General's Opinion be requested. Senator Gronstal commented that a favorable Attorney General's Opinion would not change the outcome and the request would place the Attorney General in a difficult position. After further discussion, Senator Gronstal withdrew his motion to employ a legal counsel to challenge the item vetoes.

Senator Patty Judge commented that even though a favorable Attorney General's Opinion will not change the outcome of the vetoes, some action should be taken by the Legislative Council on this matter. Senator Judge moved that an informal opinion of the Attorney General be requested concerning the legality of the item vetoes in 1998 Iowa Acts, House File 2496, relating to disability benefits for special service members of the Iowa Public Employees' Retirement System. The motion was adopted.

## **8. Capitol Space Study.**

The consultants from Herbert Lewis Kruse Blunck Architecture presented to the Legislative Council the results of their space analysis study, "Iowa General Assembly Space Analysis and Preliminary Master Plan." The master plan for the Capitol Building proposes to provide space for the legislative branch of government due to changes in the State Capitol because of fire and life safety improvements, removal of mezzanine floors,



and other space objectives. It leaves the Governor's Office, Auditor, Treasurer, Secretary of State, and Law Library in the Capitol along with the Supreme Court Room and adjacent conference rooms on the first floor. The space analysis shows the total space required by the General Assembly to be 102,380 gross square feet, but only 71,378 gross square feet will be available in the Capitol Building if the executive and judicial offices remain as proposed. The additional 31,002 gross square feet for the General Assembly and 5,824 gross square feet for the displaced Department of Management and Executive Council personnel will have to be located outside the Capitol Building. The study also provides estimates of costs related to improvements to be made within the Capitol Building for legislative spaces, the costs of building an above-grade office facility without tunnel access to the Capitol Building, and the costs of building a below-grade office facility with tunnel access to the Capitol Building. The estimated cost of remodeling within the Capitol Building for legislative space ranges between \$1.4 million and \$1.8 million. The estimated cost of an above-grade office facility without tunnel access and including furnishings and equipment ranges from \$5.2 million to \$5.9 million. The estimated cost of the below-grade office building with tunnel access and including furnishings and equipment ranges from \$6.7 million to \$7.9 million.

After questions and discussion with the consultants, Senator John Jensen moved that the Capitol Space Analysis Report be received and filed. The motion was seconded by Representative Pat Murphy and adopted. A copy of the Iowa General Assembly Space Analysis and Preliminary Master Plan is filed with the Legislative Service Bureau.

### **9. Attachments.**

- a.** Report of the Fiscal Committee.
- b.** Report of the International Relations Committee.
- c.** Report of the Studies Committee, as amended and adopted by the Legislative Council.
- d.** Report of the Service Committee.

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