

M I N U T E S

IOWA LEGISLATIVE COUNCIL

June 3, 1987

PRELIMINARY BUSINESS

The second meeting of the 1987-1988 Legislative Council was called to order by Chairperson Donald D. Avenson at 3:10 p.m., Wednesday, June 3, 1987, in Senate Room 22 of the State Capitol Building, Des Moines, Iowa. Members present in addition to Chairperson Avenson were:

Senator Bill Hutchins, Vice Chairperson
Lieutenant Governor Jo Ann Zimmerman
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Lee W. Holt
Senator Calvin O. Hultman
Senator Emil J. Husak
Senator David M. Readinger
Senator Dale L. Tieden
Senator Joe J. Welsh
Representative Robert C. Arnould
Representative Florence D. Buhr
Representative Dorothy F. Carpenter
Representative Kay Chapman
Representative John H. Connors
Representative William H. Harbor
Representative Thomas J. Jochum
Representative Delwyn Stromer
Representative Harold Van Maanen

Also present were Donovan Peeters, Director, Legislative Service Bureau; Diane Bolender, Senior Research Analyst, Legislative Service Bureau; Richard Johnson, Legal Counsel, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

APPROVAL OF MINUTES

Representative Connors moved that the minutes of the March 25, 1987 Legislative Council meeting be approved as submitted. The motion was adopted by a unanimous voice vote.

COURT RULES RECEIVED

Chairperson Avenson recognized Senator Doyle for an explanation of the Court Rules received by the Council pursuant to Iowa Code sections 602.4201 and 602.4202. After a brief explanation of the rule changes received, Senator Doyle noted that no Council action is necessary.

Senator Welsh raised a point that the Legislature had failed to authorize the service of civil process by private contractors but that the Court had, on its own, authorized such private service by court rule. He stated that the review of court rules by the Council is an awkward system and should be replaced by review by the Administrative Rules Review Committee. Senator Doyle reviewed the historical practice of the annual submission of rules to the Legislature and the implementation of the current review system some years ago. Senator Doyle added that the current system seems to be working well.

Chairperson Avenson stated that the Council need only receive the rules submitted by the Supreme Court and that any objections to the substance of the rules could be addressed at the next Council meeting.

Representative Carpenter noted that the Supreme Court had been asked last year to report by April of 1987 on its handling of frivolous cases. That report has been received and details several cases in some four counties in which Rule 80 had been invoked to charge court costs to parties filing frivolous cases. She stated that in her opinion the rule has not been as effective as hoped for, adding that a need exists for better education of judges in the use of the rule.

SESSION LAW PUBLICATION

Mr. Donovan Peeters, Director of the Legislative Service Bureau, presented a written report to the Council on the publication of the 1987 Session Laws. The report details several format changes to the beginning pages of the Session Laws which will enhance the publication and assist the user of the publication. The publication will also include any enactments of the scheduled extraordinary session of the General Assembly which convenes June 4, 1987. The Council received and approved the report pursuant to its approval authority under Iowa Code section 14.10. A copy of the report from the Legislative Service Bureau is attached and is, by this reference, made a part of these minutes.

COMPUTER OUTREACH COMMITTEE REPORT

Senator Doyle presented to the Council the written report of the Computer Outreach Committee dated June 3, 1987. A copy of this report is attached to and, by this reference, made a part of these minutes. The report recommends that the fees for public access to the legislative computer for calendar year 1988 be \$600 for basic service only, \$1000 for basic and extended services, and \$600 for extended services only, which are also the current charges. Senator Doyle reported that currently 16 basic service and approximately 4 extended service contracts are in effect. The system can be expanded to 25 or even 50 users and in the near future an emphasis will be placed on expanding use to legislators and staff outside the capitol complex. The Council approved the report.

SERVICE COMMITTEE REPORT

Senator Welsh presented to the Council the written report of the Service Committee dated June 3, 1987. A copy of this report is attached to and, by this reference, made a part of these minutes. Senator Welsh stated that the written report should be corrected by deleting the last two sentences under paragraph 2(a). (That correction is made in the attached report.) The report recommends changing the status of a Code Office employee from temporary to permanent full-time status and describes the receipt of information regarding the employment of a consultant to study the establishment of a separate legislative telephone system, regarding a vacancy in the Legislative Fiscal Bureau, and regarding Citizens' Aide Office compensation, travel, overtime, summer employment, handicap accessibility, litigation, federal court admission for the legal analyst, budget status, action to fill two vacancies, and the filling of a part-time clerical position. The corrected report was adopted as submitted.

STUDIES COMMITTEE REPORT

Senator Hutchins presented to the Council the written report of the Studies Committee dated June 3, 1987. A copy of this report is attached to and, by this reference, made a part of these minutes. The report recommends the establishment of the following mandated studies: School Finance Study, 21 members, 2 meeting days; Juvenile Runaways, 10 members, 2 meeting days; Mental Health Bill of Rights Funding, 14 members, 3 meeting days; Underground Storage Tank Insurance, 6 members, 2 meeting days; Adolescent Pregnancy Task Force, 15-21 members selected by the Council, 3 meeting days; and Welfare Reform, 21 members, 4 meeting days. Senator Hutchins noted that the Committee

requests that the chairpersons of the Juvenile Runaways Study and Adolescent Pregnancy Task Force coordinate the two studies to avoid duplication of work. Pursuant to a question from Representative Chapman, Senator Hutchins clarified that the Adolescent Task Force membership is established by statute while the Welfare Reform membership is left to the discretion of the Council. Representative Stromer inquired about the availability of a consultant through the National Conference of State Legislatures for the School Finance Study. Ms. Diane Bolender of the Legislative Service Bureau stated that Iowa has been denied assistance by the National Conference. Representative Stromer expressed his hope that members of the School Finance Study be taken at least in part from the membership of the study committee which issued the First in the Nation in Education (FINE) Report. Senator Hutchins remarked that the seven public members to be appointed to the Study should allow enough flexibility to accommodate a membership with such prior experience. Representative Stromer added that it would be advisable if the Studies Committee could give leadership an idea of the additional studies which might be recommended in order to allow for an orderly assignment of legislative members to the mandated studies. Chairperson Avenson assured Representative Stromer that leadership would work together in making appointments to the mandated studies.

The Studies Committee Report recommends the appointment of six additional members to the Education Uplink Study Committee, that leadership work with LEAG regarding RFPs for research for the 1987 interim, that leadership be authorized to appoint members to the mandated studies, and that the appointment of public members to such studies be gender balanced. The report also requests Donovan Peeters, the Director of the Legislative Service Bureau, in conjunction with leadership, to develop recommendations for time lines for the interim study committees, to be submitted to the Studies Committee at its next meeting. Representative Carpenter commented that she would not oppose the appointment of the six additional members to the Education Uplink Study but that she would hope that the Council could do a better job in terms of gender balance in its future appointments of members to such committees.

The Report was adopted as submitted.

UNIVERSITY OF IOWA PUBLIC POLICY CENTER

Professor David Forkenbrock of the University of Iowa presented a written report on the establishment of a Public Policy Center at the University of Iowa. The written report submitted by Mr. Forkenbrock is attached and is by this reference made a part of these minutes. Forkenbrock stated that part of the Center's mission would be to work with the General Assembly

in providing research on significant problems facing the state and possible policy actions for their resolution. The planned activities of the Center would include short-term, quick-response advice on pressing concerns and long-term, in-depth research on complex topics involving interdisciplinary approaches. Symposia would also be organized by the Center on policy issues important to Iowa. The Center will be principally funded with foundation grants and secondarily supported through a cost-sharing approach for those users requesting specific research efforts.

Responding to Representative Chapman's questions concerning the differing roles of the Institute of Public Affairs and LEAG, Professor Forkenbrock stated that the Institute is a nonfaculty association which focuses on public affairs and that LEAG administers low-cost research projects to be completed by any Iowa college or university faculty member. In contrast, the Public Policy Center will be the University of Iowa's faculty organization responsible for conducting extensive, multidisciplinary research concerning major public policy issues of the day in an attempt to assist the General Assembly and other users in the application of the research to the resolution of problems facing Iowa now and in the future.

In answer to questions from Senator Husak and Representative Harbor, Professor Forkenbrock stated that the Center would not be requesting public funds in the near future but would be targeting private foundations for support, and that the Center will be directed by an advisory committee of academics which would set the Center's agenda with target dates for completion of research projects in October of each year in order to facilitate use of the research by the General Assembly at its next session.

Senator Hultman moved that Legislative Council be designated the interactive agency between the Public Policy Center and the General Assembly. The motion was adopted on a unanimous voice vote.

ADJOURNMENT

There being no further business to come before the Council, Senator Coleman moved that the Council adjourn and the meeting was adjourned at 3:55 p.m. The next meeting of the Council will be upon the call of the chairperson.

RESPECTFULLY SUBMITTED,

DONOVAN PEETERS, Secretary to the Legislative Council

RICHARD JOHNSON, Legal Counsel

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