



Legislative
Service Bureau

MINUTES

Iowa Legislative Council

June 18, 2002

Third Meeting of the 2001-2002 Biennium

MEMBERS PRESENT:

Senator Stewart Iverson, Jr., Chairperson
Representative Brent Siegrist, Vice Chairperson

Senator Nancy Boettger
Senator Tom Flynn
Senator Michael Gronstal
Senator John Jensen
Senator Mary Kramer
Senator Jeff Lamberti
Senator Neal Schuerer

Representative Chuck Gipp
Representative Betty Grundberg
Representative Pam Jochum
Representative Pat Murphy
Representative Richard Myers
Representative Christopher Rants

MEETING IN BRIEF

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- I. Procedural Business.
 - II. Pricing for Legal Publications.
 - III. Rules for Prefiling Bills – 2003 Session.
 - IV. Honorary Resolutions and Archiving of Legislative Bills.
 - V. Court Rules Change.
 - VI. Report of the Fiscal Committee.
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I. Procedural Business.

Call to Order. The third meeting of the 2001-2002 Legislative Council was called to order by Chairperson Stewart Iverson at 11:23 a.m. Tuesday, June 18, 2002, in Room 116, State Capitol, Des Moines, Iowa.

Minutes of December 11, 2001. Senator Gronstal moved that the minutes of the meeting of December 11, 2001, be approved. There being no additions or corrections, the motion was seconded and adopted by voice vote.

Adjournment. Representative Jochum moved that the Legislative Council meeting adjourn at 12:00 p.m. The motion was seconded and adopted by voice vote.

II. Pricing for Legal Publications.

Chairperson Iverson recognized Mr. Richard Johnson, Deputy Director, Legislative Service Bureau (LSB), to review the memorandum relating to price recommendations for legal publications. Mr. Johnson stated that Mr. Scott Bertness, the Administrator of Printing and Imaging of the Department of General Services, recommends that the prices for the Court Rules remain the same for the next fiscal year since the new 4th Edition was only published and priced six months ago. Mr. Bertness also recommends that the prices for the Iowa Administrative Bulletin, the Iowa Administrative Code Supplement, and the Iowa Administrative Code be increased by 1.6 percent. Mr. Johnson also requested that the six legislative leaders be granted authority to approve the prices for publication of the 2002 Iowa Acts, to be published in November or December, and the 2003 Iowa Code, to be published in December or January, after receiving the pricing recommendations of the Administrator of the Printing and Imaging Division and the Director of the Legislative Service Bureau. In addition, Mr. Johnson noted that during the 2002 Regular Session, the General Assembly passed House File 2623, which requires the Legislative Council, the Office of the Governor, and the Supreme Court to work together to control the number of free distributions of printed legal publications. The legislation also transfers authority to solicit and process orders for these printed legal publications from the Department of General Services to the Legislative Service Bureau. Mr. Johnson requested the Legislative Council's authority to work with the Office of the Governor and the Supreme Court to propose a plan to distribute printed legal publications to those recipients who need printed copies to fulfill their duties and to otherwise make available electronic publications to fulfill their information needs. Representative Rants moved that the Legislative Council approve the pricing recommendations, authorize the six legislative leaders to approve pricing of the 2002 Iowa Acts and the 2003 Iowa Code, and authorize the LSB to work with the Governor's Office and the Supreme Court to control the number of copies of printed legal publications distributed to recipients in the three branches of state government. The motion was seconded and adopted by voice vote. A copy of the Pricing Recommendations of the Printing and Imaging Division of the Department of General Services is attached to these minutes.

III. Rules for Prefiling Bills – 2003 Session.

Chairperson Iverson again recognized Mr. Johnson regarding the Rules for Prefiling Legislative Bills for the 2003 Session. Mr. Johnson stated that the rules are the same as



previous prefiling rules except for date changes and references to members-elect. In response to a question by Representative Grundberg, Mr. Johnson stated that current members may request bills at any time during the interim and newly elected members may request bills after the election. Representative Grundberg stated that, although the deadline for departmental requests is in December, standing committee chairpersons did not receive some of the drafts until funnel week. She also stated that perhaps the Legislative Council should discuss instituting a deadline prior to funnel week for the receipt by committees of study bills requested by state departments and the Governor's Office. Representative Myers expressed concern that a current member of the General Assembly not returning to office may request a bill. Chairperson Iverson noted that, although this was the case, the member could not introduce the bill for consideration. He further stated that he was not aware of abuse in this regard. A motion was made to adopt the Prefiling Rules. The motion was seconded and adopted by voice vote. A copy of the Rules for Prefiling Legislative Bills for the 2003 Session is attached to these minutes.

IV. Honorary Resolutions and Archiving of Legislative Bills.

Chairperson Iverson again recognized Mr. Johnson regarding drafting of honorary resolutions and archiving of legislative bills. Mr. Johnson requested that the Legislative Council allow the Legislative Service Bureau to work with the Secretary of the Senate and the Chief Clerk of the House to determine if it would be possible to prepare certificates of recognition in lieu of some honorary resolutions. He stated that reducing the quantity of honorary resolutions, or reassigning this work to others, would allow the LSB staff to concentrate their work on preparing substantive legislation. Mr. Johnson further requested that the LSB receive permission to discontinue the practice of archiving nonconfidential bill drafts that were not filed or otherwise made public. Currently, only confidential bill drafts not filed are destroyed and not archived. He stated that the State Archives within the Department of Cultural Affairs has suspended their acceptance of almost all state documents, including LSB's bill drafting files. Senator Gronstal moved that the LSB be authorized to work with the Secretary of the Senate and the Chief Clerk of the House to reduce the number of honorary resolutions drafted and that the archiving policy be changed to discontinue the practice of archiving nonconfidential bill drafts that were not filed or otherwise made public. The motion was seconded and adopted by a voice vote. Copies of the memoranda relating to honorary resolutions and archiving of bill drafts are attached to these minutes.

V. Court Rules Change.

Chairperson Iverson recognized Mr. Johnson regarding changes in Iowa Court Rules. Mr. Johnson stated that the suggested change to the Iowa Court Rules was not in the packet as it was mailed to Legislative Council members prior to the meeting. He stated that the only change was the elimination of separate adjudication of law points. Senator Gronstal moved that the change to the Iowa Court Rules be received and filed. The motion was seconded and adopted by voice vote.



VI. Report of the Fiscal Committee.

Chairperson Iverson recognized Senator Lamberti for the Report of the Fiscal Committee. Senator Lamberti noted that the Fiscal Committee last met on December 17, 2001. He briefly reviewed the Committee's action at its December 17 meeting, which, he noted, pertained to budget matters for the 2002 Session. Senator Lamberti moved that the Report of the Fiscal Committee be received. The motion was seconded and adopted by voice vote. A copy of the Report of the Fiscal Committee is attached to these minutes.

VII. Report of the Oversight Committee.

Chairperson Iverson recognized Mr. Douglas Wulf, Division Administrator, Legislative Fiscal Bureau, for the Report of the Oversight Committee. Mr. Wulf stated that the Committee met on May 8, 2002, for its organizational meeting and established the tentative meeting dates and topics for the 2002 interim. He stated that the Committee also received updates on the reorganizations occurring in the Department of Inspections and Appeals and in the Department of Natural Resources. Mr. Wulf noted that the Committee will hold its next meeting on June 20, 2002. The afternoon portion of that meeting will be held jointly with the Legislative Fiscal Committee to begin reviewing the revenue estimating process in Iowa and other states. Representative Grundberg moved that the Report of the Oversight Committee be received. The motion was seconded and adopted by voice vote. A copy of the Report of the Oversight Committee is attached to these minutes.

VIII. Report of the Capital Projects Committee.

Chairperson Iverson recognized Senator Jensen for the Report of the Capital Projects Committee. Senator Jensen stated that the Committee received presentations on a proposal by the Office of Citizens' Aide/Ombudsman for assumption of responsibility of a historical painting; on project updates from the Department of General Services for the parking structure, laboratory facility, Capitol landscaping, and other projects; and a progress report on the renovation of the Senate and House of Representatives chambers. Senator Jensen moved that the Report of the Capital Projects Committee be received. The motion was seconded and adopted by voice vote. A copy of the Report of the Capital Projects Committee is attached to these minutes.

IX. Report of the Service Committee.

Chairperson Iverson recognized Representative Rants for the Report of the Service Committee. Representative Rants stated that the Service Committee did not have a quorum present for its meeting. Representative Rants stated that the Committee members present received the annual and June personnel reports from the Legislative Fiscal Bureau, the Legislative Service Bureau, the Legislative Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman and recommend four lists of promotions. Representative Rants stated that, due to fiscal constraints for fiscal year 2003, the Committee members recommend that the employees promoted will be limited to a one-step increase in pay for that fiscal year. In response to a question by Representative Murphy, Representative Rants stated that limiting the promotions to one step as recommended by the Committee members was for fiscal year 2003 only. Representative Rants also stated that the Committee members recommend that



the Legislative Council reauthorize an early out incentive program for legislative branch employees consistent with the program provided for executive branch employees and that the Legislative Council approve and provide a years of service incentive program for legislative branch employees consistent with the program provided for executive branch employees. Senator Gronstal moved the adoption of the Report of the Members of the Service Committee. The motion was seconded and adopted by voice vote. A copy of the Report of the Service Committee is attached to these minutes.

X. Legislative Council Resolution.

Chairperson Iverson recognized Senator Kramer for presentation of a proposed Legislative Council Resolution relating to the reorganization and consolidation of the Legislative Service Bureau, Legislative Fiscal Bureau, and Computer Support Bureau into a single central legislative staff agency. Representative Rants explained that the resolution, if adopted, would resolve that the Legislative Council appoint Dennis Prouty as the Director of the Legislative Service Bureau and as the Director of the Computer Support Bureau, to fill those director vacancies until the reorganization and consolidation of those two central legislative staff agencies and the Legislative Fiscal Bureau are accomplished by statutory amendment.

Senator Kramer noted that, beginning July 1, 2002, legislative employees would be taking a one-half-day furlough per month and that those legislative staff due for a promotion in the 2003 fiscal year would be limited to the receipt of a one-step increase rather than a customary two-step, combined merit and promotional increase. She also noted that the Senate Rules and Administration Committee had decided that compensatory time earned during the legislative session would be 120 hours and that the first 40 hours of compensatory time earned would be credited toward the 120-hour ceiling. Currently, the first 40 hours of overtime earned is not compensated.

The Council returned to consideration of the resolution relating to the reorganization and consolidation of the three central legislative staff agencies. Senator Gronstal, Representative Myers, and Representative Jochum discussed the wording of the resolution. Senator Gronstal moved that the word "Acting" be added before "Director" to indicate that reorganization and consolidation are not predetermined by adoption of the resolution. Representative Myers seconded the motion and it passed on a voice vote. Senator Gronstal stated that, under the language of the resolution, the Legislative Council would not be making a final decision on whether to merge the agencies, and that it was an appropriate time to consider reorganization and consolidation considering the current director vacancies in the Legislative Service Bureau and the Computer Support Bureau. Senator Gronstal and Representative Myers also indicated that Mr. Prouty should develop a plan on how to merge the central staff agencies, which would include information on cost savings and how the agencies would operate in the future. In response to a question from Representative Myers regarding the process for reviewing reorganization and consolidation of the central staff agencies, Representative Rants stated that Mr. Prouty should have a report ready for the Legislative Council in November or December. Chairperson Iverson stated that he foresees that Legislative Council will work closely with Mr. Prouty regarding the review of consolidation and reorganization of the central staff agencies.



Representative Murphy questioned whether it would be more feasible to require the Legislative Fiscal Committee or the Legislative Oversight Committee to also review the question of reorganization and consolidation and submit a separate report to the Legislative Council. Senator Kramer stated that there had been considerable discussion among minority and majority leadership on this question and decided that, because the review would also consider process improvements in addition to cost savings, those closest to the process should review it. This does not preclude the Legislative Council from directing the Legislative Fiscal Committee or the Legislative Oversight Committee from conducting another review at a later date, she said. Senator Flynn stated it is important that leadership reach a decision on a new process for central staff agencies as early as possible because of the large group of freshman legislators anticipated after the election in November.

Representative Jochum expressed concern that the phrase "until the reorganization and consolidation of the three central legislative staff agencies are accomplished by statutory amendment" implies that the Legislative Council, by adoption of the resolution, would be approving the reorganization and consolidation prior to conducting a review and issuance of a report. Senator Kramer and Senator Iverson agreed that decisions regarding reorganization and consolidation would have to wait until the next legislative session. Representative Jochum requested that the minutes of the Legislative Council meeting reflect that adoption of the resolution does not mean Legislative Council has approved reorganization and consolidation of the three central legislative staff agencies.

Representative Rants moved adoption of the resolution. The motion was seconded by Senator Kramer and adopted by voice vote. A copy of the resolution is attached to these minutes.

XI. Mandated Studies.

Senator Iverson recognized Representative Gipp, Chairperson of the Studies Committee. Representative Gipp moved adoption of the mandated studies proposal and the report containing a description of the three mandated studies. The motion was seconded and adopted by voice vote. A copy of the 2002 legislative interim studies proposal and a description of the mandated studies are attached to these minutes.

XII. Attachments.

- A.** Legal Publication Prices – Department of General Services.
- B.** Rules for Prefiling Bills – 2003 Session.
- C.** Memorandum on Honorary Resolutions – Legislative Service Bureau.
- D.** Memorandum on Archiving of Bill Drafting Files – Legislative Service Bureau.
- E.** Report of the Fiscal Committee.
- F.** Report of the Oversight Committee.
- G.** Report of the Capital Projects Committee.



- H. Report of the Service Committee.
- I. Legislative Council Resolution.
- J. 2002 Legislative Interim Studies Proposal.

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