

MINUTES

SERVICE COMMITTEE OF THE LEGISLATIVE COUNCIL

September 25, 1991

PRELIMINARY BUSINESS

The September 25, 1991, meeting of the Service Committee of the Iowa Legislative Council was called to order by Senator Joseph J. Welsh, Chairperson, at 11:00 a.m., in Room 22 of the State House, Des Moines, Iowa. Members present in addition to Chairperson Welsh were:

Senator Bill Hutchins
Senator Jack Rife
Representative Kay Chapman
Representative John Connors
Representative Harold Van Maanen

Also present at the meeting were Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Richard Johnson, Deputy Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Ms. Holly Lyons, Principal Legislative Analyst, Legislative Fiscal Bureau; Mr. Sandy Scharf, Director, Computer Support Bureau; Mr. William Angrick III, Citizens' Aide/Ombudsman; and Mr. Steve Exley, Assistant, Office of Citizens' Aide/Ombudsman.

Also present were other members of the legislative staff and other interested persons.

Representative Connors moved to approve the minutes of the September 13, 1991, meeting. The minutes of that meeting had been previously distributed to members of the Committee. There were no objections and the minutes were approved as distributed.

USE OF CODE BASE BY EXECUTIVE BRANCH

Chairperson Welsh recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of a report. Ms. Bolender noted that the Committee members' packets contained a letter which requests permission for the Information Services Division of the Department of General Services to load a copy of the Iowa Code into their on-line publication system. A copy of the letter is on file in the Legislative Service Bureau. The letter was received and referred to the Computer User Subcommittee for further study.

REPORT ON PROBATIONARY EMPLOYEE SALARIES

Chairperson Welsh recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of a report. Ms. Bolender noted that the Committee members' packets also contained a report stating the total number of persons who are, or were at the beginning of the current fiscal year, probationary employees of the Iowa General Assembly and the total initial cost of providing those employees with the regular pay increases associated with completion of the probationary period for their positions. Representative Van Maanen moved, and Representative Connors seconded, that the report be received, filed, and recommended for approval by the Committee to the Legislative Council. However, Senator Hutchins then moved to substitute, for Representative Van Maanen's motion, a motion to defer on the report until the next meeting. Senator Hutchins noted, in support of his motion, that he was not trying to express disapproval of the current contents of the report, but, rather, that he was concerned that the report did not outline the total costs. He added that he would be willing to add to his motion a caveat that the effect that any action to approve the report be retroactive to this meeting date so as not to adversely impact on those individuals covered by the report. Chairperson Welsh noted that the heads of the central and partisan staff agencies would be meeting shortly to discuss general job classifications and employee pay scales, so that it might be appropriate to wait until any information generated by that meeting was available. Representatives Connors and Van Maanen indicated that they would concur in the substitute motion as articulated by Senator Hutchins. The substitute motion was then adopted without dissent.

PERSONNEL REPORT OF THE OFFICE OF CITIZENS' AIDE\OMBUDSMAN

Chairperson Welsh recognized Mr. William Angrick III, Citizens' Aide\Ombudsman, for presentation of his office's personnel report. A copy of the report is on file in the Legislative Service Bureau. Mr. Angrick began his presentation by introducing Mr. Steve Exley, a new Assistant in the Office of Citizens' Aide\Ombudsman. Mr. Exley, Mr. Angrick informed the Committee, is a

former Iowan who previously was employed as a journalist and has been hired to fill the vacancy created by the resignation of Randy Meline on August 28, 1991.

Mr. Angrick then stated that he is seeking approval for the appointment of Ms. Judith Milosevich, formerly Ms. Judith Stageberg, to the Assistant for Corrections position and promoted to the title of Assistant II retroactively to August 29, 1991. Chairperson Welsh asked Mr. Angrick how the promotion of Ms. Milosevich differed from the promotions of other individuals, which were frozen or prevented by the events that took place immediately prior to the beginning of the fiscal year. Mr. Angrick explained that he believes that this promotion is more akin to the promotion of Ms. Bridget McNerney from the position of Senior Bill Clerk to the position of Acting Executive Administrator of the Bill Room, when the position of Executive Administrator became vacant due to the illness of Ms. Kathaleen Miklus. Chairperson Welsh stated, the explanation notwithstanding, that he was inclined not to approve the request at this meeting. Representative Van Maanen asked whether the individual noted for the Office of Citizens' Aide/Ombudsman on the list of probationary employees is Ms. Milosevich, to which Mr. Angrick responded in the negative. He added that Ms. Milosevich assumed the duties associated with the Assistant for Corrections position upon the resignation of Mr. Meline in August. Representative Connors asked whether Ms. Milosevich was an Assistant I at the time of Mr. Meline's resignation and received an affirmative response from Mr. Angrick. Mr. Angrick added that she took on the Assistant for Corrections duties as an Assistant I. Representative Connors asked whether the promotion of Ms. Milosevich to the Assistant II position will create a vacancy. Mr. Angrick replied that the promotion would not create a vacancy. Representative Connors noted that he believes that this personnel action amounts to the filling of a vacancy in the Assistant for Corrections position and is not just a step increase promotion for an employee. Chairperson Welsh stated that the Senate has just promoted an individual to a higher level position but kept the person at the same salary. Representative Connors expressed his concern over such a promotion, but Chairperson Welsh stated that the reason for the unusual procedure was that the Senate Rules and Administration Committee was not going to meet soon enough to authorize the additional expenses associated with filling the position.

Senator Hutchins commented that there is a need for uniformity in hiring and promotion practices for all positions and that he would be in favor of deferring on Ms. Milosevich's promotion until the next meeting of the Committee, in order to allow that to occur.

The Committee discussed the situations and issues surrounding requests for approval of personnel actions which will result in step increases in an employees pay, with Representative Connors enumerating those situations as 1) completion of probationary employment; 2) the freezing of pay grades for all employees; and 3) promotions of employees. Chairperson Welsh noted, at the close of the discussion, that when the Committee and the Legislative Council froze the salaries and

promotions of the legislative employees it appeared that members of the executive branch were also being subjected to pay freezes and freezes on promotions. He went on to state that this appears not to be the case and, in response to a question by Representative Connors, affirmed that executive branch employees are receiving raises in pay. Chairperson Welsh added that he was aware of one individual who received two pay increases, since that individual's time was allocated to two different departments.

The Committee then, without objection, deferred action on the promotion of Ms. Milosevich until the next meeting of the Committee, with the understanding that subsequent action would take effect in the same manner as if the action had taken place at this meeting of the Committee. Chairperson Welsh also welcomed Mr. Exley to employment with the General Assembly and informed Mr. Exley that the problems with pay increases entirely preceded and had no bearing on the commencement of his employment.

PERSONNEL REPORT OF THE LEGISLATIVE SERVICE BUREAU

Chairperson Welsh recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of her office's personnel report. A copy of the report is on file in the Legislative Service Bureau. Ms. Bolender stated that there have been two resignations in the Iowa Code Office, those of Ms. Joyann Benoit and Ms. Donna Waters, which have resulted in vacancies in two out of the three Assistant Editor positions. Ms. Bolender added that the Legislative Service Bureau has advertised the vacancies, received 120 applications, and is currently checking the references of the top candidates. The top candidate for the position, she said, is Ms. Rosemary Drake, who is currently already employed as Publications Assistant in the Iowa Code Office. Ms. Bolender stated that she is therefore seeking approval to reclassify Ms. Drake from the Publications Assistant position to the Assistant Editor position. Ms. Bolender then stated that the other personnel action, for which she is seeking approval, is the hiring, as a permanent employee, of a person who is currently employed by the Legislative Service Bureau as a temporary employee. The hiring of that person, Ms. Sue Fetters, to the permanent position will be at the same pay grade and step which she is currently receiving. The filling of the permanent position became necessary, Ms. Bolender added, when the person who previously held the position failed to successfully complete the probationary period.

Representative Connors indicated that the filling of the Assistant Editor position is not very different from the situation in the Office of Citizens' Aide/Ombudsman. Chairperson Welsh asked what the difference in pay is between the Assistant Editor position and the Publications Assistant position, to which Ms. Bolender responded that there was approximately a \$3,000 difference between the salaries. Representative Van Maanen asked whether the employee listed as the Legislative Service Bureau probationary employee is Ms. Drake, to which Ms. Bolender

responded that the person listed on the Probationary Employee report is Ms. Kathy Hanlon, who is a Research Analyst in the Legal and Committee Services Division of the Legislative Service Bureau.

Representative Chapman, noting that it would appear that the moving of a temporary employee to a permanent position at the same pay grade will not generate the same amount of controversy as a personnel action involving a pay increase, asked the other members if they would agree to proceed with the second request, which related to the hiring of Ms. Fetters. Chairperson Welsh and Representative Connors indicated that they had no difficulties with the second request and Chairperson Welsh called for a vote on that item. The item passed unanimously.

The Committee then debated the issues involved with the promotion or reclassification of employees, the problems associated with the inability to fill vacant positions, and whether the reclassification of Ms. Drake or the promotion of Ms. Milosevich were really promotions or simply the filling of vacancies. Representative Connors expressed his concern over whether, due to the increasingly personal nature of the discussion and a desire to avoid the appearance of impropriety, the discussion should be held in closed session. Chairperson Welsh indicated that perhaps a short recess would be appropriate under the circumstances.

RECESS, RECONVENING OF THE COMMITTEE, CONTINUATION OF DISCUSSION

Representative Connors then moved that the Committee recess briefly and the Committee recessed at 11:25 a.m. The Committee reconvened at 11:38 a.m. Chairperson Welsh asked for unanimous consent to approve item number two of Ms. Bolender's personnel report and to defer on item one until the next meeting, with the caveat that if the item is later approved the item would be approved retroactively to this meeting date. There were no objections to the request.

PERSONNEL REPORT OF THE LEGISLATIVE COMPUTER SUPPORT BUREAU

Chairperson Welsh recognized Mr. Sanford Scharf, Director of the Computer Support Bureau, for presentation of his office's personnel report. A copy of the report is on file in the Legislative Service Bureau. Mr. Scharf noted that his personnel report simply consisted of a report that one of his employees has successfully completed his probationary period and that the employee is listed as a probationary employee on the Probationary Employee Report on which the Committee had previously deferred. The personnel report was received and filed.

PROPOSED BUDGETS OF CENTRAL LEGISLATIVE STAFF AGENCIES

Chairperson Welsh recognized Ms. Bolender, Director of the Legislative Service Bureau, for a presentation. Ms. Bolender noted that each of the Committee members' packets contains copies of the proposed budgets and budget allocations of the Central Legislative Staff Agencies for the fiscal year beginning July 1, 1992, and reminded the members that, under section 2.12 of the Code, action will need to be taken on the proposed budgets by December 1, 1991. The proposed budgets were received, filed, and Chairperson Welsh added that the budgets would be acted upon at a future meeting.

ADJOURNMENT

Chairperson Welsh asked whether there was any additional business to come before the Committee. There was no further business indicated. The Committee then adjourned at 11:39 a.m.

Respectfully submitted,

LESLIE E. WORKMAN
Legal Counsel

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