



Legislative  
Service  
Bureau

# MINUTES

## Iowa Legislative Council

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November 29, 1995

Third Meeting of 1995-1996

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### MEMBERS PRESENT

**Speaker Ron Corbett, Chairperson**

Representative Clifford Branstad

Representative Dennis Cohoon

Representative John Connors

Representative Chuck Gipp

Representative Libby Jacobs

Representative Pam Jochum

Representative David Millage

Representative Pat Murphy

Representative David Schrader

Representative Brent Siegrist

Representative Harold Van Maanen

**Senator Wally Horn, Vice Chairperson**

Senator Tony Bisignano

Senator Leonard Boswell

Senator Eugene Fraise

Senator Michael Gronstal

Senator Emil Husak

Senator John Jensen

Senator Jim Lind

Senator Derryl McLaren

Senator Larry Murphy

Senator Jack Rife

Senator Maggie Tinsman

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# MEETING IN BRIEF

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1. **Procedural Business.**
2. **Pricing of Legislative Publications.**
3. **Amendment to Prefiling Rules.**
4. **Report of the International Relations Committee.**
5. **Reports of the Fiscal Committee.**
6. **Report of the Administration Committee/Capital Projects Committee Joint Meeting.**
7. **Report of the Administration Committee.**
8. **Report of the Capital Projects Committee**
9. **Report of the Service Committee.**
10. **Report of the Studies Committee.**
11. **Leadership Policy Institute Report.**
12. **Update of General Assembly Information on Internet.**
13. **Prison Overcrowding.**
14. **Supreme Court Strategic Planning.**
15. **Legislative Telecommunications Connection.**
16. **Written Materials Filed with the Legislative Service Bureau.**

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## COMMITTEE BUSINESS

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

**Call to Order.** The third meeting of the 1995-1996 Legislative Council was called to order by the Chairperson, Speaker Ron Corbett, at 2:35 p.m., Wednesday, November 29, 1995, in Senate Room 22, State House, Des Moines, Iowa.

**Approval of June 14, 1995 Meeting.** Chairperson Corbett asked for additions or corrections to the minutes of meeting of June 14, 1995. There being none, Representative Connors moved that the minutes of the Council meeting of June 14, 1995, be approved as submitted. The motion was adopted unanimously.

**Adjournment.** Upon a motion by Representative Connors, the meeting adjourned at 4:25 p.m.

### 2. **Pricing of Legislative Publications.**

Chairperson Corbett recognized Ms. Diane Bolender, Director, Legislative Service Bureau, to briefly review the recommended prices for the 1995 Code Supplement, the Election Laws Supplement, and the 1995 Iowa Acts. She stated that Ms. Kristi Little,

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Superintendent, Department of General Services recommends a 5 percent increase in the price of each publication. The 1995 prices would be \$21.00 for the Election Laws Supplement, \$63.50 for the 1995 Iowa Acts, and \$36.75 for the 1995 Code Supplement. In addition, the publications are subject to sales tax. Representative Connors moved that the Legislative Council adopt Ms. Little's recommendations for the three legislative publications. The motion was adopted unanimously.

**3. Amendment to Prefiling Rules.**

Ms. Bolender explained a request from the Legislative Service Bureau to amend the Prefiling Rules adopted in June 1995 to add two additional state agencies which are eligible to adopt rules under chapter 17A of the Iowa Code. These agencies are the Telecommunications and Technology Commission and the Emergency Response Commission. There being no comments, Vice Chairperson Horn moved the adoption of the amendment to the Prefiling Rules. The motion was adopted unanimously. A copy of the memorandum requesting the amendment is filed with the Legislative Service Bureau.

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

Senator Rife was recognized to present the Report of the International Relations Committee in the absence of the Chairperson, Representative Steve Churchill. Senator Rife stated that he could add little to the agreements and recommendations outlined in the Report. In response to a question by Representative Connors, Senator Rife urged that the Legislative Council should adopt a policy relating to the funding for official gifts and related activities for visiting public dignitaries. Senator Rife moved the adoption of the Report of the International Relations Committee. The motion was adopted unanimously. A copy of the Report is attached to these minutes.

**5. Reports of the Fiscal Committee.**

Representative Millage briefly reviewed the proceedings of the Fiscal Committee meetings since the last Council meeting. The meetings were July 26, August 3, August 22, September 27, October 24, and November 21, 1995. In response to a question regarding bond indebtedness at the various Regents' institutions from Senator Tinsman, Representative Millage replied that this subject is to be covered at the December 1995 meeting of the Committee. Representative Millage moved that the Reports of the Fiscal Committee for the dates of July 26, August 3, August 22, September 27, October 24, and November 21, 1995 be adopted. The motion carried. Copies of the Reports are attached to these minutes.

**6. Report of the Administrative Committee/Capital Projects Committee Joint Meeting.**

Chairperson Corbett again recognized Representative Millage for the Report of the Administrative Committee/Capital Projects Committee Joint Meeting. Representative Millage stated that the joint Committee met with representatives from the Department of General Services and the Governor's Office to discuss allocation of space in the State



Capitol and the old State Historical Building, but no agreement was reached. He added that the joint Committee recommends that legislative leadership meet with representatives of the Executive Department and the Judicial Department to develop a space allocation plan for the State Capitol Complex. Senator Rife asked who has control over the space in the Complex. Representative Millage commented the General Assembly appropriates moneys to the other two branches and that all branches need to cooperate in allocating available space. Senator Fraise suggested that the elected administrative officers should also cooperate since additional accessible committee room space in the State Capitol Building is needed. Representative Millage moved the adoption of the Report of the Administration Committee and Capital Projects Committee. The motion was adopted. A copy of the Report is attached to these minutes.

### **7. Report of the Administration Committee.**

Representative Van Maanen presented a brief overview of the Report of the Administration Committee. He stated that the Committee is submitting three recommendations to the Legislative Council and each should be presented separately.

The first recommendation is that the Legislative Council authorize the director of the Legislative Service Bureau to enter into business relations with Friends of the Capitol. This would allow the Legislative Service Bureau and the Friends of the Capitol to implement joint projects for the State Capitol Building. He moved adoption of the recommendation. The motion was adopted unanimously.

The second recommendation is that the Legislative Council authorize the Legislative Service Bureau to prepare a proposed bill draft relating to General Assembly's legal publications and related products and submit it to the appropriate standing committees. Representative Van Maanen moved adoption of the recommendation. The motion was adopted.

The third recommendation is that the Legislative Council authorize the Legislative Service Bureau to seek copyright protection for data processing software if authorized by statute. In response to a question by Senator Husak, Representative Van Maanen stated that the copyright protection relates to software of legal publications produced by the Legislative Service Bureau. Representative Van Maanen moved the adoption of the recommendation. The motion was adopted.

A copy of the Report of the Administration Committee is attached to these minutes.

### **8. Report of the Capital Projects Committee.**

Representative Millage stated that the Committee received a update of actual and proposed fiscal year 1996 project expenditures for fire and environmental safety, renovation, and deferred maintenance at the Regents' institutions, a copy of the Five-Year Capital Project Priority Plan (1997-2001) from the Department of Management, and a report of the renovation and deferred maintenance budget requests for fiscal year 1997 for the State Capitol Complex from the Department of General Services. He



added that the Committee received a brief summary of the "Iowa Infrastructure '95 - A Report of Infrastructure Needs in the State of Iowa" and prepared by the Construction Engineering Department at Iowa State University, and the Committee's recommendation is that the Legislative Council accept the report. Representative Millage moved that the Legislative Council adopt the Committee Report. The motion was adopted. A copy of the Report of the Capital Projects Committee is attached to these minutes.

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

Chairperson Corbett recognized Senator Gronstal for the Report of the Service Committee. Senator Gronstal briefly reviewed the content of the Report which included a number of recommendations for promotions from the four legislative staff agencies, for budget revisions for the 1996 fiscal year and adoption of budgets and allocations for the Legislative Fiscal Bureau, Legislative Service Bureau, and the Legislative Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman for the 1997 fiscal year, and for reappointment of Mr. William P. Angrick as Citizen's Aide/Ombudsman for a four-year term beginning July 1, 1996. Senator Gronstal noted that the budget revision for FY 96 for the Legislative Service Bureau includes \$340,000 to provide initial funding for Phase III of the replacement bill drafting system. He also noted that the Service Committee recommends that the Computer User Policy Direction Subcommittee establish prices for the sale of electronic tapes and discs for the Code of Iowa, the Administrative Code, and other information supplied by the General Assembly and its staff agencies.

**Discussion.** Senator Tinsman commented that the supplemental appropriation request for the replacement bill drafting system should have been presented as a part of the regular budgeting process. Ms. Bolender responded that the supplement budget request is needed because the cost of each phase of the replacement process is not known until the preceding phase of development is completed. She added that waiting for a new budget cycle to fund each phase of the replacement process will extend the final completion of the replacement bill drafting system well beyond the anticipated completion date.

Senator Rife questioned the need for establishing a confidentiality policy for drafting and research documents of the Legislative Service Bureau. He moved to strike item #13 from the Report. Senator Gronstal responded that the recommended confidentiality policy is the same as has been used by the Legislative Service Bureau informally for several years. He added that it is better to have the current unofficial policy than to have no policy at all. Representative Schrader also recommended that the proposed policy be adopted.

Senator Rife moved that the adoption of his motion to strike the policy recommendation. The motion was defeated. Senator Gronstal moved the adoption of the Report of the Service Committee. The motion was adopted. A copy of the Report is attached to these minutes.



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

Representative Gipp briefly reviewed the recommendations of the Study Committee and asked unanimous consent to change the word "Casino" to "Racing" in item #6 of the Report. There was no objection. The Report recommends that the legislative leadership be authorized to appoint members on behalf of the Legislative Council to the Brushy Creek Trails Advisory Committee, the County Finance Committee and the City Finance Committee; direct study committees to complete their final meetings by January 19, 1996; authorize an additional meeting day for each of three committees; and establish two additional study committees including Excursion Gaming and Racing Enforcement Activities and Driver's License Pilot Project. There being no comments, Representative Gipp moved the adoption of the Report of the Study Committee. The motion was adopted. A copy of the Report is attached to these minutes.

### **11. Leadership Policy Institute Report.**

Ms. Bolender was recognized to present the Report on the Institute for Public Leadership Seminar. Ms. Bolender stated that the two-day seminar was held on September 21 and 22, 1995, and was attended by 19 members and staff of the legislative branch, 15 representatives of the judicial branch, and 28 members of the executive branch. The purpose of the seminar was to improve the business operation of Iowa government, to facilitate cooperation among levels and branches of government, to improve the quality of service, to improve the training of emerging leaders, and restore citizen confidence in government. She added that the seminar was well received by participants. Representative Connors moved that the Report be received and filed by the Legislative Council. The motion was adopted. A copy of the Report is filed with the Legislative Service Bureau.

### **12. Update of General Assembly Information on Internet.**

Ms. Bolender briefed the Legislative Council regarding legislative information being prepared by Dr. James Freeman, Cornell College, the Computer Support Bureau, and other legislative agencies for placement on the Internet and available for public access. Representative Connors moved that the Report of the General Assembly Information on the Internet be received and filed. The motion was adopted. A copy of the Report is filed with the Legislative Service Bureau.

### **13. Prison Overcrowding - Clarinda.**

Chairperson Corbett recognized Ms. Jan Corderman, President, American Federation of State, County and Municipal Employees (AFSCME)/Iowa. Ms. Corderman introduced Mr. Steve McCurdy, President, AFSCME/Local 525, Mr. Todd Williams, Vice President and Chief Steward/Local 525, Ms. Marcia Nichols, AFSCME/Iowa Staff and Lobbyist, and Mr. Dan Homan, AFSCME/Iowa Field Staff, who accompanied her to discuss the serious prisoner overcrowding conditions at the Clarinda Correctional Facility. Ms. Corderman stated that the authorized capacity at the Clarinda Correctional facility is 152 inmates, but the current count is 349 inmates. She added that since November 1994, the inmate count has increased 30% while the number of



correctional officers has increased 10%. She stated that these conditions create potentially dangerous work situations for the correctional officers when the sleeping rooms, day rooms and dining facilities are well above capacity; the recreation hall has been closed and converted for housing; and the library and recreation yard are closed during the night hours.

**Discussion.** During questions and discussion with Senator Murphy, Representative Connors, and Representative Millage, Ms. Corderman stated that the Mt. Pleasant Correctional Facility has beds available, but apparently there are no correctional officers to cover those beds. She stated that the problem should be relieved with the opening of the new prison facilities in February 1996, but the current problem needs to be addressed. In reply to comments and questions by Representative Schrader and Representative Connors, Ms. Corderman stated that AFSCME met with Ms. Sally Chandler Halford, Director, Department of Corrections, in September 1995, concerning the overcrowding problems, sent a follow-up letter, and met with the Governor's staff in early November 1995.

**Council Action.** After further discussion, Representative Schrader moved that the Legislative Council send a letter to the Department of Corrections urging that all methods of resolving the overcrowded conditions at the Clarinda Correctional Facility be explored and, if no solution can be found, that fact shall be reported immediately to the legislative leaders of the General Assembly. The motion was adopted. A copy of Ms. Corderman's written statement and supporting documentation to the Legislative Council is filed with the Legislative Service Bureau.

#### **14. Iowa Supreme Court Strategic Planning - Funding.**

Chairperson Corbett introduced Justice Linda K. Neuman, Iowa Supreme Court, for a request for partial funding of the Supreme Court Strategic Commission on Planning for the 21st Century. She stated that the Commission has been meeting since early 1995 as teams to study various aspects of the judicial system. She stated that the Commission has received funding from various private individuals, businesses, and organizations, but the Commission will need additional funds in order to complete the project in June 1996. The Commission is seeking \$50,000 from the Legislative Council to help with the completion of the planning phase. Senator Tinsman noted that the General Assembly approved an appropriation of \$50,000 during the 1995 Legislative Session, but the appropriation was item vetoed from a capitals appropriation bill. Representative Van Maanen stated that he supports the planning project, but he does not believe that the Legislative Council has the authority to appropriate funds from section 2.12 for the use of the judicial branch regardless of item veto. Senator Husak also expressed his belief that the Legislative Council should not appropriate funds for this purpose. In response to a question by Senator Boswell, Justice Neuman stated that if the funds were available to the Commission in March 1996, this would be satisfactory. Senator Boswell and other members of the Legislative Council agreed that the normal appropriation process could be followed and the appropriation could be available by March 1996.

**Council Action.** Senator Gronstal moved that the Legislative Council request that the General Assembly appropriate \$50,000 for the Supreme Court Commission on



Strategic Planning for the 21st Century early during the 1996 Legislative Session. The motion was adopted. A copy of Justice Neuman's letter to the Legislative Council is filed with the Legislative Service Bureau.

### **15. Legislative Telecommunications Connection.**

Vice Chairperson Horn stated that he has received cost estimates for establishing a site for a legislative ICN hookup in the State Capitol Building. He recommended Room 22 for the site and noted that Speaker Corbett does not object to the location even though the site is less accessible to the House. Vice Chairperson Horn moved that the Legislative Council authorize the expenditure of not more than \$70,000 for the equipping of Senate Room 22 for an Iowa Communications Network hookup for the General Assembly.

**Discussion.** Senator Rife commented that he opposes the use of Senate Room 22 for the ICN site even though the Secretary of the Senate is in charge of assigning its use. He added that there is insufficient room for committee meetings and this arrangement would increase the space problems. He added that Room 116 would be more suitable for the hookup site. Senator Husak stated that he also disagrees with the use of Room 22 for the ICN hookup. He suggested added equipment for the hookup will take too much space and that sharing the use of a Senate room with the House may cause problems. Chairperson Corbett stated that, on the House side, Room 1 is scheduled for remodeling, Room 19 is relatively small, and other House rooms are not suited for the purpose.

Representative Siegrist stated that joint rules regarding use and scheduling of the ICN hookup room should be adopted so that each House has reasonable access to its use. He moved an amendment to Vice Chairperson Horn's motion to adopt joint rules for use of the ICN hookup room under the administration of the Secretary of the Senate. Vice Chairperson Horn stated his opposition to the call for joint rules. Senator Murphy expressed support for establishing a ICN hookup for use by the General Assembly and Senator Gronstal stated that the Legislative Council will own the equipment and provide equal access to its use. Senator Fraise commented that it would be best to find a neutral location for the ICN hookup. After further discussion, Representative Siegrist withdrew his amendment in support of the concept of a legislative ICN hookup.

Senator Husak offered a substitute motion that the Legislative Council approve funding the legislative ICN hookup and that a location for the hookup be decided by a joint committee of the House and Senate subject to the approval by each house. After comments, Senator Husak withdrew his substitute motion.

After additional comments, Senator Husak asked for unanimous consent to defer on Vice Chairperson Horn's motion. An objection was raised.

Commenting that the site of Room 116 would be preferable to no legislative ICN hookup, Vice Chairperson Horn withdrew his previous motion and moved that the Legislative Council authorize the expenditure of not more than \$70,000 to establish a ICN hookup for the General Assembly in Room 116. The motion failed. A copy of Senator Horn's memorandum is filed with the Legislative Service Bureau.





**16. Written Materials Filed With The Legislative Service Bureau.**

- a. Three memoranda from Ms. Kristi Little, Superintendent of Printing, recommending pricing for 3 publications.
- b. Memorandum Requesting An Amendment to the Prefiling Rules.
- c. Report on the Institute for Public Leadership Seminar.
- d. Listing of General Assembly Information on the Internet.
- e. Letter from Ms. Jan Corderman, President, AFSCME/Iowa regarding overcrowded inmate conditions at Clarinda Correctional Facility.
- f. Letter from Justice Linda Neuman requesting \$50,000 funding for the Iowa Supreme Court's Commission on Planning for the 21st Century project.
- g. Memorandum to Vice Chairperson Wally Horn relating to hookup cost for a legislative ICN facility in the State Capitol Building.

**ATTACHMENTS**

- 1. Report of the International Relations Committee.
- 2. Reports of the Fiscal Committee.
- 3. Report of the Joint Meeting of the Administration Committee and the Capital Projects Committee.
- 4. Report of the Administration Committee.
- 5. Report of the Capital Projects Committee.
- 6. Report of the Service Committee.
- 7. Report of the Studies Committee.