

M I N U T E S

IOWA LEGISLATIVE COUNCIL

July 8, 1970

The eleventh meeting of the 1969-1971 Legislative Council was called to order by the Council Chairman, Senator Elmer F. Lange, at 11:00 a.m., Wednesday, July 8, 1970 in the Speaker's Room, State House, Des Moines, with the following members present:

Representative Ralph F. McCartney, Vice-Chairman
William H. Harbor, Speaker of the House
Senator James E. Briles
Senator Andrew G. Frommelt
Senator Eugene M. Hill
Senator Clifton C. Lamborn
Senator George E. O'Malley
Senator Robert R. Rigler
Representative Dale M. Cochran
Representative William J. Gannon
Representative Charles P. Miller
Representative Leroy S. Miller
Representative Nathan F. Sorg
Representative Andrew P. Varley

Also present were Senator Ernest Kosek, Representatives Edgar H. Holden and Joan Lipsky, Serge H. Garrison, Director, and Phil Burks, Senior Research Analyst, of the Legislative Service Bureau, several representatives of the news media, and other interested persons.

On motion of Representative Sorg, the minutes of the June 10 Council meeting were approved as submitted to Council members.

Chairman Lange recognized Representative Holden, Chairman of the House Social Services Committee, for remarks relative to the recommendation of the Medicaid Study Committee, which had functioned during the previous interim, that a legislative committee be appointed to continue systematic General Assembly review and evaluation of the Medicaid program. Representative Holden's presentation, urging favorable action on the recommendation and concurred in by Senator Kosek as chairman of the Senate Social Services Committee, is attached to and by this reference made a part of these minutes. A summary of Iowa Medicaid costs for the period July 1969 through June 1970, prepared by the Legislative Service Bureau and distributed to Council members, is also attached to and by this reference made a part of these minutes.

Speaker Harbor pointed out that various groups and individuals have recently advanced proposals to the general effect that the federal government should take over all categorical welfare programs. These proposals were discussed at the recent Midwestern Regional Conference of the Council of State Governments, but an opposite approach was taken. It was suggested by the Conference that the federal government make the funds being expended for various specific welfare

programs available to the states with fewer restrictions, for use by the states as they think most effective in meeting their respective welfare problems. Speaker Harbor inquired whether the standing Social Services Committees had considered the possibility of any such changes in the present welfare system.

Representative Holden replied that to his knowledge neither Social Services nor a standing committee has done so. He added that it does not appear to him to be likely that the federal government will be willing to release any significant amount of funds to the states for welfare purposes without fairly stringent guidelines regarding the use of such funds.

Representative Gannon inquired whether the proposed committee would confine its attention to the present Medicaid program, or would attempt to address itself to broader problems in the health care field, particularly those facing families of limited means who do not meet eligibility requirements for Medicaid. Representative Holden replied that he would assume that the intended scope of the proposed new committee's jurisdiction would be the same as that of the previous Medicaid Study Committee.

Representative Lipsky stated, in further reply to Representative Gannon's question, that while she is cognizant of the existing problems in the broader field of health care, her particular concern in requesting appointment of a new legislative Medicaid Study Committee is with the Medicaid program specifically. She pointed out that if absolutely necessary the other federal aid categorical welfare programs administered by the state of Iowa can be cut back, unfortunate as such a step might be. However, this option is not open with respect to Medicaid, which is much more severely limited both by federal requirements and by the nature of the basis on which the various vendor groups provide health care services to Medicaid recipients. She added that she does not want the 1971 session to find, upon convening, that it is faced with an immediate need for a deficit appropriation to keep the Medicaid program running until the end of the biennium, as happened in 1969.

Chairman Lange then recognized Senator Kosek, who presented a brief statement supplementing and enlarging upon the previous presentation of Representative Holden. A copy of Senator Kosek's presentation is attached to and by this reference made a part of these minutes. Senator Kosek noted that information just received from the Legislative Fiscal Director indicates that the figure of "approximately one hundred million per year" in item 1 of his prepared statement should be \$113,179,258 for the fiscal year ending June 30, 1970, and that this total includes all federal, state, and county funds to be expended for categorical welfare programs in Iowa.

Senator O'Malley noted that a bill recently passed by the U. S. House of Representatives, H. R. 17550, if it ultimately becomes law, will make monumental changes in the existing federal Social Security (welfare) system. Senator O'Malley stated that one of the

effects of this measure would be to sharply decrease funds being made available to Iowa by the federal government for categorical welfare programs, and that Commissioner of Social Services James Gillman has therefore opposed this legislation.

Senator Hill reported that H. R. 17550 had been discussed at a meeting of the National Legislative Conference Intergovernmental Affairs Committee which he had attended in Washington in June. One of the effects of passage of this legislation would be a reduction in federal participation in the cost of skilled nursing home and hospital care for Medicaid recipients.

After further discussion, Speaker Harbor moved to approve establishment of a new Medicaid Study Committee, to be composed of three members from each house of the General Assembly and to be authorized no more than six meetings prior to the convening of the 1971 session. The motion was seconded by Representative Varley and adopted on a voice vote, Representative Sorg voting no.

Chairman Lange recognized Speaker Harbor for the report of the previous day's meeting of the Council's Procedures and Facilities Committee. The minutes of the July 7 Procedures and Facilities Committee meeting, which were not available for distribution to members of the Council at the July 8 Council meeting, are attached to and by this reference made a part of these minutes. A brief summary report of the July 7 Procedures and Facilities Committee meeting was distributed to Council members.

Speaker Harbor stated that it was his understanding that Senator Briles would be unable to be present for the afternoon session of the present Council meeting, and that he was particularly interested in the suggestion that future sessions of the General Assembly might adopt a three-day work week. Speaker Harbor briefly summarized the discussion of this matter which had taken place at the Procedures and Facilities Committee meeting on the previous day, as recorded in the attached minutes.

Senator Briles stated that his immediate concern is whether or not the Council is going to take specific action with respect to the suggestion that a shorter work week be adopted by the General Assembly. He stated that if so, he wishes to be recorded as opposing the proposition. Speaker Harbor replied that while it is the prerogative of the Council to take any action on the matter which it may wish, the Procedures and Facilities Committee had not contemplated formal action on the matter by the Council, at least at this time, and did not so recommend but merely wished to call the matter to the attention of the Council and of future General Assemblies. Senator Hill agreed, noting that it had been the consensus of the members of the Procedures and Facilities Committee on the previous day that Council members should try to discuss this and other procedural matters with legislators from other states at the forthcoming National Legislative Conference, and that possibly the Council might wish to take a formal position on the matter after that.

Senator Briles then moved that the Legislative Council take no action on the matter of a shorter work week for future sessions of the General Assembly until after the 1970 National Legislative Conference. The motion was seconded by Representative Leroy Miller, and passed unanimously.

The meeting was adjourned at 12:00 Noon, and reconvened at 1:40 p.m. in the Speaker's Room with all Council members present who had been present for the morning session except Senator Briles. Lt. Governor Roger W. Jepsen and Representative C. Raymond Fisher, Chairman of the House State Government Committee, were also present for the afternoon session.

Chairman Lange recognized Representative Fisher, who was present for a discussion of the proposal for an employment practices study, as requested by House Concurrent Resolution 106 of the Sixty-third General Assembly, Second Session. Representative Fisher stated that he believes that, if the study is approved, the scope of the study should be broader than would be required by the actual language of H.C.R. 106, which makes specific reference to the Departments of Public Instruction and Public Safety, the Employment Security and Highway Commissions, and the Board of Regents.

Senator Rigler asked what particular concerns motivated the introduction and passage of H.C.R. 106. In reply, Representative Fisher read from the introductory portions of the resolution, a copy of which is attached to and by this reference made a part of these minutes.

Representative Gannon stated that it is his understanding that Mr. Alvin Hayes, Executive Director of the state Civil Rights Commission has information indicating that several of the major state departments employ very few members of minority groups. Senator Rigler asked why, if this information is already gathered, a legislative study of the matter should be approved. Representatives Varley and Leroy Miller said they are not sure that state agencies are covered by the present state law against discriminatory employment practices, and that if state agencies are covered by the law it would appear that they do not always abide by it. Representative Varley added that Representative A. June Franklin, the lead sponsor of H.C.R. 106, prepared the resolution on the basis of information indicating that the state is lagging badly as an employer of members of minority groups.

Senator Hill expressed agreement with Representative Fisher's earlier comment that the scope of the study should be broader than would be required by H.C.R. 106. In particular, Senator Hill suggested that the study examine carefully the attitudes and practices of the Merit Employment Commission and Department, pointing out that state departments and agencies covered by the merit employment system may have little choice as to whom they hire once the merit employment eligibility lists for particular positions are made up.

Senator Rigler expressed belief that if there are discriminatory employment practices occurring in state departments and agencies, the press and political candidates can be relied upon to bring these facts to light. Representative McCartney commented that he would prefer not to rely on the press and political candidates for information in matters of this kind.

Representative Varley moved that the Legislative Council authorize establishment of a six-member joint interim subcommittee of the standing State Government Committees of the Senate and House of Representatives, and authorize the subcommittee to hold not more than six meetings prior to the convening of the 1971 legislative session, for the purpose of studying the employment policies and practices of all state agencies. The motion was seconded by Representative Gannon, and a roll call vote was requested. The motion was adopted by a vote of 9 to 4. Those voting aye were Chairman Lange, Vice-Chairman McCartney, Senators Hill and O'Malley, Representatives Cochran, Gannon, Charles Miller, Leroy Miller, and Varley; those voting nay were Speaker Harbor, Senators Lamborn and Rigler, and Representative Sorg.

Lt. Governor Jepsen suggested that in order to expedite matters, it would be desirable for the Chairman of the Legislative Council, rather than the Chairman of the respective State Government Committees, to name the members of the special subcommittee which had just been authorized by the Council. There was general agreement to this suggestion. Representatives Fisher, Edgar Koch, and John Tapscott and Senators Floyd Gilley and Francis Messerly, were appointed to the Employment Practices Study Subcommittee. A Democratic Senator will be named at a future date.

The Council approved the recommendations of the Studies Committee, as recorded in the minutes of its meeting held earlier on the present date, which are attached to and by this reference made a part of these minutes.

The Council then resumed consideration of the Procedures and Facilities Committee's report. Speaker Harbor briefly reviewed the Committee's discussion of the previous day relative to the adoption of a new bill drafting style utilizing computer services, and the timetable for publication of the 1970 Code of Iowa and updating of the magnetic tape version of the Code.

Vice Chairman McCartney assumed the chair at 2:05 p.m.

Representative Gannon inquired about the effect of the proposed new drafting style on amendments to bills, and amendments to amendments. He specifically inquired whether the proposed new style would make it more difficult for individual legislators to prepare and introduce amendments. Mr. Garrison stated that he does not believe this would be the case, commenting that the drafting style for amendments and amendments to amendments will not be affected so greatly as the drafting style for bills themselves. He stated

that the new drafting style probably would result in more work for the Legislative Service Bureau staff, particularly if utilization of the magnetic tape Code for bill drafting purposes is not possible during the 1971 session. He also stated that there would undoubtedly be a period of adjustment while legislators, particularly those with prior service, are becoming accustomed to the new bill drafting style, but that thereafter the new bill drafting style should be quite beneficial to the overall legislative process.

Speaker Harbor reviewed the ideas which had been discussed on the previous day by the Procedures and Facilities Committee regarding the process for submitting and considering amendments on the floor of the General Assembly. Senator Frommelt stated that his initial reaction would be emphatic disagreement with the ideas as presented in the summary report of the Procedures and Facilities Committee meeting of the previous day. With respect to the suggestion that the rules of procedure be altered so that a motion to table an amendment does not carry the entire bill with it if the motion is adopted, Senator Frommelt asserted that he has never voted for the motion for the previous question and considers the motion to table even more objectionable than the previous question motion. Senator Frommelt further objected to the suggested changes which would restrict the right to offer amendments to pending legislation from the floor while the pending legislation is under consideration, commenting that in his view such restrictions would amount to imposition of a gag rule.

Representative Cochran stated that the wording of the summary report on the previous day's Procedures and Facilities Committee meeting, which had been distributed to Council members, suggests a greater degree of restriction on amendments to pending legislation than he had understood the Committee to have in mind in its discussions. He added that he agrees with the suggestion that no amendment be considered until it had been published in the journal, but that he had not understood the Committee's suggestion to extend to the point of requiring the consent of a majority of the House or Senate, as the case might be, for the consideration of any amendment not covered by the standing committee report on the bill involved.

Representative Gannon said he believes the Procedures and Facilities Committee's suggestions are an attempt to move in the direction of more responsible and effective work by standing committees. He added that he would not object to the suggested "requirement that when an amendment to a bill is offered which is not covered in the standing committee report on the bill, the sponsor of the amendment be given a brief time to explain the intent and effect of the amendment, after which the body in which the matter is under consideration would proceed to an immediate vote without further debate on the question whether the amendment should be considered on its merits", provided the term "standing committee report on the bill" is understood to include any minority report which may be presented as well as the standing committee's majority report. Speaker Harbor said he would have no objection to such an interpretation.

Chairman Lange resumed the chair at 2:25 p.m.

There was an extended discussion by several members of the Council regarding the intent and effect of the suggested changes in procedural rules, particularly those relating to consideration of amendments offered from the floor to a bill then under consideration. Senators Frommelt, Hill, and O'Malley expressed concern that the suggested changes would place too high a priority on expeditious procedure in the General Assembly, at the expense of full and free debate on public issues. They pointed out that many important pieces of legislation have been perfected on the floor of the General Assembly in past years.

Representative Gannon observed that it will never be possible to achieve perfection of bills within standing committees until perfection of bills on the floor of the General Assembly is stopped. Representative Varley and Senator Rigler agreed, Representative Varley adding that what the Procedures and Facilities Committee has in mind is to try to get away from submission of ill-considered amendments, some of which are sent to the desk of the Chief Clerk of the House or Secretary of the Senate written in long-hand and then immediately taken up for consideration. Senator Rigler agreed with the earlier statement that many important bills have been perfected on the floor of the General Assembly in past years, adding that it is common knowledge that major bills have often been brought out of standing committees when the proponents had the votes to do so, not when the bills were actually ready for consideration and passage.

Senator Hill stated that the Procedures and Facilities Committee's suggestions should not be expected to save much legislative time, in the overall, but that the choice is between spending the time perfecting bills on the floor of the General Assembly or doing so within standing committees. Representatives Gannon and Varley expressed basic agreement with Senator Hill's view, although Representative Varley added that if there are three committee rooms available to the House of Representatives at any given time--as is presently the case--then it should be possible for standing committees to be working simultaneously toward the perfection of three pieces of legislation, rather than for the entire House to be working on one bill.

Senator Frommelt said that if the strengthening and improvement of the standing committee system is what the Procedures and Facilities Committee has in mind, the Committee's summary report should have said so more clearly. He added that in his view this would mean reducing the number of standing committees to which each legislator is assigned and making more time available for standing committee meetings, among other things.

Mr. Burks commented that the summary report submitted to the Council had been prepared after the adjournment of the Procedures

and Facilities Committee's meeting on the previous day, and prior to the meeting of the Studies Committee earlier on the present day. It is quite possible that due to the haste which was necessary in preparing the summary report, it did not accurately reflect all of the thinking of the Committee members on the previous day, particularly with respect to the necessity for strengthening the role of the standing committees if the suggested changes in legislative procedure were to be put into effect.

Speaker Harbor stated that the occurrence of numerous power failures during the previous afternoon had led the Procedures and Facilities Committee to inquire whether any of the \$200,000 appropriated by the 1969 session to the Superintendent of Buildings and Grounds for major repairs, including rewiring of the Capitol building had in fact been used for upgrading the wiring in the building. Chairman Lange recognized Assistant Superintendent of Buildings and Grounds Leonard Ryan, who explained that prior to the 1969 session the Department of Buildings and Grounds had requested a total of \$249,000 for a number of specific items, and that this request had been cut to \$200,000 and the reference to rewiring the Capitol building had been inserted by amendment. Mr. Ryan then briefly reviewed the information which he had presented to the Procedures and Facilities Committee on the previous afternoon.

In answer to questions of Council members, Mr. Ryan stated that it has been recommended that the Capitol building's present 200 KVA transformers be replaced by 500 KVA transformers, and placed in a more suitable location. The transformers are owned by the state, as part of an arrangement under which the state enjoys a more favorable rate for purchase of electric power than could be obtained if the electric company provided and maintained the transformers. Although the overall demand for electrical current in the Capitol has increased greatly in recent years, the building is receiving enough current to meet all demands, but the wiring is not adequate to handle this amount of current after it enters the building. Rewiring is therefore desirable, and ultimately it will be necessary to request that the General Assembly appropriate the funds to do this, but Mr. Ryan asserted there is no immediate danger of fire due to faulty wiring in the Capitol building.

Senator Frommelt declared that under section 19.18 of the Code, the Executive Council may draw upon the unappropriated balance in the General Fund to repair and maintain the buildings and grounds of the state at the seat of government, and that if the wiring in the Capitol building needs to be replaced the Executive Council can and should do so under section 19.18. In response to a question by Senator Hill, Council members expressed general agreement that rewiring of the Capitol building would be a repair. Representatives McCartney and Varley expressed dismay that this work has not already been done, in view of the legislative mandate in chapter 23, section 1, Acts of the Sixty-third General Assembly, First Session. Mr. Ryan reiterated that the request pursuant to which this appropriation had been made had been premised on other needs, and that the amount appropriated had not

been sufficient to meet these needs and also rewire the Capitol building. Representative Gannon pointed out that in any case the decision as to how these funds should be expended was not Mr. Ryan's responsibility, and that he personally should not be subject to criticism if the Legislative Council is dissatisfied with the manner in which this money was spent.

Speaker Harbor then moved that Chairman Lange write a letter to the Executive Council expressing the views just stated by members of the Legislative Council with respect to the need for rewiring of the Capitol building and the manner in which this might be accomplished. The motion was seconded by Senator Rigler and unanimously adopted.

Chairman Lange then recognized Mr. Frank L. Pulley, consulting engineer, who presented the report of a study requested by the Legislative Council relative to the air conditioning of the Senate and House of Representatives chambers. A copy of the report, consisting of 14 pages bound in heavy paper, is on file in the offices of the Legislative Service Bureau. The report states, essentially, that air conditioning of the Senate and House chambers by an electric motor driven centrifugal water chilling machine installed in the attic area above the chambers is entirely feasible, and will in no way disfigure the decoration of either chamber. Mr. Pulley estimates the total cost of installing such equipment, including reserve capacity for future connection to the present Law Library, at \$163,240.

Vice Chairman McCartney assumed the chair at 3:00 p.m.

In answer to questions from Council members, Mr. Pulley stated that his estimate is based on the assumed necessity of making necessary changes in what is presently a basically inadequate wiring system. However, if the Capitol building is rewired pursuant to the recommendation which the Legislative Council had just voted to forward to the Executive Council, the cost of installing the air conditioning equipment for the Senate and House chambers presumably would be favorably affected. The study on which the report just submitted by Mr. Pulley is based had been limited to air conditioning of the legislative chambers, however in 1966 Mr. Pulley had done a preliminary study of the feasibility of installing an integrated air conditioning system for the entire Capitol building. At that time, the total estimated cost of such a project would have been in the neighborhood of 1 1/3 million dollars, but would presumably be substantially higher now. Mr. Pulley expressed the opinion that it would be cheaper, overall, to air condition the entire building than to air condition the legislative chambers separately and later install other air conditioning equipment to serve the balance of the building, and the former alternative would also be preferable from an engineering point of view.

After a brief discussion, it appeared to be the consensus of Council members that installation of a single integrated air conditioning system for the entire Capitol building would be too costly to consider at this time, and would in any case require action by the General Assembly. The Legislative Council has sufficient authori-

ty to seek bids and award a contract for the air conditioning of the legislative chambers only, but even if this process were initiated immediately the project could not be completed prior to the convening of the 1971 session. It was decided to defer action on the matter until the next Council meeting.

Vice-Chairman McCartney recognized Representative John Camp, who was present to discuss with the Council his request for approval of a legislative study committee to consider a state building code enabling act. Mr. Ken Henke and Mr. Richard Sale of the Office for Planning and Programming were also present to discuss the building code study proposal. Representative Camp explained that he believes a legislative study committee should be appointed to become familiar, prior to the 1971 session, with a bill developed by the Office for Planning and Programming from House File 36 of the Sixty-third General Assembly, which had been introduced by former Representative James Klein but had not been passed.

Representative Camp continued that House File 36 had been modeled on a New York State statute. The proposed new bill, a summary of the principle provisions of which is attached to and by this reference made a part of these minutes, would provide a modern easily understood uniform building code which could be adopted by cities, towns, or counties which would not be able to afford the expense involved in preparation of their own individual local building code.

Representative Sorg moved that the Legislative Council authorize the creation of a special study committee, composed of six members appointed by the Chairman of the Council and authorized not to exceed four meetings, for the purpose of preparing in bill form a permissive building code enabling act, along the lines of the proposal developed by the Office for Planning and Programming and discussed at the present meeting by Representative Camp. The motion was seconded by Representative Charles Miller.

Representative Cannon expressed opposition to the motion, on the grounds that there is no need for a legislative study because the problem has already been identified and a solution worked out in general terms, so that all that really remains is to place the needed legislation in proper form for introduction in 1971. Representative Cannon added that he favors the particular legislation under discussion, but that it appears that what is being sought is not a study committee in the usual sense but rather appointment of a committee of legislators to begin working now to insure passage of the proposed legislation at the next session. Representative Cannon asserted that Council authorization for establishment of a study committee under such circumstances would be a bad precedent, and would result in requests from a number of other state agencies for establishment of so-called legislative study committees for similar purposes.

Senator Hill inquired which standing committees are likely

to have jurisdiction over the proposed building code enabling legislation. Representative Camp replied that House File 36 was assigned to the State Government Committee in the Sixty-third General Assembly. Representative Fisher commented that the Office of Municipal Affairs in the Office for Planning and Programming was slow in being established, and that he believes this is one of the reasons why House File 36 did not receive greater consideration in 1969 and 1970.

Senator Hill moved to amend Representative Sorg's motion so as to provide that members of the study committee be drawn from the standing State Government Committees of the Senate and House of Representatives. Vice Chairman McCartney called for a discussion on the motion to amend.

Representative Varley questioned the advisability of such a restriction, pointing out that legislators who are not members of the State Government Committees may nevertheless be interested in and informed about building code legislation. Senator Lamborn expressed support for the Hill amendment, explaining that he has found that where members of a study committee are not members of the standing committee to which legislation recommended or considered by the study committee is subsequently referred, it is necessary to begin all over to inform the members of the standing committee about the provisions of and need for the legislation in question.

After further discussion, the question was called for on Senator Hill's amendment and a roll call vote was requested. The amendment was adopted by a vote of 6 to 5. Those voting aye were Senators Frommelt, Hill, and Lamborn, and Representatives Cochran, Gannon, and Leroy Miller; those voting nay were Vice Chairman McCartney, Senator Rigler, and Representatives Charles Miller, Sorg, and Varley.

Senator Frommelt expressed agreement with Representative Gannon's earlier comment that the intent of the request for a building code study committee appears to be to work toward passage of legislation which is already largely drawn, rather than to study a problem and consider possible alternative solutions. He pointed out that some of the cost of the study committee would be wasted if legislators appointed to the committee for the purpose of familiarizing themselves with the proposed building code enabling act were not re-elected to the Sixty-fourth General Assembly.

Senator Hill stated he believes that study of proposed legislation, as opposed to development of new legislation, is a legitimate use of interim study committee time. However, he agreed with Senator Frommelt that there is a risk that the legislators who have informed themselves about the subject under consideration may not be re-elected, in which case much of the benefit of the study committee's work may be lost.

In reply to questions by Representative Gannon, Representative Camp stated that he was the chairman of the subcommittee of

the House State Government Committee to which House File 36 was assigned in the Sixty-third General Assembly, and that while formal public hearings had not been held on the bill, a number of individual legislators informed subcommittee members that they had objections to the bill. Representative Camp stated that many of these objections were not specific in nature, but apparently were based on opposition to any building code legislation which would apply to rural areas. He expressed belief that many of these objections were due to failure of legislators to realize that House File 36 was permissive rather than mandatory in nature, and that one of the functions of a study committee during the present interim would be to try to reduce such misunderstandings in the future.

Representative Gannon asserted that Representative Camp's replies were general in nature, and that he had not enumerated one specific objection raised by any individual legislator to House File 36. Representative Gannon stated that under these circumstances he could not support the motion to authorize a building code study. Senator Frommelt agreed, pointing out that the standing State Government Committees are entitled to one meeting during the interim without Legislative Council authorization, and that such a meeting could be used to review and explain the proposed building code enabling act.

The question was called for on Representative Sorg's motion as amended. The amended motion was adopted on a voice vote.

Copies of a letter to Chairman Lange from Senator Jim Griffin and Representative Harold O. Fischer, Chairmen of the standing Senate and House Committees on Commerce, requesting authorization for continued study of the Uniform Consumer Credit Code, were distributed to Council members. Vice Chairman McCartney stated that, in view of the lateness of the hour, the matter should be taken under advisement by Council members and action deferred until the next Council meeting.

Chief Clerk of the House William Kendrick distributed copies of specifications for the new carpeting to be installed in the legislative chambers, which had been drawn up pursuant to the Council's special July 2 meeting. The minutes of the July 2 meeting were also distributed. Mr. Kendrick briefly summarized the carpet specifications.

Senator Frommelt objected to the provision in the specifications requiring each bidder to submit a drawing showing the proposed location of all carpet seams. He explained that this might place some bidders at an unfair disadvantage, because they might attempt to arrange the seams so as to use the least possible carpet, and then find that a higher bid had been selected in preference to theirs because the members of the Council preferred another seam arrangement.

Vice Chairman McCartney asked Mr. Charles Storey, who was also present for the discussion of the carpet specifications, whether he believes it would be better to state in the contract specifications

how the carpet seams shall be arranged. Mr. Storey replied that this could be done without difficulty. In answer to other questions, Mr. Storey stated that the use of a greater number of seams might allow coverage of a larger area with less carpet, but that the greatest wear tends to occur at the seams.

Representative Gannon moved that the carpet specifications be revised so as to set forth the seam pattern which must be followed in laying the carpet in the legislative chambers. The motion was seconded by Senator Lamborn and unanimously adopted.

Senator Rigler questioned the provision on page 6 of the carpet specifications, as distributed by Mr. Kendrick, requiring that the carpet cushion shall be "100% hair cushion as manufactured by the Ozite Carpet Corporation." Mr. Storey stated that this is merely a substitute for a longer and more technical generic description, and does not actually restrict all bidders to use of Ozite carpet cushion.

In response to a question whether the contract specifications as written would eliminate any potential bidders on the new carpet for the legislative chambers, Mr. Storey stated that anyone who deals solely in tufted carpet would be eliminated but that there are seven or eight mills in the United States which make woven carpet, and anyone who can obtain the products of one of these mills would be in a position to submit a bid.

Senator Rigler then moved that on page 7, under the heading "Installation" the sentence reading "Carpet laying labor shall be compatible with other building trades" be struck. The motion was seconded by Senator Lamborn.

Senator Rigler explained that he objects to the provision in question because he considers it virtually a notice to small-town carpet firms employing non-union labor that they may not bid unless they are willing to employ union personnel, rather than their regular people, on the legislative chamber project. Representative Sorg and Mr. Kendrick cautioned that elimination of this provision could lead to labor difficulties which would delay the installation of the new carpet, and thereby delay completion of the redecoration of the legislative chambers past the date for the convening of the 1971 legislature. Mr. Kendrick pointed out that installation of the carpet in 1964 had been delayed by a jurisdictional strike.

After further discussion, the question was called for on Senator Rigler's motion, and a roll call vote was requested. The motion failed by a vote of 4 to 6. Those voting aye were Vice-Chairman McCartney, Senators Lamborn and Rigler, and Representative Varley; those voting nay were Senators Frommelt and Hill, and Representatives Cochran, Gannon, Leroy Miller, and Sorg.

It was agreed that the specifications for laying the new carpet in the legislative chambers would be revised in accordance with the Council action at the present meeting, and that the actual

contract would be prepared in consultation with the Attorney General's office. Representative Leroy Miller then moved that the carpet specifications be adopted as amended. The motion was seconded by Senator Hill and passed on a voice vote, Senator Rigler voting no.

The meeting was adjourned at 4:15 p.m.

Respectively submitted,

PHILIP E. BURKS
Senior Research Analyst