

M I N U T E S

IOWA LEGISLATIVE COUNCIL

May 10, 1972

The eleventh meeting of the 1971-73 Legislative Council was called to order by the Council Chairman, Representative Andrew P. Varley, at 10:20 a.m., Wednesday, May 10, 1972 in the Speaker's Room, State House, Des Moines. Council members attending the meeting in addition to Chairman Varley were:

Senator Clifton C. Lamborn, Vice Chairman
Senator James E. Briles
Senator Lee H. Gaudineer, Jr.
Senator Eugene M. Hill
Senator Vernon H. Kyhl
Senator William D. Palmer
Senator John C. Rhodes (see below)
Representative Michael T. Blouin
Representative Dale M. Cochran
Representative Dennis L. Freeman
Representative Nathan F. Sorg
Representative Delwyn Stromer

Other legislators present were Representative Richard W. Welden, Chairman, and the members of the legislative Higher Education Study Committee, and Representatives William E. Gluba and Arthur A. Small, Jr. Director Serge H. Garrison, Mrs. JoAnn Brown, Phil Burks and Thane Johnson of the Legislative Service Bureau staff and a number of representatives of the news media and other interested persons were also present.

On motion of Representative Sorg, seconded by Senator Lamborn, the minutes of the April 12, 1972, Council meeting were approved as submitted to Council members.

Chairman Varley read to the Council a letter from Lieutenant Governor Roger W. Jepsen announcing the resignation from the Council of Senators S. J. Brownlee and John M. Walsh, and the appointments of Senators John Rhodes and George Milligan to fill the vacancies created. Chairman Varley noted Senator Rhodes' presence, and formally welcomed him to the Council.

Chairman Varley recognized Representative Welden, who presented to the Council the matter of the Higher Education Study Committee's proposal to employ a consultant to assist in its study. (See minutes of the Legislative Council's meeting of December 8, 1971, pages 4-6.) A copy of a letter from Mrs. Brown to members of the Council regarding this matter, dated May 4, 1972, and accompanying documents including a draft contract for employment by the Council of a consultant for the Study Committee and a proposal for a comprehensive study of planning and coordinating higher education programs and facilities in Iowa, are attached to and by this reference made a part of these minutes.

Representative Welden stated that several prospects for employment as the Study Committee's consultant were available for interview by members of the Study Committee later in the day, and that the main reason for the Study Committee's meeting with the Council at this time was to determine whether the Council objects to the proposal to employ a consultant, and if not, what procedure should be followed in making an agreement for employment of an individual in this position. In response to questions from Senators Gaudineer and Kyhl, Representative Welden stated that the Study Committee does wish to hire a consultant and that the purposes for which the Study Committee proposed to do so are set forth in the material sent to Council members by Mrs. Brown.

Representative Blouin moved that the Council approve the proposal of the Higher Education Study Committee to employ a consultant in the manner and for the purposes set forth in the material mailed to Council members by Mrs. Brown. The motion was seconded by Senator Gaudineer.

Senator Hill inquired whether the master plan for higher education which the Study Committee hopes to begin developing will eventually be used to help guide the Board of Regents in allocating resources among the three state universities. Representative Welden replied that while some indirect use of the master plan might be made for this purpose, its primary purpose is to determine allocation of available resources between the Board of Regents institutions, the public area community colleges and vocational schools, and the private colleges and universities in the state. In answering further questions from Senator Hill, Representative Welden stated that the Study Committee can only hope to formulate the broad framework of a true master plan for higher education in Iowa, and that in any case the master plan would be essentially meaningless unless it is implemented by the Legislature. There was some discussion of the role of the state relative to private colleges, and the extent to which the state does or may in the future exercise control over these colleges through various forms of financial assistance such as tuition grants.

In response to questions from Senator Lamborn and Representatives Cochran and Sorg, Representative Welden stated that the Study Committee had conferred with the Higher Education Facilities Commission before formulating the budget for employment of the proposed consultant, and that it is believed that this budget is realistic. Representative Welden added that it represents the equivalent of one full-time employee, and that all funding is being received from the federal government through the Higher Education Facilities Commission.

Representative George Pierson, a member of the Study Committee, stated that if pending federal legislation to provide

additional federal funds to states in the area of higher education is enacted by Congress, the state will be required to have a master plan for higher education as a condition to participating in the available funds. Representative Pierson added that the Study Committee has now found the necessary funds to finance the employment of a consultant to help develop the framework for this plan, and is in effect asking the Council whether it should go ahead and hire an individual for this position or whether the Council wishes to select the individuals to be employed.

Senator Hill asked if it is not true that Iowa has already submitted an education master plan which has been approved by the federal Department of Health, Education and Welfare. Representative Pierson and Senator Minnette Doderer, another Study Committee member, expressed doubt that any plan covering post-high school education has been submitted. Representative Welden commented that possibly the Higher Education Facilities Commission may have submitted some sort of plan covering physical facilities only, but said he believes Representative Pierson and Senator Doderer are probably right.

Senator Marvin W. Smith, a member of the Study Committee, said that the 1959-61 study of post-high school educational needs in Iowa by Professor Gibson of the University of Indiana has proven to be of immense value in the succeeding years. He added that events have shown that Professor Gibson was able to predict with startling accuracy the growth of enrollment in post-high school educational institutions in Iowa during the past decade, and expressed the opinion that a study such as the Study Committee is now proposing will in the long run save money as well as help to make possible the formulation of more realistic plans in the field of higher education in Iowa.

Senator Lamborn noted that it now appears that only one of the Senators serving on the Higher Education Study Committee plans to seek reelection, and that the possibility exists that there will be no carry-over membership from the Study Committee in the Senate in the Sixty-fifth General Assembly. He asked whether this should not be a consideration in the Study Committee's planning and procedure. Representative Welden agreed that this factor should perhaps be considered.

Representative Sorg, referring to Mrs. Brown's letter of May 4, asked whether it is now certain that the Study Committee will receive the federal grant discussed in the letter. Representative Welden replied in the affirmative, and Mr. Garrison commented that confirmation of the approval of the grant had arrived the day after Mrs. Brown's letter was mailed to Council members.

Representative Blouin's motion to approve the Study Committee's request was then adopted by a voice vote. The members of the Higher Education Study Committee and Mrs. Brown left the Council meeting at 10:50 a.m.

The Council next considered the report of its Studies Committee, submitted pursuant to the Committee's meeting held on the previous day to draw up a list of recommended appointees to vacancies on legislative study committees continued from the previous interim, and to study committees newly established by action of the Council at its April 12 meeting. A copy of the Studies Committee's report is attached to and by this reference made a part of these minutes.

On motion of Senator Gaudineer, seconded by Senator Kyhl, the appointment of Representative Barton L. Schwieger to the Transportation Study Committee, succeeding the late Representative Dewey E. Goode, was unanimously approved.

On motion of Senator Kyhl, seconded by Representative Sorg, the appointments of Senator Minnette Doderer and Representative Joan Lipsky to the vacancies created by enlargement of the Penal and Correctional Systems Study Committee were unanimously approved.

Senator Lamborn explained that the Studies Committee's recommendation that advisory member Jan Hollins be paid a consultant's fee of \$17.00 for each day he attends a meeting of the Penal and Correctional Systems Study Committee had been made because Mr. Hollins has been a particularly valuable member of the Study Committee, and all of the legislative members agree that it is highly desirable to retain him on the Study Committee if at all possible. Mr. Hollins has been released from the penitentiary at Ft. Madison and is now employed, and cannot afford to continue serving on the Study Committee unless he is reimbursed for the pay which he loses by taking time off work to attend its meetings. In response to a question from Representative Sorg, Senator Lamborn and Mr. Garrison indicated that Mr. Hollins' employer has agreed to permit him time off work to continue serving on the Study Committee if he wishes to do so. Senator Briles then moved that the payment of a consultant's fee to Mr. Hollins for attending meetings of the Study Committee be approved. The motion was seconded by Senator Kyhl and unanimously adopted.*

*NOTE: Following the Council meeting it was discovered that the estimate of Mr. Hollins loss of wages was based on a seven day a week pay plan which most state employees are under. However, Mr. Hollins receives an hourly rate and thus his actual loss of pay would be \$25.28 per day. Don Hoskins of the Service Bureau staff informed by mail members of the Council of the erroneous

assumption, and a mail vote indicated that a majority of the Council members favored paying Mr. Hollins \$25.28 as a consultant fee for attending meetings of the Penal and Correctional Systems Study Committee.

Chairman Varley noted that at the Council's April 12 meeting, a motion had been adopted to add one additional legislator from each house to the Land Use Policies Study Committee, but that pursuant to further review of the situation the Studies Committee at its meeting on the previous day had agreed to recommend the addition of two more legislators from each house to this Study Committee. On motion of Representative Sorg, seconded by Representative Cochran, the appointments of Senators Leigh Curran and William Palmer and Representatives Ivor Stanley and Arthur Small, Jr. to the vacancies created by enlargement of the Land Use Policies Study Committee were unanimously approved.

On motion of Senator Palmer, seconded by Representative Blouin, the appointment of Polk County Attorney Ray Fenton as an advisory member of the Criminal Code Review Study Committee, succeeding former Story County Attorney Charles Vanderbur, was unanimously approved. It was noted that the appointment of a district judge to succeed Judge Mark McCormick, now a member of the Iowa Supreme Court, and the appointment of another advisory member to succeed Mr. David J. Dutton have been deferred to permit present members of the Study Committee to make recommendations regarding these appointments.

On motion of Senator Lamborn, seconded by Representative Blouin, the proposed membership of the Law Enforcement Training Programs Study Committee was unanimously approved.

On motion of Senator Gaudineer, seconded by Senator Lamborn, the proposed membership of the new Railroad Service Study Committee was unanimously approved.

Action on the proposed membership of the new Taxation Study Committee was temporarily deferred.

On motion of Senator Kyhl, seconded by Senator Lamborn, the proposed membership of the new Supreme Court Study Committee was unanimously approved.

Representative Freeman expressed some concern about the proposed membership of the Health Maintenance Organizations Study Committee, but made no specific suggestions for changes. On motion of Representative Sorg, seconded by Senator Lamborn, the proposed membership of the Study Committee was unanimously approved.

Representative Sorg noted that none of the individuals proposed as members of the new Professional and Occupational Licensing Study Committee are, to his knowledge, holders of professional or occupational licenses themselves. Representative Sorg noted that a number of individuals presently serving in the General Assembly do hold such licenses, and asked whether it would not be desirable to include some of them on this Study Committee. Senators Gaudineer and Lamborn expressed belief that the Study Committee should utilize advisory members for direct input from license holders, if it so desires, but that the legislative members of the Study Committee should be personally disinterested. On motion of Senator Hill, seconded by Senator Kyhl, the proposed membership of this Study Committee was then unanimously approved.

Representative Cochran stated that because of contacts he had made since the Studies Committee meeting on the previous day, he would like to substitute Representative Sam Anania for Representative Donald Doyle on the proposed membership of the new Regulation of Consumer Credit Charges Study Committee, making Representative Doyle a proposed member of the new Taxation Study Committee on which it had originally been proposed to place Representative Anania. On motion of Representative Cochran, seconded by Senator Kyhl, this exchange was unanimously approved.

On motion of Senator Kyhl, seconded by Representative Sorg, the proposed membership of the new Consumer Credit Charges Study Committee was unanimously approved.

Senator Lamborn noted that one vacancy appeared in the list of proposed Senate members of the new Taxation Study Committee appearing in the Studies Committee's report. He asked that Senator Alden J. Erskine be added to the list of proposed members of this Study Committee, subject to a possible change if Senator Erskine ultimately decides against seeking reelection to the General Assembly.

Representative Freeman stated that he believes a change in the proposed membership of the new Taxation Study Committee should be seriously considered. He pointed out that no member of the Legislative Council is proposed for appointment to this Study Committee, which could result in difficulty in maintaining close liaison between the Council and this Study Committee during the interim. He also noted that, should the present majority party retain control of the House, there could conceivably be a problem of availability of a returning majority party member of the Study Committee to handle legislation arising from the study on the floor of the House.

Chairman Varley replied that each proposed House appointee to the Taxation Study Committee has been carefully

selected for background, interest, or both. He added that the appointments to this and the other new study committees have been fully discussed with Speaker of the House William Harbor and have not been made without consideration.

Representative Blouin commented that possibly there is a potential dilemma between the desirability that members of this Study Committee be knowledgeable and the desirability that as many members of the Study Committee as possible be members of the next General Assembly. Chairman Varley and Representative Sorg stated that retiring legislators can still make valuable contributions to legislative interim studies in areas in which they have knowledge and concern.

Senator Kyhl commented that it should be kept in mind that the new Taxation Study Committee is, in effect, taking over the areas of concern of two different study committees which functioned during the previous interim, and that while Representative Alt is a retiring legislator he was chairman of the one of the previous study committees and presumably would have retained that position had that study committee been continued.

Representative Sorg then moved that the Council approve the proposed membership of the new Taxation Study Committee. The motion was seconded by Representative Blouin and adopted by a voice vote.

Chairman Varley asked that the Council next consider the Studies Committee's recommendations concerning establishment of joint interim subcommittees of standing committees. Copies of letters relative to these recommendations, sent to Mr. Garrison from Senator Harold Thordsen and Representative Perry Christensen, respective chairmen of the Senate and House Law Enforcement Committees, Representative L. W. Kehe, chairman of the House Environmental Preservation Committee, and Representative Charles F. Strothman, Chairman of the House Agriculture Committee, are attached to and by this reference made a part of these minutes.

On motion of Representative Cochran, seconded by Senator Kyhl, the recommendation that the Unified Law Enforcement Agencies Subcommittee of the joint Law Enforcement Committees consist of six members and be initially authorized a total of three meetings was unanimously approved.

With respect to the recommendation in regard to the Grain Alcohol Motor Fuel Subcommittee, Senator Hill inquired why this study was assigned to the standing Environmental Preservation Committees, rather than the Agriculture Committees. Representative Cochran replied that lead from motor fuel is a leading pollutant of the atmosphere and that petroleum is regarded by some authorities

as at least potentially a dwindling natural resource, and that for these reasons the study was assigned to the Environmental Preservation Committees although it could have logically been assigned to the Agriculture Committees.

Representative Cochran also commented that authorizing this subcommittee four meetings rather than three, would allow it to hold two two-day meetings if it so desires.

On motion of Representative Stromer, seconded by Senator Lamborn, the recommendation that this Subcommittee consist of six members and be initially authorized a total of four meetings was unanimously approved.

On motion of Representative Sorg, seconded by Senator Briles, the recommendation that the Milk and Milk Products Standards Subcommittee of the joint Committees on Agriculture consist of six members and be initially authorized a total of three meetings was unanimously approved.

In regard to the Studies Committee's recommendation that the Council authorize establishment of an interim subcommittee to conduct further study of the no-fault automobile insurance plan, Representative Blouin inquired whether such a subcommittee, if it is established, will be allowed to finish its work this interim. He asserted that a similar subcommittee which functioned during the previous interim was unable to complete its work because the Council refused to authorize it one additional meeting. Chairman Varley agreed that approval for an additional meeting had been refused the subcommittee in question, but noted that the plan on which the subcommittee was then working was quite similar to that which was subsequently ruled unconstitutional in Illinois.

In the course of further discussion, Mr. Garrison remarked that if a no-fault automobile insurance subcommittee is authorized for the present interim, it will have the benefit of the new draft being prepared by the National Conference of Commissioners on Uniform State Laws. He stated that this draft should be available by the end of the summer.

Senator Lamborn moved that the Studies Committee's recommendation regarding establishment of a no-fault automobile insurance subcommittee be approved. The motion was seconded by Representative Stromer, and adopted on a voice vote.

Senator Gaudineer objected to the action just taken by the Council, stating that although the report prepared for submission by the Studies Committee to the full Council indicates the no-fault study is to be conducted by a subcommittee of the standing Committees on Commerce, there had been no reference during the

discussion at the previous day's Studies Committee meeting to the Commerce Committees. He asked that the relevant portion of the minutes of that meeting be read.

Mr. Burks stated that no minutes of the Studies Committee's meeting had been transcribed other than the report submitted to the full Council for its consideration at the present meeting. However, he read the following passage from his own longhand notes taken at the previous day's Studies Committee meeting:

"Motion by Lamborn, second by Kyhl, 6 mbr. subcom. to study no-fault--disc'n--Lamborn, Kyhl, Varley, aye; Cochran & Gaudineer, no."

Senator Gaudineer asserted that the passage just read by Mr. Burks correctly reflects the discussion and action at the Studies Committee's meeting on the previous day in that there is no specific reference to any standing committee as being the parent group from which the proposed subcommittee will be drawn.

In response to an inquiry by Chairman Varley, Senator Lamborn stated that it was the intent of his motion which had just been adopted that the no-fault automobile insurance study be conducted by a subcommittee of the standing Committees on Commerce, as stated by the final paragraph of the Studies Committee report to the full Council. Chairman Varley stated that it was also his impression that Senator Lamborn's motion had been so intended, and that the motion had been duly adopted by the Council.

Senator Palmer moved to reconsider the action by which the Council adopted Senator Lamborn's motion to approve the Studies Committee's recommendation for establishment of a subcommittee of the standing Committees on Commerce to conduct further study of no-fault automobile insurance plans during the interim. The motion to reconsider was seconded by Representative Blouin.

Senator Gaudineer stated that he objects to the proposed study being conducted solely by members of the Committees on Commerce because he feels that under these circumstances the insurance industry will, in effect, control the subcommittee. He asserted that at least some national insurance companies are interested in promoting certain types of no-fault automobile insurance plans as a means of simultaneously lowering premiums and increasing profits at the expense of accident victims who are usually plaintiffs in law suits against insurance companies. He added that attorneys with experience in representing plaintiffs in such law suits are best able to represent the interest of accident victims in consideration of no-fault automobile insurance plans, and for this reason any subcommittee making such a study should include members drawn from the standing Committees on Judiciary.

Senator Lamborn replied that it was certainly not his intent to load the proposed subcommittee with persons favorable to the insurance industry's position. He suggested that the subcommittee could include some legislators who are members of both the Judiciary and Commerce Committees.

After further discussion, Senator Palmer's motion to reconsider was adopted by a roll call vote of nine to four. Those voting yes were Senators Lamborn, Gaudineer, Hill, Kyhl, Palmer and Rhodes and Representatives Blouin, Cochran and Freeman; those voting no were Chairman Varley, Senator Briles and Representatives Sorg and Stromer.

Senator Gaudineer then moved that Senator Lamborn's motion be amended so that the proposed subcommittee to study no-fault automobile insurance plans include two members from the standing Committee on Commerce and one member from the standing Committee on Judiciary in each house. The motion was seconded by Senator Hill.

Senator Briles inquired how, if such an arrangement is approved, the decision will be made from which standing committees the minority party membership will be drawn. Senator Gaudineer replied that this would have to be worked out by the respective standing committee chairmen.

Senator Gaudineer's motion to amend the original motion was adopted by a voice vote. On motion of Representative Cochran, seconded by Senator Briles, the original motion as amended was then adopted by a voice vote.

After a brief discussion, Representative Sorg suggested that the next meeting of the Legislative Council be held at the customary time on the second Wednesday of the following month, which would be June 14. There being no objection, the Chairman so ordered. It was agreed that Speaker Harbor will be consulted about a possible meeting of the Council's Procedures and Facilities Committee on the preceding day.

The meeting was recessed at 11:40 a.m., and reconvened in the Speaker's Room at 1:35 p.m. All Council members and Legislative Service Bureau staff personnel present when the meeting was recessed were again present for the afternoon session except Senator Gaudineer and Representative Freeman. Also present for the afternoon session were Senator Bass Van Gilst and Executive Secretary Earl Nelson of the Commission on the Aging.

Chairman Varley recognized Senator Van Gilst for the report on activities of the Commission on the Aging, and comments relative to the request for establishment of a study committee to

consider the quality of life of Iowa's elderly citizens (S.C.R. 129, H.C.R. 136), requested by the Legislative Council at its previous meeting. Senator Van Gilst noted that in addition to himself and Senator Rhodes, Senator Tom Riley and Representatives Tom Dougherty, A. Gordon Stokes and Clair Strand are the legislators who serve on the thirteen-member Commission on the Aging.

Senator Van Gilst explained in general terms the Commission on the Aging's current activities. He stated that some parties, including some agencies of the federal government, seem to feel that the Commission should operate as a service agency but that the Commission members are not at all sure they have such authority under law.

Senator Van Gilst stated that the reason for seeking establishment of a legislative study committee to be concerned with the problems of the aging in Iowa is that study committee bills carry more weight in the General Assembly than do individual bills introduced by the legislators who serve on the Commission on the Aging. He said that the proposed study committee would not need to hold very many meetings, probably not more than two or three. It could receive input from the Commission on the Aging, which has extensive data available and has conducted much research into the needs and problems of Iowa's older citizens. The study committee could then evaluate this information, review proposed legislation and other recommendations suggested by the Commission on the Aging, and prepare a report to the Council. Senator Van Gilst expressed belief that bills arising from such a study would have a much better chance of receiving serious consideration by the legislature than similar bills individually introduced by himself and the other legislators who serve on the Commission on the Aging.

Senator Kyhl inquired whether, if the Council elected not to set up a special study committee for the purposes suggested by the Commission on the Aging, the Commission itself would be willing to make a report to the Legislative Council in the same manner as a study committee. Senator Kyhl suggested that the Council could consider these recommendations and report those with which it agrees to the full General Assembly just as it would if the recommendations had been made by a study committee. In response to comments from several Council members, Chairman Varley expressed belief that any procedural problems involved in the arrangements suggested by Senator Kyhl would not prove insurmountable.

In response to questions from Council members, Mr. Nelson stated that information on the major concerns of the Commission on the Aging has been made available to all legislators. He commented that the actions which were taken by the recent session of the General Assembly, relative to making public school food

service preparation facilities available for use by programs concerned with assuring adequate nutrition for the elderly and making discrimination on account of age specifically a concern of the state civil rights commission, were not the issues which the Commission on the Aging considers most important at this time.

Representative Blouin suggested that the purpose of the proposed study committee would be to identify the exact nature and extent of various problems of the elderly in Iowa, such as how many of them presently live alone, what their incomes are, etc. Mr. Nelson responded that information of this type has already been gathered by the Commission, and is to be found in its annually updated state data book which is available upon request to legislators.

Senator Hill pointed out that the aging persons in our society have a variety of needs, and suggested that the most effective course of action for the Commission on the Aging to follow would be to request meetings on specific problems with the various standing committees of the House and Senate. He stated that these meetings could be held either during the interim or early in the next session, and that the Commission could suggest to each standing committee specific legislation within its jurisdiction which the Commission believes is needed by Iowa's older citizens.

In response, Mr. Nelson pointed out that the Commission has had some difficulty in identifying those agencies or officers with specific responsibility in various areas in which older persons are experiencing particular problems. He added that persons who bring such problems to the Commission's attention often indicate that they expect the Commission itself to undertake the necessary action, but that the Commission sees its role as primarily that of bringing these problems to the attention of the responsible agency or officer rather than being a direct service agency itself. He also commented that the Commission sees its role as that of serving all aging persons in Iowa, not just those who are poor.

Chairman Varley observed that the Commission on the Aging already has a staff which is familiar with the problems of older persons in Iowa, and apparently has accumulated a considerable volume of information which would simply have to be explained to any study committee which might be set up so that the study committee could in turn make its report and recommendations to the Legislative Council and the General Assembly. For these reasons, he endorsed the procedure suggested earlier by Senator Kyhl. Senator Van Gilst commented that it would be a considerable help to the Commission on the Aging to obtain the backing of the Legislative Council for the Commission's legislative recommendations.

Senator Hill expressed objection to the procedure suggested by Senator Kyhl, stating that this would amount to routing legislative requests of the Commission on the Aging differently from those of other state agencies; for example, the Conservation Commission carries its recommendations to the standing Committees on Conservation. Senators Briles and Rhodes replied that no one standing committee has jurisdiction over all of the concerns of the Commission on the Aging. Senator Van Gilst commented that he is not sure that the Commission on the Aging has the authority to present legislative requests to various standing committees in the manner suggested by Senator Hill.

Representative Cochran pointed out that Iowa presently has the second largest proportion of elderly persons in its population of any state in the union, and stated that the problems of this group of people deserve priority consideration. He also expressed concern about the possible precedent of inviting a state agency to make a direct report to the Legislative Council, including legislative recommendations.

Representative Cochran then moved that the Council establish a six-member interim study committee for the purposes suggested by S.C.R. 129 and H.C.R. 136, with the understanding that this study committee will hold only a few meetings and will proceed in general in the manner suggested by Senator Van Gilst in his original presentation to the Council. The motion was seconded by Representative Blouin.

Chairman Varley remarked that he cannot understand why there is a need for a special study committee to consider the problems of aging citizens in Iowa when the Commission on the Aging has six legislative members and a staff of twelve persons. He then recognized Representative Gluba, who had requested an opportunity to speak on this matter.

Representative Gluba expressed support for Representative Cochran's motion. He stated that he had visualized a study committee made up of members from various standing committees within whose jurisdiction the concerns of the Commission on the Aging would fall. After citing specific examples of various problems which he stated such a study committee should consider, Representative Gluba concluded by pointing out that other study committees have been established in areas within which various statutory state agencies have responsibilities.

Senator Hill commented that while Representative Gluba's final statement is accurate in a narrow sense, it should be recognized that the state agencies to which he refers do not ordinarily have legislators serving as commission members or in a similar capacity. He again suggested that the Commission on the Aging make

specific presentations to the various standing committees of the Legislature.

Representative Sorg moved as a substitute for Representative Cochran's motion that the Commission on the Aging be requested to submit periodic reports and legislative requests to the Legislative Council. The substitute motion was seconded by Senator Kyhl.

Senator Palmer opposed Representative Sorg's substitute motion, stating that the General Assembly has demonstrated concern for the problems of aging citizens in Iowa, and that the Commission on the Aging is now seeking an indication of the Legislative Council's concern. He asserted that the study committee proposed by Representative Cochran's motion would not be a costly one, and added that he does not believe the General Assembly will give serious consideration to legislative requests of the Commission unless they have been reviewed by a study committee and acted upon by the Legislative Council.

After further discussion, Senator Kyhl observed that all members of the Council who have spoken apparently are basically agreed that the Commission on the Aging has done and can continue to do the groundwork which needs to be done in identifying the needs and problems of Iowa's aging citizens and proposing needed legislation to help in the solution of these problems, and that the main concern is that the Legislative Council find a way to add impetus to these recommendations. He added that the only issue apparently is how best to achieve this objective.

Representative Cochran agreed with Senator Kyhl's statement, but said that he does not feel that the procedure proposed by Representative Sorg's substitute motion would be as effective as establishment of a study committee for this purpose. Senator Rhodes agreed, adding that a study committee would give weight and status to the Commission's recommendations.

Representative Blouin stated that a pattern has developed in Iowa by which status is given to certain legislative proposals and areas of concern through the establishment of an interim study committee which makes recommendations to the next General Assembly. He expressed belief that the Commission on the Aging is fully entitled to similar consideration, and said that if the Council sees fit to defeat Representative Sorg's substitute motion, he would propose to have the legislative members of the Commission on Aging constitute the membership of the study committee proposed by Representative Cochran's original motion.

Representative Sorg's proposal was then substituted for Representative Cochran's original motion as the pending order of business by a roll call vote of six to five. Those voting yes were

Chairman Varley, Senators Lamborn, Hill and Kyhl and Representatives Sorg and Stromer; those voting no were Senators Briles, Palmer and Rhodes and Representatives Blouin and Cochran. Chairman Varley noted that this action did not constitute adoption of the substitute motion, since that action could be taken only by a majority of the full Council membership, nine votes.

Senator Briles briefly explored the possibility of adopting the suggestion advanced by Representative Blouin, that the legislative members of the Commission on the Aging be designated to serve as a study committee on the problems of the aging. In answer to a question as to whether the expenses so incurred could be paid by the Commission, Senator Rhodes pointed out that legislators serving on the Commission receive no per diem for attending its meetings, as do members of study committees.

Representative Cochran stated that he considers the Council's action in adopting Representative Sorg's substitute motion a case of false economy. He added that in his view the procedure of having the Commission on the Aging present its recommendations to the Legislative Council would merely be window dressing.

Chairman Varley responded that in his opinion making the same six legislators who serve on the Commission on the Aging a study committee on the problems of the aging for the purpose of submitting a report to the Legislative Council would be window dressing. Representative Stromer commented that if the Council concludes later in the interim that there is no other way to provide the desired impetus for the recommendations of the Commission on the Aging, it can establish a study committee in the manner proposed by Representative Cochran at that time and there will still be time to achieve the intended purpose. Senator Hill commented that in his view the discussion which had been taking place in the last few minutes had tended to downgrade the Commission on the Aging, rather than lend it support.

Representative Cochran then moved the content of his original motion as a substitute for the substitute motion by Representative Sorg. Chairman Varley ruled this motion out of order.

Representative Blouin moved to amend the substitute motion so as to give the six legislative members of the Commission on Aging the status of a study committee for the purpose of preparing the report to the Legislative Council requested by the substitute motion, and to authorize these six legislators two paid meetings during the present interim for this purpose. Representative Blouin's proposed amendment was defeated on a roll call vote of five to six. Those voting yes were Senators Briles, Palmer and Rhodes and Representatives Blouin and Cochran; those voting no were Chairman Varley, Senators Lamborn, Hill and Kyhl and Representatives Sorg and Stromer.

The substitute motion by Representative Sorg then failed on a roll call vote of eight to three, nine affirmative votes being required for adoption. Those voting yes were Chairman Varley, Senators Lamborn, Briles, Hill, Kyhl and Rhodes and Representatives Sorg and Stromer; those voting no were Senator Palmer and Representatives Blouin and Cochran.

Chairman Varley inquired whether there were requests from standing committees of the Senate or House for establishment of interim subcommittees, which had not been acted upon by the Council. Mr. Garrison replied that Representative Harold O. Fischer, Chairman of the House Commerce Committee, had indicated he would like to have standby authority for continuation of the Commerce Commission Subcommittee which functioned during the 1971 interim. The Council took no action on the request.

Mr. Garrison stated that the Legislative Service Bureau's budget for the coming fiscal year will be submitted for consideration by the Council at the scheduled June 14 meeting. He added that it is also anticipated that arrangements will be made for Citizen's Aide Lawrence Carstensen to meet with the Council on that date since the Council will assume responsibility for this office on July 1.

Mr. Garrison reported that considerable information has been gathered in regard to the possible availability of federal and other funds to be used in the construction of one or more state office buildings. He added that the Council had requested a report on this matter at its June meeting, but that the illness of Representative John Camp may affect the timing of this presentation.

Senator Briles stated that he had one additional matter which he wished to bring before the Council before adjournment. He called attention to the recent controversy over the allocation of funds between the two Area XIII Community College attendance centers at Clarinda and at Council Bluffs. Senator Briles stated that the Budget and Financial Control Committee had met with the board of the Community College, and he added that in his view the BFCC had made clear what Senator Briles termed the legislative intent in the matter, but that the area school board had in effect disregarded the BFCC's position in its subsequent actions.

Senator Briles stated that he considered it possible that similar problems may arise elsewhere in the state in the near future. He therefore suggested that the Council authorize establishment of a study committee with jurisdiction in this area, on a standby basis and not to be activated at this time.

Senator Hill expressed opposition to Senator Briles' proposal. He commented that matters of this kind are better left to local boards to settle, and that he could see no reason why the Budget and Financial Control Committee should have become involved. Senator Hill added that he personally always anticipated that the attendance center at Clarinda would eventually be closed and the entire Area XIII operation moved to Council Bluffs, and that he favors a limitation of only one attendance center for each area community college or vocational school.

Senator Briles moved to establish a study committee on a standby basis, to include four members from the Legislative Council and four members from the Area Schools Advisory Committee on Higher Education, on a standby basis and not to be activated without further action by the Council. The motion died for lack of a second.

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,

SERGE H. GARRISON
Director

PHILIP E. BURKS
Senior Research Analyst