

M I N U T E S
STUDIES COMMITTEE

August 29, 1983

The meeting of the Studies Committee of the Legislative Council was called to order by the Chairman, Senator Lowell L. Junkins, at 2:10 p.m., Monday, August 29, 1983, in Committee Room 24 of the State House, Des Moines, Iowa. Committee members present, in addition to Chairman Junkins, were:

Senator James E. Briles
Senator Calvin O. Hultman
Senator C. W. Bill Hutchins
Senator Charles P. Miller
Representative Donald D. Avenson
Representative Lester D. Menke
Representative Lowell E. Norland
Representative Richard W. Welden

Also present were Mr. Burnette E. Koebernick, Senior Legal Counsel, Legislative Service Bureau, a number of legislative staff persons, representatives of the news media, and other interested persons.

Chairman Junkins noted that the minutes of the Studies Committee meetings of June 6, 1983 and June 29, 1983 have been distributed to the members of the Committee and asked for corrections or additions to the minutes. Senator Hultman moved that the minutes be approved as distributed. The motion was adopted on a unanimous voice vote.

Chairman Junkins noted that the Visitation Committee requests have been distributed to the members of the Committee but emphasized that the visitations requested by the Transportation Appropriations Subcommittee and the Education Appropriations Subcommittee have not been approved by the Fiscal Committee. He also stated that a letter is attached from Senator Bruner regarding the Social Services' visitations and that the Committee members may wish to review that letter. Following general discussion by members of the Committee, there was a consensus that the objectives outlined in Senator Bruner's letter could be met if that request were reviewed and approved in September. This time would also allow the Fiscal Committee to complete its review of visitation requests and submit its recommendations on all of the visitations. Senator Hultman moved that the Studies Committee defer any action on Visitation Committee requests until the next meeting. The motion was adopted unanimously on a voice vote.

Chairman Junkins noted that Speaker Avenson has received a letter from the Iowa Water, Air and Waste Management Commission relating to the development of a long-range hazardous waste management plan for the state. The Commission has appointed a Select Advisory Panel on Hazardous Waste, consistent with the mandate of Executive Order 3 issued by Governor Branstad. The Commission is desirous of having two members of the General Assembly serve as members on this advisory panel, ideally one

member from the House and one member from the Senate and the Commission is requesting that the Legislative Council designate two members to serve on this panel. Representative Avenson noted that he is somewhat upset with those agencies asking for legislative members to serve on executive agency committees. He noted that he has no objection to members of the General Assembly serving on these panels but if executive agencies desire to have legislative members on these panels, it should be the responsibility of the executive agency to pay per diem and expenses for those legislative members. Senator Hutchins moved that the legislative leadership appoint one member from the House and one member from the Senate to the Select Advisory Panel pursuant to the request of the Department of Water, Air and Waste Management Commission. The motion was adopted on a unanimous voice vote.

Chairman Junkins noted that the Corrections Oversight Study Committee has requested one additional meeting to allow the Committee to complete its monitoring process in the implementation and creation of the Department of Corrections. Senator Hultman moved that the meeting requested by the Corrections Oversight Study Committee be approved. The motion was adopted unanimously on a voice vote.

Chairman Junkins noted that the Retirement Programs Subcommittee has requested three additional meetings to be used for conducting public hearings outside of Des Moines on public retirement systems. He noted that in his discussion with the Co-chairs of the Retirement Programs Subcommittee, it is their intention to hear comments from grassroots participants in the state retirement programs. Representative Welden suggested that in light of the current economic condition of the state, little if anything will be able to be done next year with regard to public retirement systems and suggested that allowing these three additional meetings will be somewhat misleading to the public and suggested that those Committee meetings not be held. Senator Hultman moved that the request for three additional meetings for public hearings requested by the Retirement Programs Subcommittee not be approved. The motion was adopted unanimously on a voice vote.

Chairman Junkins noted that House Concurrent Resolution 40 provides for a study of the Office for Planning and Programming structure and that a request from the Auditor of State has been presented to the Studies Committee requesting a study relating to audits of publicly-funded private entities and inquired as to the Committee's pleasure on these two items. Senator Hultman moved that HCR 40 and the Auditor of State's request be referred to the Fiscal Committee for referral to the State Governmental Appropriations Visitation Committee. The motion was adopted unanimously on a voice vote.

Chairman Junkins noted that a letter has been distributed to the members of the Studies Committee from Senator Mann and Representative Rosenberg requesting authorization to bring in

several outside experts to testify before the Sentencing Subcommittee. The request of authorization is for payment of expenses of these individuals. He noted that the letter identifies the persons to be brought in as Mr. Steven Rathke, County Attorney in Brainard, Minnesota and current chair of the Minnesota Sentencing Guidelines Commission; Mr. William Falvey, Ramsey County Public Defender and member of the Sentencing Guidelines Commission; and Mr. Cort Holten, an attorney who drafted the sentencing guidelines legislation. The estimated cost per individual from Minneapolis is \$274 or \$822 for all three. He noted that the estimated cost per individual includes round trip, same day air fare, breakfast and lunch. He also noted that the individuals who would be appearing have opposing views on sentencing guidelines. Representative Avenson moved that the Sentencing Subcommittee request be approved. The motion was adopted unanimously on a voice vote.

Senator Hultman moved that the Studies Committee defer any action on a proposed land use study. There being no objections, action by the Studies Committee on a land use study was deferred.

Senator Hultman noted that in light of the recent tentative equalization order issued by the Director of Revenue, that it may be necessary to review the current productivity formula used for valuing agricultural land and the current method of valuing other agricultural property. Following general Committee discussion, Senator Hultman moved that a ways and means subcommittee be authorized one meeting day to review the productivity formula and the current method of valuing other agricultural property following the conclusion of appeal of the Director of Revenue's 1983 equalization order. The Subcommittee shall consist of five members of each house. The motion was adopted unanimously on a voice vote.

There being no further business, the Studies Committee meeting was adjourned at 2:25 p.m.

Respectfully submitted,

BURNETTE E. KOEBERNICK
Senior Legal Counsel