

M I N U T E S

LEGISLATIVE COUNCIL

November 4, 1981

The tenth meeting of the 1981-1982 Legislative Council was called to order at 1:35 p.m., Wednesday, November 4, 1981, in Committee Room 22 of the State House, Des Moines. Council members present were:

Senator Calvin O. Hultman, Chairperson
Speaker Delwyn Stromer, Vice Chairperson
Lieutenant Governor Terry Branstad
Senator Gary L. Baugher
Senator James E. Briles
Senator C. Joseph Coleman
Senator C. W. Hutchins
Senator Lowell L. Junkins
Senator William D. Palmer
Senator Richard R. Ramsey
Senator Ray Taylor
Representative Robert T. Anderson
Representative Donald D. Avenson
Representative John H. Clark
Representative John H. Connors
Representative Ingwer L. Hansen
Representative Lester D. Menke
Representative Lawrence Pope
Representative Richard W. Welden

Other persons present for the meeting were:

Mr. Serge Garrison, Director, Legislative Service Bureau
Mr. Gerry Rankin, Director, Legislative Fiscal Bureau
Mr. Bill Angrick, Citizens' Aide
Mr. Thom Freyer, Program Evaluation Division, Legislative
Fiscal Bureau
Mr. Burnette Koebernick, Legislative Service Bureau
Ms. Diane Bolender, Legislative Service Bureau

Also present were a number of Iowa legislative staff persons, news media representatives, and other interested individuals.

Following roll call, Representative Hansen moved that the minutes of the October 14 Council meeting be approved as mailed to the Council members, and the motion was adopted. Representative Connors moved that the Legislative Council receive the Educational Leave Report, and the motion was adopted.

Mr. Garrison explained that Council members have received copies of a report which describes the progress of each of the interim

subcommittees and committees established by the Legislative Council. He added that most of the work of the interim subcommittees and committees should be completed by early December and final reports will be presented at the December Council meeting. Chairperson Hultman interjected that it is hoped that the Legislative Council can meet December 16, 1981 for final reports and for other necessary business. Copies of the progress reports are available from the Legislative Service Bureau.

Chairperson Hultman called for the report of the Administration Committee. A copy of the Administration Committee report is attached and by this reference made a part of these minutes. Senator Briles noted the timetable for the DOT study mandated by Senate File 561, which provides that bids will be due on December 15, 1981 and the Council will accept and approve a bid on December 16, 1981. Senator Briles' motion carried.

Chairperson Hultman called for the report of the Legislative Fiscal Committee. Representative Welden noted that a quorum was not present for the meeting of the Legislative Fiscal Committee, so action was not taken. He asked Mr. Freyer to comment upon the information presented at the meeting. Mr. Freyer announced completion dates for a number of program evaluations, stating that the Department of Substance Abuse evaluation will be completed December, 1981 and the evaluation of the Office for Planning and Programming is scheduled for completion in January, 1982.

Mr. Freyer explained that the Legislative Fiscal Bureau has developed a list of 47 distinct categories of state services and their definitions in response to a request made by Senator Murray and Representative Welden to the Legislative Fiscal Bureau during the last legislative session. He commented that Senator Murray and Representative Welden had directed that from 350 to 400 different state programs be divided into a more manageable number of categories of state services and legislators be surveyed to rate each category as to its relative importance as a state service with the Legislative Fiscal Bureau analyzing the results and issuing a report showing the rankings of the services.

Mr. Freyer commented that of the 47 categories, 35 are direct services and 12 are supportive services. He stated that the questionnaires would be developed and mailed by November 16 with response from legislators due November 30. He anticipates the completion of a final report to the Appropriations Committees by January 1, 1982.

Representative Hansen asked whether the categories of state services fall into the subject areas of specific subcommittees of the Appropriations Committees. Mr. Freyer responded that some categories of state services will be related to the subjects of more than one subcommittee. Representative Hansen expressed the belief that the questionnaire will not provide meaningful results and that each subcommittee can make a priority listing of programs in its particular subject area.

Representative Anderson moved that the Legislative Council direct the Legislative Fiscal Bureau to proceed with the legislative priority survey and prepare a report of the results of the survey for the Appropriations Committees. Senator Baugher seconded the motion, and it carried on a voice vote.

Chairperson Hultman announced that the final reports of the interim studies will be presented to the Legislative Council at its December 16 meeting. Senator Palmer moved that Mr. Garrison correspond with the chairpersons of the interim subcommittees and committees requesting them to be present to make their reports. The motion carried.

Chairperson Hultman recognized Representative Pope for the report of the Studies Committee. A copy of the Studies Committee report is attached and by this reference made a part of these minutes. Representative Pope moved that the Legislative Council authorize the following numbers of additional meetings for the listed subcommittees:

1. Court Studies Subcommittee, one meeting.
2. Elderly Abuse and Elderly Service Programs Subcommittee, two meetings.
3. City Civil Service Subcommittee, two meetings.

The motion carried.

Representative Pope moved that the Legislative Council approve the Studies Committee's recommendation for the House and Senate Committees on Appropriations to meet jointly after November 20, 1981 when the United States Congress has determined federal budget funding levels and determine which subcommittees have been impacted by the federal budget and authorize those subcommittees to meet to determine recommendations in light of those levels to the Standing Committees on Appropriations and the General Assembly. Representative Pope explained that November 20 was selected because that is the date that the reconciliation motion of Congress expires. He noted that on this date Congress must either pass an appropriations bill or extend the reconciliation. Representative Pope further commented that it appears necessary for the Standing Appropriations Committees to begin taking over for the Legislative Block Grant Committee, and begin familiarizing the membership with Congressional actions and where the federal budget cuts will be taking place.

Representative Pope added that the Legislative Council can authorize the Appropriations Subcommittees to begin meeting in advance of the session to further study the various impacts of federal funding, noting that some subcommittees will not be affected by federal budget cuts. Representative Pope expressed the belief that the Studies Committee's recommendation meets the concerns expressed at the October Legislative Council meeting by Representative Avenson and Senator Junkins.

Senator Junkins moved that the recommendation made by the Studies Committee be stricken and the proposal made by himself and Representative Avenson at the October 14 meeting, which is attached to the minutes of the October 14 Legislative Council meeting, be substituted. He reviewed the aspects of the proposal, which contemplate using the Block Grants Committee of the Legislative Council as a steering committee and establishing specific select subcommittees to develop legislation arising from the impact of both budget and revenue cuts, with the subcommittees holding a series of six public hearings in the congressional districts by November 20. He expressed the belief that the special select subcommittees can investigate problems and identify areas in which legislation may be needed. He expressed the belief that the recommendation of the Studies Committee means that the General Assembly will wait for the Governor to make decisions.

Representative Avenson added that the Studies Committee's recommendation delays action on the problem and asked whether there will be leadership input from both parties. He also indicated that the members of the Appropriations Committees are not able to deal with revenue problems and expressed the belief that members of the Ways and Means Committees should also be included. He also asked whether the leadership agrees with holding hearings outside the Capitol.

Chairperson Hultman stated that decisions about public hearings will be made after November 20 and commented that he will ask Speaker Stromer about inviting Representative Avenson, who is not a member of the Appropriations Committee, to attend the meetings. He also agreed that perhaps members of the Ways and Means Committee should be present.

Representative Avenson asked about when the Studies Committee anticipates receiving input from local agencies. Representative Pope expressed the belief that the Democrats' proposals provide action from the top down and after the Appropriations Committees have determined what subcommittees are affected, the Appropriations Committees can decide how to proceed. He commented that the subcommittees have experience in dealing with recipients, providers, and governmental personnel, and the Studies Committee's approach will allow for differing approaches for each of the various areas affected. He expressed the belief that the General Assembly is not at the decision-making phase yet and it is not necessary for the Ways and Means members and leadership to attend all the meetings at this time.

Representative Anderson asked about input from local governmental persons and providers. Representative Anderson expressed the belief that local government participation is important in the decision-making process.

Representative Anderson also commented that the Studies Committee's approach may require the Legislative Council to

authorize a number of days for each subcommittee to determine the best method to proceed. Senator Hutchins asked whether the Ways and Means Committees will be meeting to look at any potential new resources. Senator Hultman responded in the negative, commenting that the Ways and Means Committees will be able to meet on this issue in January. Senator Hutchins objected that the Ways and Means Committees will not be involved in the meetings in November. Chairperson Hultman responded that the chairpersons and ranking members of the Ways and Means Committees have been meeting with the Block Grants Committee and have been kept informed.

Senator Junkins observed that the Block Grants Committee could be abolished if the Appropriations Committees will be taking over.

Speaker Stromer expressed the belief that the Studies Committee did its job well and the proposal is a workable one. He expressed the belief that the proposal of the Democrats is an expensive one.

Senator Coleman commented that it is important to hold hearings and collect information and he expressed concern that the session will pass and it may be too late to accomplish anything.

Representative Avenson called for further information about a time frame for the recommendations of the Appropriations Committees. Chairperson Hultman responded that the Appropriations Committees will begin making recommendations in December, but until the federal decisions are made about the funding levels, it is difficult to make recommendations. He indicated that some of the subcommittees may meet in December.

Representative Hansen called for the question on the motion.

Senator Junkins expressed opposition to the Studies Committee's recommendation and stated that the Studies Committee's approach will not provide for input from affected local government agencies. He expressed the belief that the Democrat's proposal does not limit input, and uses fewer people and provides more timely information. He expressed the belief that it is important to prioritize programs early in order to eliminate some of them for which there will be no funds. He moved the adoption of his substitute motion. The motion failed with six affirmative votes by Senators Hutchins, Junkins and Palmer, and Representatives Anderson, Avenson and Connors and eleven negative votes by Chairperson Hultman, Speaker Stromer, Senators Baugher, Briles, Ramsey and Taylor, and Representatives Clark, Hansen, Menke, Pope and Welden.

Representative Pope moved the Studies Committee's recommendation, and the motion carried on a voice vote.

Representative Pope asked unanimous consent that the number of additional days already granted to the Elderly Abuse and Elderly Services Programs Subcommittee be reduced from two to one. The Legislative Council agreed.

Mr. Garrison asked for approval of an Addendum to the 1981 Iowa Bill Drafting Guide in order to provide clarification in language and underscoring for amending Session Laws which contain internal references. A copy of the Addendum is attached and by this reference made a part of these minutes. Representative Clark moved that the Legislative Council approve the Addendum. Senator Briles seconded the motion, and it carried.

Senator Hutchins asked for further information about a proposed Department of Social Services reorganization plan which will be presented to the Social Services Appropriations Subcommittees for their approval and be implemented immediately. He commented that there were requirements for the reorganization which were stated in the Act, but are not present in the reorganization plan. He questioned the action of the General Assembly in granting the authority to an appropriations subcommittee to approve a plan that does not comply with the law. Lieutenant Governor Branstad interjected that the Act required that the Department of Social Services reduce from sixteen to eight the number of district offices and follow other guidelines established in the Act. He added that the Department has developed a plan to reduce the number of district offices to eight and follows most of the other guidelines in the Act. He indicated that the plan will save approximately \$2,000,000 in administrative costs which will be able to be expended on programs. Chairperson Hultman added that the General Assembly has legislative oversight in January over the plan of the Department of Social Services.

Senator Ramsey asked whether implementation will take place immediately after subcommittee approval. Lieutenant Governor Branstad responded in the affirmative. Senator Ramsey suggested that the Department should wait until January to begin closing the district offices. Lieutenant Governor Branstad responded that the Department's plan is not only in response to federal budget cuts, but is the result of the General Assembly's request to close district offices and the result of recommendations of the Governor's Economy Committee.

Chairperson Hultman asked members to reserve December 15 for meetings of committees of the Legislative Council as well the December 16 Council meeting.

Senator Junkins commented that the Block Grants Committee will not meet in November, but he would like additional information about a problem in funding of the Maternal and Child Health Block Grant. He stated that he has information that because release of money for the Maternal and Child Health Block Grant was tied to receipt of a state plan, and the Iowa plan was not received until late October, the Department of Health and Human Services was told all future grants should be awarded at the President's recommendation level which is twelve percent less than the level contained in the reconciliation bill. He asked that the Legislative Council inquire of the Governor's office if this is the

case and whether there have been other problems occurring with the receipt of money through the block grants. Senator Junkins indicated that he had received information that the decision to reduce the funding was rescinded and all states will now receive funding at the level of the reconciliation bill. Senator Junkins asked that he and Representative Avenson receive copies of the letter sent by Chairperson Hultman as well as members of the Block Grants Committee. Senator Hultman agreed.

Senator Junkins asked whether there will be any further meetings of the Block Grants Committee. Chairperson Hultman stated that the decision will be left open. Senator Junkins asked why the Block Grants Committee will continue. Chairperson Hultman responded that the Block Grants Committee is a committee of the Legislative Council, and is not a standing committee and not mentioned in the House or Senate rules. He indicated that the information which the Block Grants Committee has compiled will be turned over to the Appropriations Committees, but the Block Grants Committee needs to be available to meet to tie any loose ends together before relinquishing its authority.

The Legislative Council was adjourned at 3:00 p.m.

Respectfully submitted,

SERGE GARRISON
Director

DIANE BOLENDER
Senior Research Analyst