

# M I N U T E S

## IOWA LEGISLATIVE COUNCIL

February 12, 1986

### PRELIMINARY BUSINESS

The eleventh meeting of the 1985-1986 Legislative Council was called to order by the Chairperson, Senator Bill Hutchins, at 11:45 a.m. on February 12, 1986 in the Speaker's Conference Room of the State House, Des Moines, Iowa. Members present in addition to Chairperson Hutchins were:

Speaker Donald D. Avenson, Vice Chairperson  
Senator Donald V. Doyle  
Senator Beverly Hannon  
Senator Lee Holt  
Senator David M. Readinger  
Senator Dale L. Tieden  
Senator James D. Wells  
Senator Joe Welsh  
Representative Bob Arnould  
Representative Dorothy Carpenter  
Representative John H. Connors  
Representative Thomas J. Jochum  
Representative Lowell E. Norland  
Representative Richard W. Welden

### Also present were:

Mr. Burnette E. Koebernick, Deputy Director, Legislative Service Bureau  
Mr. Thane R. Johnson, Senior Research Analyst, Legislative Service Bureau  
Mr. Dennis Prouty, Director, Legislative Fiscal Bureau  
Mr. Sandy Scharf, Director, Computer Support Bureau  
Mr. Bill Angrick, Citizens Aide/Ombudsman

Also present were other legislative staff persons, representatives of the news media, and other interested persons.

Chairperson Hutchins noted that the roll has been taken and there is a quorum present. Chairperson Hutchins asked for corrections or

additions to the minutes of the January 16, 1986 meeting of the Legislative Council. Senator Readinger moved that the Council dispense with the reading of the minutes of the January 16, 1986 meeting and that the minutes be approved as distributed. The motion was adopted on a voice vote.

#### EDUCATIONAL LEAVE

Senator Doyle moved that the monthly educational leave report be received and filed. Representative Harbor inquired as to whether some of the educational leave outlined in the monthly reports is in fact courses being taken to meet continuing education requirements. Chairperson Hutchins noted that Representative Harbor has raised a valid question and announced the appointment of a subcommittee consisting of Senator Welsh, Chairperson, Senator Tieden, and Representative Harbor to look into this matter and report its findings to the Legislative Council.

#### RULES OF CIVIL PROCEDURE

Chairperson Hutchins asked Senator Doyle to review proposed rules submitted to the Legislative Council by the Supreme Court of Iowa. Senator Doyle stated that the Supreme Court has proposed a rule relating to the filing of frivolous suits. This rule has been reviewed by the Senate Standing Committee on Judiciary and the House Standing Committee on Judiciary and Law Enforcement and both committees recommend that the proposed rule be approved. Representative Harbor inquired as to whether the rule applies to liability suits. Senator Doyle responded that it would apply to any lawsuit. Senator Tieden asked whether it applies to the filing of suits before the Supreme Court or any state court. Senator Doyle responded that the place of filing has no relevance since it applies to any filing. Representative Carpenter noted that it would be interesting to monitor the impact of this rule. Senator Doyle stated that the Supreme Court will do so.

Representative Carpenter noted that the rule becomes effective April 1, 1986 and moved that the Supreme Court of Iowa be requested to report back the Legislative Council on April 1, 1987 regarding the impact of the rule on the filing of lawsuits. The motion was adopted unanimously on a voice vote.

#### INTERIM STUDY COMMITTEE REPORTS

Final reports were received from the following interim study committees:

Economic Development Study Committee  
Education Task Force  
Farm Financial Crisis Study Committee  
Female-Dominated Jobs Study Committee  
Phase-In of Interest Rates Study Committee  
Hazardous Waste Study Committee  
Iowa Livestock Industry Study Committee

Title Guaranty Study Committee  
Transportation Funding Study Committee  
Water Quality Study Committee

Representative Connors moved that the reports of the interim study committees be received and filed. The motion was adopted on a voice vote.

ADJOURNMENT

There being no further business, the meeting of the Legislative Council was adjourned at 11:55 a.m.

Respectfully submitted,

Burnette E. Kobernick  
Deputy Director