

M I N U T E S

LEGISLATIVE SERVICE COMMITTEE

OF THE

LEGISLATIVE COUNCIL

August 8, 1979

The meeting of the Service Committee of the Legislative Council was called to order by the Committee Chairperson, Representative William Harbor, at 10:15 a.m. in Committee Room 22 of the State House. Members present in addition to the Chairperson were:

Senator Bob Rush
Representative Delwyn Stromer

Also present were:

Mr. William Angrick, Citizens' Aide Ombudsman
Mr. Serge Garrison, Director of Legislative Service Bureau
Mr. Gerry Rankin, Director of Legislative Fiscal Bureau
Mr. Stan McCausland, Director of General Services
Mr. Ronald Mosher, State Comptroller
Mr. James Rose, Budget Analyst, Office of State Comptroller
Mr. Dale Nelson, Director of Data Processing
Ms. Diane Bolender, Research Analyst, Legislative Service Bureau

Prior to convening the meeting, a group of members of the Service Committee met with Mr. McCausland and toured the area of the Wallace Building presently occupied by the Iowa Highway Safety Patrol in order to determine whether there is adequate space there for the Capitol Security Division. The area presently occupied by the Capitol Security Division is located on the second floor of the building in which the Citizens' Aide is housed and the Citizens' Aide office presently needs more office space.

Chairperson Harbor noted the lack of a quorum and indicated that the Committee members present would make suggestions to the Legislative Council.

Chairperson Harbor called upon Mr. Mosher to comment upon the disapproval of the purchase of a Xerox machine by the Office of Citizens' Aide. Mr. Mosher summarized the contents of a letter written to Mrs. Ruth Mosher, Deputy Citizens' Aide. A copy of the letter is attached and by this reference made a part of these minutes. Mr. Mosher indicated that his office has not changed its opinion since the letter was written and believes it is inappropriate to commit a downpayment from one year's appropriation and to pay the balance of the purchase price from another year's appropriation unless there is a specific provision to allow the purchase within the bill appropriating funds to that agency.

Representative Stromer asked whether it would be possible to enter into a lease-purchase agreement for purchase of equipment. Mr. Mosher responded in the affirmative, noting that the lease-purchase agreement must contain a clause stating that if funds are not appropriated by the General Assembly, the lease-purchase agreement is canceled. Mr. Angrick interjected that the lease-purchase arrangement would cost more than the outright purchase of the Xerox machine. Senator Rush inquired whether any legislative changes are needed to allow such purchases. Mr. Mosher responded that although it may be monetarily advantageous for the state to incur debt, it would require a change in the Iowa State Constitution.

Mr. Mosher noted that the Comptroller's Office had been asked to make monthly progress reports to the Service Committee concerning data processing services. He referred Committee members to a letter addressed to Chairperson Harbor which reports progress for data processing services in the school aid area. A copy of the letter is attached and by this reference made a part of these minutes. He indicated that progress can be reported each month for different areas of government, but his office would appreciate suggestions from the Service Committee.

Representative Stromer asked whether the Legislative Fiscal Bureau and the Office of State Comptroller are coordinating their efforts in utilizing data in the school aid area. Mr. Rose responded in the negative. Mr. Rankin commented that the Legislative Fiscal Bureau is using the State Comptroller's data processing equipment and information from both the Department of Public Instruction and the Office of State Comptroller, but the Legislative Fiscal Bureau is building its own data base and programs are being written by an employee of the Legislative Fiscal Bureau. Chairperson Harbor asked that Service Committee members be provided the information contained in the computer run presented to Committee members by the Office of State Comptroller illustrating aspects of information available relating to the school aid formula.

Mr. Mosher commented that the Office of State Comptroller is pursuing a data base management system. He described the results that can be achieved with proper management of the data base. He asked Mr. Nelson for comments about data processing services.

Mr. Nelson stated that the Data Processing Division is implementing the use of an uninterruptible power source, to be completed in the near future. He indicated that long-range plans include making the computer more usable and removing technical barriers. He stated that it is the intent of the Data Processing Division to increase the availability and usefulness of the system.

Senator Rush asked whether Mr. Mosher's position concerning the remodeling of the area presently occupied by the Citizens' Aide is that the Citizens' Aide office is subject to all of the restraints and controls of an executive agency, and it is not possible to expend funds from the standing unlimited appropriation for legislative purposes. Mr. Mosher responded in the affirmative.

With regard to the purchase of the Xerox machine by the Office of Citizens' Aide, no action was taken, but Chairperson Harbor agreed to bring the matter to the Legislative Council.

Chairperson Harbor called upon Mr. Rankin who asked for approval for hiring two additional persons for the Program Evaluation Division of his office. He asked for approval for the employment of Michael Erbschloe and Binnie Lehew-Jernigan as Legislative Program Analysts at Grade 27, Step 1. He also noted that Ms. Caden Henderson, Fiscal Analyst, has submitted her resignation, which then leaves two vacancies in the staff of the Legislative Fiscal Bureau. In response to a question about Mr. Rankin's staff, he indicated that he has been authorized twelve employees plus three program evaluation employees, making a total of fifteen. He noted that he currently will have thirteen employees with two vacancies.

Mr. Rankin commented that at the last meeting of the Legislative Service Committee he had been asked to solicit bids for the employment of an actuary to assist the IPERS and Pension Fund Subcommittee, and to help write fiscal notes during the next legislative session, pursuant to a \$10,000 appropriation made last session. Mr. Rankin distributed the information concerning the bids received, and copies of the information may be obtained from the Legislative Service Bureau upon request. Mr. Rankin recommended that Farr Analysts be employed. Representative Stromer moved that the Service Committee recommend that Farr Analysts be employed for the retirement work. It was noted that there was not a quorum present, but the Committee members present agreed with Representative Stromer's suggestion.

Mr. Garrison stated that he had received a resignation from Gus Kerndt, Legal Counsel. He indicated that he will be attempting to find an attorney who is interested in environmental and energy areas, but it may be necessary to employ a nonlawyer with scientific and technical knowledge and interest. He suggested that it may be necessary to review and establish a different classification and pay range for a science and technology person. Mr. Garrison agreed to investigate whether the Merit System has such a classification.

Representative Cusack entered the meeting and a quorum was then present.

Chairperson Harbor noted that the Committee had received information relating to a pending request for an Attorney General's Opinion which will be forthcoming relating to whether funds can be expended under section 2.43 of the Code for making necessary repairs and remodeling the area presently occupied by the Office of Citizens' Aide. The information indicates that the opinion may state that the General Assembly and Legislative Council may not have the authority to expend funds to renovate or remodel except for its own actual use. It was suggested by Solicitor General Schantz that it will be necessary to either get the approval of the Executive Council or draft an appropriation bill to be introduced

during the session. The possibility of amending section 2.43 of the Code also exists. Senator Rush noted that the information indicates that Mr. Schantz has concluded that the Office of Citizens' Aide is a legislative agency. The Committee called for comments from Mr. McCausland.

Mr. McCausland stated that repair and remodeling of state agency quarters have been completed under the performance of duty section of the Code with the approval of the Executive Council. Mr. McCausland recommended that if such a project is undertaken to repair and remodel the area for the Office of Citizens' Aide, an outside engineer should be employed. He stated his opposition to the project, voicing the opinion that the state should not remodel houses and churches but should be placing agencies in buildings specifically designed for state employees. With regard to the moving of the Capitol Security Division, Mr. McCausland agreed to talk to Commissioner Larson to determine his views and to then inform the Service Committee of the conversation.

Mr. Angrick expressed the belief that the Office of Citizens' Aide requires additional space and if the office continues in the building in which it is currently located over the next few years, the repair and remodeling should be completed. Mr. Angrick expressed the belief that it is not proper for a legislative agency to appear before the Executive Council for approval of funds to complete the remodeling. Chairperson Harbor suggested that the Committee wait to take action until the complete Attorney General's Opinion has been issued. Senator Rush expressed the belief that section 2.12 of the Code applies to the Office of Citizens' Aide and the Legislative Council should be able to authorize the expenditure of funds for renovation and remodeling. Mr. Garrison expressed agreement. Mr. Angrick suggested that the Service Committee and the Legislative Council should review section 2.12 of the Code carefully since the trend has been to create more legislative agencies and the Legislative Council's authority over the expenditure of funds for these agencies may need clarification.

Mr. Angrick asked for approval to employ Ms. Doneen Woodward as a General Deputy at Grade 24, Step X, to replace the General Deputy who left in June. The members of the Committee present agreed to recommend the employment.

With regard to the appointment of a member of the County Finance Committee, it was noted that Mr. Richard L. Goodson, Jr., Executive Director of the Polk-Des Moines Taxpayers Association, had listed the names of four possible persons: Mr. Edgar Bittle, Mr. Robert Josten, Mr. Roy Miller, and Mr. Marvin Selden. Mr. Garrison commented that Mr. Rose from the State Comptroller's Office had stated that the County Finance Committee is anxious to meet and cannot meet until it has its full membership. It was also noted that the names of Clayton Ringgenberg and John M. Whitmer had been recommended. Representative Stromer commented that Mr. Ringgenberg already serves on the Interstate Cooperation Commission and it may not be possible for him to serve more than one state agency. Representative Stromer suggested that Mr. Bittle would be a

valuable asset to the County Finance Committee. Senator Rush asked the Legislative Service Bureau to investigate whether the persons suggested are interested in the position and ask them for resumes. Mr. Garrison agreed.

The Committee adjourned at 11:55 a.m.

Respectfully submitted,

DIANE BOLENDER
Research Analyst