

## REPORT OF THE IOWA COMMISSION ON INTERSTATE COOPERATION

Submitted to the Iowa General Assembly  
meeting in the year 1977

### Purpose

Section 28B.2, 1977 Code of Iowa, states that the functions of the Iowa Commission on Interstate Cooperation are:

- "1. To carry forward the participation of this state as a member of the council of state governments.
2. To encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of other states, of the federal government, and of local units of government.
3. To encourage cooperation between this state and other units of government in the adoption of compacts and uniform laws and in working relationships with officials of other states."

### Membership

Section 28B.1, 1977 Code of Iowa, establishes the Commission's membership at thirteen:

- "1. Five members of the senate to be appointed by the president thereof;
2. Five members of the house of representatives to be appointed by the speaker of the house;
3. Three administrative officers to be appointed by the governor.

The governor, the president of the senate and the speaker of the house of representatives shall be ex officio honorary non-voting members of the commission.

The director of the legislative service bureau shall serve as secretary of the commission."

Members of the Iowa Commission on Interstate Cooperation during the 1975-1977 biennium were:

Governor Robert D. Ray, ex officio  
Lieutenant Governor Arthur A. Neu, ex officio  
Speaker Dale M. Cochran, ex officio  
Senator William D. Palmer, Chairman\*  
Representative James T. Caffrey, Vice Chairman\*\*  
Senator James W. Griffin, Sr.  
Senator Lowell L. Junkins  
Senator W. R. Rabedeaux  
Senator Norman D. Rodgers  
Representative William P. Griffee  
Representative Mattie Harper  
Representative Robert A. Krause  
Representative Robert M. Kreamer  
Treasurer of State Maurice E. Baringer  
Ms. Colleen P. Shearer, Acting, Director, Department of Job Service  
Mr. Clayton Ringgenberg, Institute of Public Affairs

\*(Senator W. R. Rabedeaux, Chairman of the 1973-75 Commission, was retained as Chairman until September, 1975 to maintain the continuity of leadership during the final phases of planning and the hosting of the 1975 Midwestern Conference of the Council of State Governments.)

\*\* (Representative Gregory Cusack was appointed to the Commission to replace Representative James T. Caffrey who died.)

### Committees

Section 28B.3, 1977 Code of Iowa, provides for the utilization of committees:

"The commission shall establish such committees as it deems advisable, in order that they may confer and formulate proposals concerning respective means to secure intergovernmental harmony, and may perform such other functions for the commission in obedience to its decision."

The following is a list of public officials appointed by the Commission to serve on the Midwestern Conference of the Council of State Governments committees:

#### Executive Committee

Senator William D. Palmer  
Senator W. R. Rabedeaux  
Representative Robert M. Kreamer

#### Agriculture Committee

Speaker Dale M. Cochran  
Representative Mattie Harper  
Treasurer of State Maurice E. Baringer

Education Committee

Senator Norman D. Rodgers  
Representative William P. Griffiee

Human Resources Committee

Senator William D. Palmer  
Senator Lowell L. Junkins

Justice and Law Enforcement Committee

Representative Robert M. Creamer  
Ms. Colleen P. Shearer

Labor and Commerce Committee

Senator W. R. Rabedaux  
Senator William D. Palmer  
Representative James T. Caffrey  
Senator Lowell L. Junkins

Transportation and Regional Development Committee

Senator James W. Griffin, Sr.  
Representative Robert A. Krause  
Mr. Clayton Ringgenberg

Suggested State Legislation Committee

Senator James W. Griffin, Sr.  
Mr. Serge H. Garrison

The above listed persons served on the committees with representatives of the other eleven states of the Midwestern Conference of the Council of State Governments.

Commission

The Iowa Interstate Cooperation Commission held five meetings during the 1975-77 biennium. In addition, members of the Commission attended two planning committee meetings held to finalize plans for the 1975 Midwestern Conference of the Council of State Governments, the 1975 and 1976 Midwestern Conferences held at Okoboji, Iowa and Minneapolis, Minnesota, and Midwestern Conference standing committee meetings held two or three times during each year.

The Iowa Commission in cooperation with the General Assembly hosted the 1975 Midwestern Conference of the Council of State Governments at Okoboji, Iowa on August 3-6, 1975. The Conference was chaired by Representative Robert M. Creamer. Governor Robert D. Ray, Speaker Dale M. Cochran, Senator W. R. Rabedaux,

Representative Jerome Fitzgerald, Senator William D. Palmer, Representative Floyd H. Millen, Iowa Commerce Commission Chairman Maurice Van Nostrand and Insurance Commissioner William H. Huff III participated in various aspects of the Conference program. The problems and issues discussed during the Conference included State Retirement Systems and Problem Areas; Open Meetings and Sunshine Laws - Pro and Con; Aspects of Growth - A Look at the Options; Land Use; Rails and Other Modes of Transportation; and Medical Malpractice Insurance. During the discussion of retirement systems, the participants emphasized that the promises and expectations of pension and retirement systems can be provided with appropriate planning, systems which are internally equitable and competitive. Another important factor emphasized is the need for adequate funding of the system to avoid the enormous liabilities which have accrued in jurisdictions which have not funded the benefit levels such as Philadelphia where its current pension liabilities exceed its bonded indebtedness and New York where the projection for pension payouts in 1985 are \$3 billion. South Dakota has recently established a consolidated retirement system where formerly eight separate systems existed. This has the advantage of a single uniform retirement policy for the state, lower administrative costs and an improved potential for increased investment returns.

The discussion of open meeting laws demonstrated general agreement and support of the concept that open meetings are a recognition that the democratic form of government depends on the trust and confidence of the public. Exceptions to the general policy were also voiced particularly regarding individual personnel matters, collective bargaining strategy meetings, and preliminary discussions relating to the purchase of land for a public purpose.

The topic "Aspects of Growth" included discussion of the effect of energy supplies on economic growth among the Midwestern states and what policies have been developed nationally and within states to deal with shortages. Alternatives to petroleum and natural gas fuels were discussed including nuclear power and coal.

The topic of land use brought under discussion recent developments in land use legislation, major arguments in favor of and in opposition to comprehensive land use legislation, and the viewpoints commonly expressed by various types of landowners -- agricultural, industrial, commercial and residential.

The topic of Rails and other Modes of Transportation emphasize the significant problems which must be addressed by public officials of Midwestern states particularly if rural areas are to be adequately serviced by railroads.

The Medical Malpractice Insurance panel discussed the various plans which have been presented and, sometimes implemented, with limited or no success. The panelists represented the viewpoints of the insurance industry, the medical profession and the legal profession.

Resolutions adopted by the 1975 Conference urged the member states to support the concept of public collective bargaining, to adopt uniform standards for the licensure of health professions to promote reciprocity, to promote reciprocity agreements among institutions of higher education, to encourage the development of management and administrative techniques to improve the operation of the court system, improvements in judicial professionalization and training, and flexibility in judicial sentencing and pre-sentencing diversion programs, and to request that the United States Congress discourage interference by special interests in the sale and shipment of agricultural commodities to foreign buyers.

The 1976 Midwestern Conference was hosted by the Minnesota Commission on Interstate Cooperation and the Minnesota Legislature in Minneapolis on July 7-10, 1976. The highlights of the Conference included a keynote address by Mr. Neal R. Pierce, nationally recognized columnist and editor of the National Journal, who outlined the relative economic and political stagnation of the Midwestern states in comparison to other regions of the nation. Even though the Northeast and Mid-Atlantic regions are currently worse off in some respects, Mr. Pierce stated the Midwest has a \$20 billion deficit annually in its tax dollar exchange with the federal government (i.e. tax dollars paid to the federal government in comparison to tax dollars returned to the region), a stagnant population, weak overall employment gains with very high unemployment rates in many urban areas, decreasing industrial payrolls, and a significant deficiency in regional cooperation with regard to promoting the region's interest with the federal government and coordinating intra-regional interests. Following the keynote address, four workshops were conducted to discuss the specific weaknesses and potentials of the Midwest region in terms of economics, energy, agricultural and water resources, and demographics.

Another topic discussed at the Conference was the strengths and weaknesses of unemployment compensation laws as viewed by management and labor representatives. Among the issues discussed by the management representative were the possibility of federally-imposed standards, the insolvency of some states' funds and the desire of those states to have federal loans to the unemployment compensation funds forgiven, varying of length of benefits among states, quit benefits offered by some states, benefits to seasonal or part-time employees and strike benefits. Mr. Paul Hassett, President, Wisconsin Association of Manufacturers and Commerce, opposed federal unemployment compensation standards, outlined the inequity of forgiving federal loans to those states which have maintained solvent unemployment compensation funds, discussed the disincentives of having extended benefit periods and allowing seasonal or part-time employees to collect benefits many times in excess of contributions, and the costs and disadvantages of providing benefits to striking employees.

Mr. James O'Brien, representing the AFL-CIO, outlined the advantages of having uniform unemployment compensation benefits. He advocated minimum federal qualifying standards for all states to reduce the disparity existing among the states concerning who is

eligible and questionable reasons for disqualification. The percentage of applicants being denied benefits ranges from thirty percent to five percent depending on the states. Mr. O'Brien also advocated the need for minimum federal financing standards because statistics indicate that as many as thirty states will deplete their unemployment compensation funds in 1976 and need federal loans. This situation is inequitable for those states which require adequate funding.

Current trends in penal rehabilitation were discussed by Mr. George Denton, Director, Ohio Department of Rehabilitation and Corrections and Dr. David A. Johnston, Ohio Legislative Service Commission. Mr. Denton noted that there is a rising trend toward determinate sentencing, replacing the recent popularity of indeterminate sentencing. He stated that one of the major factors in rising crime rates is the current increase in the proportion of the population in the 14-24 age category, which tends to be the "hell raising" age of any society throughout history. He added that recidivism is not a significant problem as far as the overall crime rate is concerned, approximately 70% of the first offenders in the 14-24 age group have no further convictions. In conclusion, Mr. Denton urged the use of a parole board or commission to have the final review and determination of sentences rather than determinate sentences.

Dr. Johnston noted that there have been few comprehensive studies of penal rehabilitation in the United States, but those few have expressed general disappointment with penal rehabilitation results and have concluded that the major goal of society today should be public protection. He cited the results of a comprehensive study conducted by the state of New York concerning various aspects of penal rehabilitation and their effect upon recidivism rates. The reported results are as follows:

1. Probation does not appear to be working.
2. Long or short terms of imprisonment show no effect upon recidivism.
3. Vocational education has no apparent effect.
4. Psychotherapy appears to have no effect.
5. Partial custody (half-way house) shows mixed results.
6. Medical techniques (use of tranquilizers) have shown few positive results.
7. Emphasizing leisure-time activities have had little positive results.

In conclusion, Dr. Johnston stated that the various techniques of rehabilitation have not produced a sure method of reducing recidivism.

The 1976 Conference adopted resolutions requesting the Executive Committee of the Conference to create a task force to study the environmental and economic interests of the Midwest in Locks and Dam #26, urging the member states to adopt programs in general conformity with Indiana and Minnesota against the dangers of polychlorinated biphenals (PCB), urging legislative support for improving the salaries and skills of prosecuting attorneys, urging legislative support of sufficient judgeships to effectively deal with increased numbers of criminal cases, urging support of the 1972 report of the National Commission on State Workmen's Compensation Laws which recommends the retention of the primary responsibility for workmen's compensation programs by the individual states, recommending a moratorium by the states and federal government on any grant of eminent domain to coal slurry pipeline companies, and urging the federal government in the conduct of foreign affairs to refrain from adversely affecting prices paid to agricultural producers.

Since the annual meeting of the Conference in Minneapolis, Senator Oliver Ocasek of Ohio, Chairman of the Conference, has appointed a Task Force on Locks and Dam #26. The Task Force on Locks and Dam #26 has met October 2 and November 18-19, 1976. Members of the Task Force from Iowa are Representative William B. Griffee, Senator Philip B. Hill and Senator Lowell Junkins. In addition, Chairman Ocasek has initiated further discussion and study of the economic development in the Midwest as it relates to federal policy, intro-regional rivalry, growth and decline, and possible solution to these various problems. This study emphasis is in response to the address and National Journal article by Mr. Neal Pierce entitled "Federal Spending: The North's Loss is the Sunbelt's Gain".

Copies of the minutes of the Iowa Commission on Interstate Cooperation and its subcommittees are available at the Legislative Service Bureau.

#### Summary

The increasing complexities of interstate relations and relations between state governments and the federal government require that states exchange ideas and information as a minimum effort toward solving interstate problems and, as a maximum effort, cooperate and coordinate state compacts and consolidate efforts in dealing with the federal government. Increasing overlap in relation to transportation, taxation, pollution control, federal grant-in-aid, and various forms of reciprocity emphasize the states' difficulties. The Iowa Commission on Interstate Cooperation, through its direct contacts with Iowa's congressional delegation and participation in the Midwestern Council of State Governments, appears to be meeting the objectives of Chapter 28B relating to federal-state and interstate cooperation.