

# Final Report of the Legislative Processes Advisory Committee

The Legislative Research Committee at its August 23, 1967 meeting established a study committee, pursuant to and in accordance with provisions of section 2.55 of the *Code of Iowa* (1966), for the purpose of studying the processes and operations of the General Assembly. It was decided that a majority of the composition of the Committee membership should be nonlegislators in order that an unbiased study would be undertaken. The Legislative Research Committee appointed eight legislative members to a Legislative Processes Study Subcommittee. A thirty-two member Legislative Processes Advisory Committee, composed of the eight legislators of the Subcommittee and twenty-four nonlegislators with various backgrounds and representing various geographical areas of Iowa, was appointed by the Legislative Research Committee.

Legislative members of the Study Subcommittee were:

Senator Robert R. Rigler, Chairman, New Hampton  
Senator Eugene M. Hill, Newton  
Senator John P. Kibbie, Emmetsburg  
Senator Max Milo Mills, Marshalltown  
Representative Donald E. Baker, Boone  
Representative Ralph F. McCartney, Charles City  
Representative James E. Maloney, Bondurant  
Representative Leroy H. Petersen, Grimes

Members of the Advisory Committee were:

Dr. Paul Sharp, Chairman, Des Moines  
Dr. Dean Zenor, Vice Chairman, Iowa City  
Mr. Richard G. Bowers (Resigned), Keokuk  
Mrs. Matthew Bucksbaum, Des Moines  
Mr. Robert Buck, Waukee  
Mr. Ray Eveland, Des Moines  
Mr. Paul Farver, Pella  
Mr. Gene Ford, Emmetsburg  
Mrs. Stephen Garst, Coon Rapids  
Mr. Charles Gifford, Newton

Mr. Clarence Hill, Minburn  
Dr. William Lang, Cedar Falls  
Mr. O. L. Marquesen, Fort Dodge  
Mr. Frank Nye, Cedar Rapids  
Mr. Richard W. Peterson, Council Bluffs  
Dr. John Powers, Estherville  
Mr. Don Reid, Des Moines  
Mr. Will Schnirring, Burlington  
Mr. Robert Spiegel, Mason City  
Justice William C. Stuart, Chariton  
Mrs. L. William Swanson, Mason City  
Mr. James Tyler, Atlantic  
Mr. Robert A. Wright, Des Moines  
Dr. Charles Wiggins, Ames

Dr. Paul Sharp, President of Drake University, was chosen by the Legislative Research Committee to be Chairman of the Legislative Processes Advisory Committee. Dr. Dean Zenor was chosen by the Advisory Committee to be its Vice Chairman.

It was decided that the study director should not be a representative of the legislative branch of government. Dr. Donald P. Sprengel of the Institute of Public Affairs of The University of Iowa was appointed by the Advisory Committee to serve as Study Director. However, the Legislative Research Bureau did provide administrative assistance to the Advisory Committee.

The Citizens Conference on State Legislatures, a bipartisan national organization dedicated to improving state legislatures, agreed to provide assistance to the Advisory Committee. Mr. George H. Morgan, Director of State Services of the Citizens Conference, attended several meetings of the Advisory Committee and agreed that the Citizens Conference would provide technical advice and assistance including material from other state legislative procedures study committees, the salary for a part-time secretary for the Study Director, and financial assistance for printing the final report.

The Legislative Process Advisory Committee was divided into four subcommittees, each of which was assigned a different study area. Each

subcommittee contained one senator and one representative, representing both political parties, and from six to eight nonlegislative members, one of whom was designated as Chairman.

Members of the Legislative Organization Subcommittee were:

Dr. Dean Zenor, Chairman  
Mrs. L. William Swanson, Vice Chairman  
Senator Eugene M. Hill  
Representative Ralph McCartney  
Mr. Robert Buck  
Mr. Frank Nye  
Justice William C. Stuart  
Dr. Paul F. Sharp, ex officio

The Subcommittee's study areas related to bill drafting, fiscal analysis, legislative review, code revision, printing services, rules and procedures, and standing and interim committees.

Members of the Personnel Subcommittee were:

Mr. Will Schnirring, Chairman  
Mr. Robert Spiegel, Vice Chairman  
Senator Robert R. Rigler  
Representative James E. Maloney  
Mr. Gene Ford  
Mrs. Stephen Garst  
Mr. O. L. Marquesen  
Mr. James Tyler  
Dr. Paul F. Sharp, ex officio

The Personnel Subcommittee was assigned the task of studying the size, composition, frequency of convening, and staff needs of the General Assembly, including recruitment and provision of retirement benefits for legislators.

Members of the Citizens Relations Subcommittee were:

Dr. Charles Wiggins, Chairman  
Mr. Richard W. Peterson, Vice Chairman  
Senator John P. Kibbie  
Representative Leroy H. Petersen  
Mr. Richard G. Bowers (Resigned)  
Mr. Paul Farver  
Mr. Clarence Hill  
Mr. Don Reid  
Mr. Robert A. Wright  
Dr. Paul F. Sharp, ex officio

The Citizens Relations Subcommittee studied relations with the press, conflicts of interest, ethics, and lobbying.

Members of the Facilities Subcommittee were:

Dr. William Lang, Chairman  
Mrs. Matthew Bucksbaum, Vice Chairman  
Senator Max Milo Mills  
Representative Donald E. Baker  
Mr. Ray Eveland  
Mr. Charles Gifford  
Dr. John Powers  
Dr. Paul F. Sharp, ex officio

This Subcommittee was assigned the task of studying the physical facilities and equipment available to legislators, their staff and constituents, the press, and lobbyists.

#### Subcommittee Study Procedures

The subcommittees began meeting in January, 1968 and continued to meet (with each subcommittee holding from five to eight separate meetings) until early June when subcommittee recommendations were completed.

The Legislative Organization Subcommittee began its task by reviewing the Joint Rules and the Rules of Procedure of each house of the General Assembly, procedures of other states, and various methods of organization both for legislators and staff of other states. Mr. Bill Kendrick, Chief Clerk of the House of Representatives and Mr. Al Meacham, Secretary of the Senate, were called upon for suggestions for rules revision. Speaker of the House of Representatives, Maurice Baringer, explained his methods for appointing members to the standing committees. Mr. Wayne Faupel, Deputy Code Editor, presented suggestions for improvement of the *Code of Iowa* and its distribution. The Legislative Organization Subcommittee recommendations are far reaching and innovative in regard to the establishment of a Legislative Council and elimination of the legislative interim committees.

The Personnel Subcommittee organized its procedure so that many interests throughout the state were allowed to express their opinions upon each of the study topics prior to any subcommittee discussion of the topics. A series of meetings was held which were attended by former and

present legislators, members of the news media, the state chairman of the Democratic party, a former state chairman of the Republican party, and Lieutenant Governor Robert Fulton. In addition, Dr. Sprengel mailed a questionnaire to all legislators asking for their opinions pertaining to salaries, retirement systems, and sessions, and tabulated the results. A series of questions was sent to major interest groups throughout the state requesting their views on the study areas.

Both Director of the Legislative Research Bureau Serge H. Garrison and Legislative Fiscal Director Gerry Rankin presented information pertaining to legislative services. Mr. Frank Covington, Director of the Office for Planning and Programming, discussed the relationship between acceptance of federal funds and sessions of the General Assembly. Dr. Charles Wiggins, a member of the Advisory Committee, who has directed the orientation programs for newly-elected legislators during the last two sessions, appeared and discussed past and future orientation sessions.

The Citizens Relations Subcommittee began its study by attempting to determine what is the image of the General Assembly as viewed by the citizens of Iowa. Dr. Samuel C. Patterson, Professor of Political Science at The University of Iowa, presented the results of a survey of the attitudes of one thousand Iowa adults toward the General Assembly. The Subcommittee was surprised that Iowans have a more positive attitude toward their State Legislature than was expected.

Members of the news media were invited to attend a meeting to discuss the relationship of the press to the General Assembly and the manner in which events of the General Assembly are reported.

In regard to lobbying activities, the Subcommittee invited the leadership of both political parties of each house of the General Assembly, including the Speaker of the House of Representatives and the President of the Senate, to present their viewpoints pertaining to lobbying and rules that should, or should not, be developed. Representatives of major interest groups also appeared and discussed their role in the legislative process. Mr. Bill Kendrick, Chief Clerk of the House of Representatives, appeared before the Subcommittee to explain the present procedure for registration of lobbyists in the House of Representatives.

In regard to conflicts of interest, the Subcommittee studied Senate File 476 (Chapter 107)

enacted by the Sixty-second General Assembly and recommended certain amendments to it in the light of testimony by several legislators who appeared before the Subcommittee, and discussed the need for conflict of interest legislation.

The Facilities Subcommittee began its study by touring the present facilities of the General Assembly and its service agencies. Representatives from the Capitol Planning Commission, the State Architect's Office, the Secretary of the Executive Council, and Buildings and Grounds were called upon to comment upon space that might become available for legislative use and plans for future space utilization which have already been formulated. In addition, the Secretary of Agriculture was called upon to discuss the feasibility of construction of a separate Department of Agriculture Building which would result in making available ten thousand square feet of space in the Capitol Building.

The Facilities Subcommittee also studied the utilization of computers for the legislative process. Dr. Clara Mattern of Aspen Systems Corporation, which programmed the placement of the *Code of Iowa* on computer tape attended a meeting, as well as representatives of the Data Processing Division of the State Comptroller's Office and International Business Machines Corporation, who described present and future use of computer technology in the legislative process.

Other individuals present at Facilities Subcommittee meetings included news media personnel and lobbyists who commented upon their respective facilities and improvements which appear to be necessary. A series of short-range and long-range goals were formulated by the Facilities Subcommittee. It is the hope of the Facilities Subcommittee that the short-range goals will be able to be implemented prior to the convening of the Sixty-third General Assembly.

It was decided by the Advisory Committee members that a series of five public hearings would be held in Waterloo, Fairfield, Storm Lake, Atlantic, and Des Moines for citizen participation and review of each of the Subcommittee's recommendations. The hearings were held during the last two weeks in June and were predominantly attended by legislators and representatives of organized interest groups.

The Advisory Committee met for three days in July to review each of the Subcommittee's recommendations in order to develop a series of

Advisory Committee recommendations which would constitute a final report of the Legislative Processes Advisory Committee. The series of recommendations has been published as a final report.

The Legislative Research Committee met on September 27, 1968 to review the final recommendations of the Legislative Processes Advisory Committee to determine which of the recommendations would be approved as Legislative Research Committee recommendations. Since the Legislative Processes Advisory Committee Report, which has been printed separately, contains a complete text of all recommendations of the Legislative Processes Advisory Committee, this report will summarize the recommendations within each of the four study areas which were approved by the Legislative Research Committee.

#### LEGISLATIVE ORGANIZATION

The proposals pertaining to organization of the General Assembly will result in substantial changes in the operations and procedures of the General Assembly and its staff agencies. Many of the proposals anticipate annual sessions of the General Assembly. Subsequent to the approval by the Legislative Research Committee of these proposals, annual sessions of the General Assembly were approved by the electorate.

It is recommended that legislative interim committees be eliminated and their functions be allocated to a Legislative Council and to standing committees, which it is recommended shall continue to function during the interim between legislative sessions.

The Legislative Council will be composed of the President Pro Tempore of the Senate, the Speaker of the House, the majority and minority leaders of both houses, and ten additional members, five from each house. The Council will provide its own staff and will recommend staff for the House of Representatives and the Senate and the permanent standing committees. It will recommend rules changes, be responsible for pre-session preparation, supervise and establish policy for the Legislative Research Bureau and the Office of Legislative Fiscal Director, and authorize investigations to be conducted by the standing committees during the interim.

The Legislative Council, with authorization from the General Assembly, will be responsible

for the names and numbers of the permanent standing committees which it is recommended be the same for both houses. The Legislative Research Committee recommends a maximum of fifteen committees, preferably ten, for each house and recommends that the corresponding committees meet jointly during the interim and whenever feasible during the session.

The standing committees will approve their staff and accept assistance from the legislative service agencies. They will be authorized to conduct investigations and to require reports and information from state agencies.

The Committee recommends that since the standing committees will be undertaking in-depth studies to evaluate legislation, studying existing laws, operations, and functions, assistance from advisory committees of private citizens would be beneficial. It is further recommended that the standing committees assume the functions of the Departmental Rules Review Committee within their functional areas. In regard to standing committees' duties during the session, the Committee recommends that thorough consideration be given to each bill, that fiscal notes be attached where necessary, committee reports be attached to each bill, and joint committee hearings be held.

It is recommended that the manner of selecting standing committee membership be determined in each political party caucus and that political party representation on each standing committee be based upon the ratio of party membership to total membership in the house. It is recommended, because more thorough committee work can be accomplished if each member serves on a minimum number of committees, that each legislator serve on a maximum of three standing committees.

The Advisory Committee consumed a great amount of time discussing the concept that the appropriations committees be abolished and their functions assumed by the standing committees and coordination of the total budget to be undertaken by the Legislative Council. The Committee recommends that the General Assembly devote further study to such a concept.

The Advisory Committee reviewed the Joint Rules and Rules of Procedure of each house, and the Legislative Research Committee approves the proposed rules changes in order to help increase the procedural efficiency of the General Assem-

bly. It is recommended that the Rules be rewritten using more easily understandable language and that obsolete rules be deleted.

In order to improve the general decorum of the General Assembly, it is recommended that rules be adopted for the use of radio, television and photographic equipment. The elimination of unneeded personnel from the floors of the two houses is also desirable. Visitations to the floor of the House of Representatives by private individuals and lobbyists and the frequent introduction of guests in both houses is to be discouraged.

The rules of the House of Representatives specifies that both *Roberts Rules of Order* and *Masons Manual of Legislative Procedure* govern the conduct of business, and the Senate Rules specify *Roberts Rules of Order*. It is recommended that *Masons Manual* be adopted by both houses.

Other Rules changes which are recommended include the adoption of a system for legislative bills to carry over from the first to the second session of each annual session of a General Assembly, the use of fiscal notes for bills which have been reported out of a standing committee and have fiscal implications for the state budget, less use of special orders as substitutes for steering or sifting committee action, and greater use of the Committee of the Whole by both houses.

The Advisory Committee discussed improvements which should be effected for bill drafting forms in order to aid in understanding legislation. The following suggestions are recommended by the Legislative Research Committee:

- (a) Renumbering the lines on each page of a bill rather than renumbering the lines in each section.
- (b) Reprinting the entire subsection or section being amended and properly identifying the language being deleted and the language being inserted.
- (c) Reprinting bills which are extensively amended in one house.
- (d) Providing explanations for all bills, not just for House of Representatives bills.
- (e) Clarification of the Prefiling Act.

It is the opinion of the Research Committee that the journals can be more easily read if sep-

arate items are set out more clearly one from the other through the use of distinctive type, proper spacing, and other means. It is recommended that recording debates in the General Assembly be instituted. More detailed and effective standing committee reports would also be of help to legislators.

Several recommendations are being made with regard to the printing and distribution of the *Code of Iowa*. It is suggested that provision be made for continuous code revision, for revision of the index, and for reprinting the code every odd-numbered year instead of after every odd-numbered session. A more flexible printing and distribution of the code should be carefully studied since annual legislative sessions have been approved. Since the Code Editor presently submits corrective legislation to the Judiciary Committee, it is believed to be more satisfactory to submit such revisions to the appropriate standing committee.

Preparation of a legislative employees' handbook appears to be an excellent manner in which to standardize necessary qualifications, duties, and procedures for legislative positions, and to aid employees to carry out their duties. The Research Committee recommends that such a handbook be prepared.

The Committee recommends that the General Assembly pass a constitutional amendment which will enable the General Assembly to call itself into special session.

The Committee further suggests that a study of the manner of filling legislative vacancies be undertaken, and suggests that since annual sessions have been approved, the two sessions of the General Assembly be numbered consecutively as the first and second sessions of a General Assembly.

#### PERSONNEL

The Legislative Research Committee is of the opinion that efforts should be made to insure that the members of the General Assembly continue to represent all segments of the population of Iowa. More adequate compensation for members of the General Assembly is needed to insure that many persons will be able to serve as members of the General Assembly. Annual salaries appear to be a more satisfactory mode of payment than per diem payments and it is recommended that

annual salaries of six thousand dollars be provided. Since the constitutional amendment allowing the General Assembly to set its own mode of payment has been approved, it will be possible to pay members of the Sixty-fourth General Assembly on an annual basis.

In addition, it is recommended that an expense allowance of eighteen dollars per day for actual days in session be paid. Legislators from Polk County, since they are not required to maintain a second residence although they do, of necessity, incur some extra expenses, should be paid an expense allowance of nine dollars per day. Legislators usually travel to their homes every week and since it is desirable to maintain contact with constituents, compensation for weekly travel at the standard state rate for mileage is recommended.

In order to encourage attendance at special sessions and at interim committee meetings, the Committee recommends that the per diem payments of forty dollars be continued. Also, payment of actual expenses for attendance at committee meetings and the present session expense allowance of forty dollars per day for attendance at special sessions are recommended.

The Legislative Research Committee recommends the Legislature pass for a second time the proposed constitutional amendment pertaining to mandatory subdistricting, and that the General Assembly consider changing the primary election to an earlier date. Campaign contributions statutes appear to be unrealistic and should be thoroughly reviewed.

A knowledgeable General Assembly is of utmost importance, and professional staff assistance appears essential in order to provide unbiased information, research, and bill drafting services. The Committee recommends that the Legislative Research Bureau, the Office of the Fiscal Director, and the Office of the Code Editor maintain close cooperation with one another. Staffing these agencies with qualified personnel is most important. The Committee further recommends that both private and educational sources should be utilized for assistance when needed by the General Assembly.

Since this report recommends that the standing committees continue to meet during the interim, the major standing committees should be

provided professional nonpartisan staff by the legislative service agencies. It is further recommended that the majority and minority leaders in each house be provided staff assistance at state expense during the legislative session.

The Committee agrees that the orientation program for legislators should be continued.

#### CITIZENS RELATIONS

In regard to the area of citizens relations the Committee believes that an increased knowledge of the activities of the General Assembly will help to improve the attitude of the citizenry toward the General Assembly. Therefore, it is recommended that various types of educational materials be made available to the public through educational institutions, and within the Capitol Building itself by means of expanded informational services for visitors.

In regard to relations with news media personnel, the Committee believes that an orientation session for legislative correspondents would be beneficial and would help to encourage more press coverage by smaller newspapers and coverage of all aspects of the activities of the General Assembly. However, the Committee recommends that members of the press be restricted from the floor during debate in the House of Representatives as they are presently restricted in the Senate.

In regard to lobbyists, the Committee recommends that all lobbyists register with the Secretary of State prior to or at the time that their lobbying activities commence. No fee should be required for registration.

Governmental employees should be required to file an authorization with the Secretary of State when they are representing the official view of their governmental agency. The Committee also decided that legislators and full-time legislative employees and their partners and business associates should not be allowed to accept compensation for lobbying activities.

Senate File 476 (Chapter 107, Acts of the Sixty-second General Assembly), the Iowa Public Officials Act, has been studied by the Committee, and recommendations for its amendment were adopted. Suggested amendments include specifying a time period of thirty days from the conven-

ing of the session for preparation of a code of ethics for lobbyists. The law presently requires no time limitation. Also, an amendment is recommended to require that charges against lobbyists be investigated by the ethics committees in the same manner that charges against legislators be investigated. It is recommended that the two-year restriction against former executive officials lobbying be repealed.

The Committee recommends joint action by the ethics committees in writing a legislative code of ethics, but individual committee action for enforcement of the code. It also recommends that business transactions not covered by competitive bidding involving legislators and full-time legislative employees, including their families and close business associates, who act as agents for the state, be prohibited.

The Legislative Research Committee approves the Advisory Committee recommendation that the General Assembly establish a study to determine the feasibility of creating an office of ombudsman.

#### FACILITIES

The Committee is aware of the lack of adequate space for the General Assembly members and staff. Recommendations pertaining to facilities are divided into two areas: those that might be completed prior to the Sixty-third General Assembly and those that might be considered long-range improvements.

A major problem concerning preparation of legislative facilities and equipment for the legislative session is that no committee or individual is given specific authority by rule or statute for such preparation. The Committee, elsewhere in this report, has recommended that the Legislative Council be given this duty.

In order to help the General Assembly operate more smoothly and efficiently, several recommendations for improvements were made which are considered to be short-range goals. The parking problem was studied, and the Research Committee approves the Advisory Committee's conclusion that assigned parking spaces for members of the General Assembly will help to relieve congestion. The Executive Council is prepared to establish such a system. The Committee also approves the recommendation that a signal system

be installed throughout the Capitol Building in order to inform legislators of impending quorum or roll call votes.

After considerable study, the Committee decided that the public address system in the chambers should be remodeled to allow for more individual control of microphones. Testimony indicated that the public address system in the House of Representatives is ineffective, and its eventual replacement may be warranted. Work has commenced on this recommendation. Since the use of audiovisual equipment in the legislative chambers has been substantially increasing and adequate electrical changes have not been made, the Committee recommends that the wiring systems in both chambers be replaced. It is also recommended that the operators of audiovisual equipment be assigned an area in which they might park their vehicles near the Capitol Building in order to unload their equipment.

In the past, legislators have found it almost impossible to secure lunch in the Capitol Building because many public employees and visitors usually are eating in the Capitol cafeteria. This has required legislators to eat outside the Capitol Building and has resulted in a substantial loss of work time. The Advisory Committee recommended that the area previously occupied by the Motor Fuel Tax Division located next to the present dining area be converted for use by legislators as a legislative dining room. The Legislative Research Committee approves of this recommendation and is having this recommendation implemented. The dining area will seat approximately one hundred sixty persons, will allow legislators, executive officials, and invited persons to eat or have a cup of coffee in a relatively private area. In addition to allowing legislators to more quickly secure a lunch, this area, when not being used for eating purposes, may be used as a caucus area.

Other changes recommended are a study to determine the cost of air-conditioning the Capitol, private restroom facilities for women legislators, and closing of the rotunda opening on the first floor.

Short-range facilities recommendations were also formulated with regard to the press personnel in order that the task of reporting the activities of the General Assembly might become easier. The Committee recommends that the number of press desks in each chamber be increased to

thirty, and that additional signal buzzers to summon pages be provided the press personnel. Because of inadequate lighting and difficulty in televising the proceedings of the General Assembly, it is recommended that larger wattage bulbs be inserted in the chandeliers.

The Legislative Research Committee, in an effort to implement the short-range goals prior to the convening of the Sixty-third General Assembly, directed its Equipment Subcommittee and the Facilities Subcommittee of the Legislative Processes Advisory Committee to meet with the Executive Council. Although the Executive Council agrees that such facility changes should be implemented, not all of such changes can be implemented prior to the convening of the Sixty-third General Assembly because of the lack of time and complexity of the work. However, all projects which can be completed will be prepared.

The Legislative Research Committee believes that the best procedure for relieving space congestion in the Capitol is the eventual removal of all offices connected with the Department of Agriculture to a separate building and utilization of the Capitol building exclusively for elected executive officials and the Legislature.

Other suggested long-range improvements include:

- (a) Additional Committee rooms.
- (b) Private lounge for legislators.
- (c) A larger and more adequate room for press personnel.

- (d) A radio-TV filming and taping studio.
- (e) Office space for legislators.
- (f) Adequate space for the legislative service agencies.
- (g) Adequate parking facilities.
- (h) A Capitol dining area located outside but easily accessible to the Capitol Building.
- (i) Earphone access points in the lounges so that debate in the legislative chambers can be heard.
- (j) Increased use of electronic data processing methods.

#### CONCLUSION

It is hoped that the adoption of the recommendations will enable the General Assembly to conduct its business in a more efficient and economical manner and that the legislative work load can be organized more quickly and completed more expeditiously. The Committee believes that with improved procedures, staff, and facilities, the Iowa General Assembly can become more responsive to the desires of its citizens and legislation of an excellent quality will be enacted.

The Legislative Research Committee will introduce legislation and make suggested rules changes to implement the recommendations of the Legislative Processes Advisory Committee. Many of the recommendations do not require either legislation or rules changes and efforts will be made by the proper officials to implement these recommendations.