

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE )  
IN THE IOWA RULES OF CIVIL )  
PROCEDURE )

REPORT OF THE  
SUPREME COURT

**FILED**  
NOV 25 1985  
CLERK SUPREME COURT

TO: MR. DONOVAN PEETERS, SECRETARY OF THE LEGISLATIVE  
COUNCIL OF THE STATE OF IOWA:

Pursuant to Iowa Code sections 602.4201 and 602.4202, as amended (1985), the Supreme Court of Iowa has prescribed and hereby reports to the Secretary of the Legislative Council the attached Exhibit "A", concerning the striking of Rule 380 of the Iowa Rules of Civil Procedure, which is issued on this date.

Pursuant to Iowa Code section 602.4202(2), as amended (1985), this change is to take effect February 3, 1986.

Respectfully submitted,

THE SUPREME COURT OF IOWA

By W. W. Reynoldson  
W. W. Reynoldson, Chief Justice

Des Moines, Iowa

November 25, 1985

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council of the State of Iowa, hereby acknowledge delivery to me on the 25th day of November, 1985, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

Donovan Peeters  
Secretary of the Legislative Council

EXHIBIT "A"

RULES OF CIVIL PROCEDURE

FILED

NOV 25 1985

CLERK SUPREME COURT

In light of the statutory reference of Iowa Code section 602.1202 (1985), Iowa Rule of Civil Procedure 380 is hereby stricken.

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE )  
IN THE IOWA RULES OF CIVIL ) REPORT OF THE  
PROCEDURE ) SUPREME COURT

**FILED**  
DEC - 3 1985  
CLERK SUPREME COURT

TO: MR. DONOVAN PEETERS, SECRETARY OF THE LEGISLATIVE  
COUNCIL OF THE STATE OF IOWA:

Pursuant to Iowa Code sections 602.4201 and 602.4202, as amended (1985), the Supreme Court of Iowa has prescribed and hereby reports to the Secretary of the Legislative Council the attached Exhibit "A", concerning the amending of Rule 181.2(b) of the Iowa Rules of Civil Procedure, which is issued on this date.

Pursuant to Iowa Code section 602.4202(2), as amended (1985), this change is to take effect February 3, 1986.

Respectfully submitted,

THE SUPREME COURT OF IOWA

By *W. W. Reynolds*  
W. W. Reynolds, Chief Justice

Des Moines, Iowa

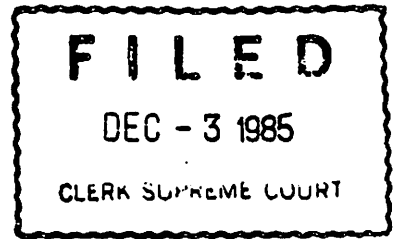
December 3, 1985

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council of the State of Iowa, hereby acknowledge delivery to me on the 6th day of December, 1985, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

*Donovan Peeters*  
Secretary of the Legislative Council

EXHIBIT "A"



181.2. Trial assignments.

\* \* \* \*

(b) Small claims appeals. At least twice each month, the clerk of court shall present to a district judge or district associate judge authorized by statute to hear the appeal the file and any transcript or exhibits in each small claims case in which appeal was taken more than ~~ten~~ twenty days previously. The judge shall decide the appeal upon the record without oral argument unless, within ~~ten~~ twenty days after the appeal was taken, a party filed with the clerk of court a written request for oral argument specifying the issues to be argued, in which event the judge shall schedule oral argument. Additional evidence shall not be received except as authorized by statute.

# IOWA LEGISLATIVE COUNCIL

STATE CAPITOL BUILDING

DES MOINES, IOWA 50319

515 281-3566



## SENATORS

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DONALD V. DOYLE  
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LT. GOVERNOR ROBERT T. ANDERSON, *EX OFFICIO*  
DONOVAN PEETERS, *SECRETARY TO THE COUNCIL*

## REPORT OF THE STUDIES COMMITTEE OF THE LEGISLATIVE COUNCIL

December 10, 1985

The Studies Committee of the Legislative Council met on December 10, 1985, and makes the following recommendations:

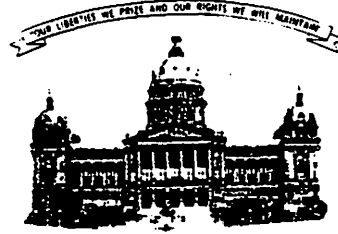
1. Joint Human Services Appropriations Subcommittees - Request for one meeting day deferred.
2. Water Quality Study Committee - Request for one meeting day during first three days of 1986 Session approved.
3. Alternative Crops and Livestock Study Committee - Request to finalize goals, work plans, and request for meeting days at its first meeting during the 1986 interim study period approved.
4. Collective Bargaining Study Committee - Request for three additional meeting days approved.

Respectfully submitted,

SPEAKER DONALD D. AVENSON  
Chairman

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LT GOVERNOR ROBERT T. ANDERSON, *EX OFFICIO*  
DONOVAN PEETERS, *SECRETARY TO THE COUNCIL*

## REPORT OF THE SERVICE COMMITTEE OF THE LEGISLATIVE COUNCIL

December 10, 1985

A Subcommittee of the Service Committee of the Legislative Council met on December 10, 1985 and makes the following recommendations to the Legislative Council:

1. That Ms. Teresa L. Johnson be employed by the Legislative Fiscal Bureau as a Budget Analyst at grade 24, step 1.
2. That the Director of the Computer Support Bureau be authorized to advertise for and employ a Computer Operator for the 1986 Legislative Session at a salary of \$6.50 per hour.
3. That the Director of the Legislative Service Bureau be authorized to begin the recruitment process for a legislative text processor and a legal intern and have authority to hire one or both such persons if necessary due to Session work requirements.

In other actions, the Subcommittee of the Service Committee received and took appropriate action on the following reports:

1. An update on federal legislation relating to payment of overtime to governmental employees. Basically, legislative employees are exempt from the Fair Labor Standards Act but the new law does not take effect until April 15, 1986.
2. A Progress Report on the Comparable Worth Study of the Legislative Branch. Concerns have been expressed relating to the timetable for exercising the unique evaluation instrument option and concerns have been

raised concerning the manner in which the consultant will apply the executive branch evaluation instrument to the Legislative Branch positions, namely the lack of emphasis of the extreme physical stamina demands put on legislative staff by the long work hours during the Session.

For further clarification on the issues raised by the Comparable Worth Staff Committee Report, Mr. Roger Gallentine of Arthur Young & Co. was contacted by telephone after the Service Committee meeting. In regard to the two points, Mr. Gallentine's comments were to the effect that:

A. Although the initial proposal did not contemplate the preparation of an evaluation instrument so late in the process and although it will cost more than bid to do so, Arthur Young will prepare the evaluation instrument if that option is selected and do so at the original price quoted as a gesture of good will.

B. Every attempt will be made to take appropriate account in an objective manner of all facets of every position. Long work hours might end up being addressed by recommendations concerning overtime pay, shift differentials, or compensatory time off.

3. A Report from the Director of the Legislative Service Bureau relating to progress in employing Session employees.

4. Received and approved a preliminary report on the Study of the Preparation of State Documents by the Legislative Service Bureau and the Iowa Code Office. This Report is attached and by this reference made a part of this report.

5. Received a report on the staff workload on the Legislative Service Bureau and thought that the report should also be given to the Legislative Council.

6. Received and deferred action on a request of the Legislative Service Bureau to change the status of a position from a 2/3 FTE to a 1 FTE.

Respectfully submitted,

REPRESENTATIVE JOHN H. CONNORS  
Chairman

## PRELIMINARY REPORT

### STUDY OF THE PREPARATION OF STATE DOCUMENTS BY THE LEGISLATIVE SERVICE BUREAU AND THE IOWA CODE OFFICE

I. As a follow-up to the report at the last meeting, I would like to report the following findings and conceptual recommendations:

1. The major general finding is that the preparation of the various state documents under study has grown in a piecemeal fashion by both administrative custom and statutory change from relatively simple beginnings into a very complex and relatively unstructured set of operations. Due to the lack of structure, these operations are less coordinated and more cumbersome than they need be and have caused some production problems, aggravated by the computer situation. These problems are certainly not due to any of the numerous organizations and personnel involved, but to the structural situation. As indicated initially, this situation has gradually developed and no one has "stepped back" and taken an objective, overall look at the entire situation -- at least not until the study begun by the Service Committee.

2. The first of the major conceptual recommendations is that centralized decision-making authorities and well-defined lines of authority need to be statutorily established for the production of the major types of set documents. Currently eleven major organizations are involved in the production of these documents with no centralized direction. The Legislative Service Bureau seems to be the logical focus of authority for the Iowa Code documents and the Administrative Rules Review Committee for the administrative rule documents, with specified functions and appropriate consultative roles for other organizations.

3. More statutory flexibility needs to be established for these documents, such as in regard to frequency of publication and manner of distribution of the Administrative Code Supplements.

4. An intensive study needs to be made of the problems that occurred this year in the legislative computer-typesetting computer interface and recommendations developed in an attempt to avoid it next year.



5. Study needs to begin in regard to the long-range computerization of the administrative rules process, akin to what has already been done in the statutory law process. This was in the original proposal for the legislative computer system.

6. In regard to free distribution of these documents, my initial impression is that it has grown completely out of control. Further study is needed with a view to "tightening" the relevant statutes if necessary and in view of the overall cost picture for these documents.

7. As a follow-up detail from prior meetings, the status of one Code Office proofreader should be changed from 3/4 FTE to 1 FTE.

II. In regard to the above points, if they meet with the approval of the Service Committee I will proceed to administratively implement those which can be so done and work to develop specific statutory proposals for those requiring statutory action, in consultation with the various interested parties and present the statutory proposals to the Service Committee early in the Session. If appropriate I will seek management consultant advice from state academic resources.

Respectfully submitted,

DONOVAN PEETERS