

LEGISLATIVE COUNCIL COMMITTEES
1999-2000

ADMINISTRATION COMMITTEE

Representative Steve Sukup, Chairperson
Senator Robert Dvorsky
Senator John Jensen
Senator Jack Rife
Representative Libby Jacobs
Representative Pam Jochum

SERVICE COMMITTEE

Senator Stewart Iverson, Jr., Chairperson
Representative Christopher Rants, Vice Chairperson
Senator Michael Gronstal
Senator Don Redfern
Representative John Connors
Representative Steven Sukup

CAPITAL PROJECTS COMMITTEE

Representative Chuck Gipp, Chairperson
Senator Nancy Boettger
Senator Patrick J. Deluhery
Senator Tom Flynn
Senator John Jensen
Senator Derryl McLaren
Representative Betty Grundberg
Representative Pam Jochum
Representative David Millage
Representative Pat Murphy

STUDIES COMMITTEE

Senator Stewart Iverson, Jr., Chairperson
Representative Chuck Gipp, Vice Chairperson
Senator Nancy Boettger
Senator Michael Gronstal
Senator Johnie Hammond
Senator Mary Kramer
Representative Dolores Mertz
Representative Christopher Rants
Representative David Schrader
Representative Brent Siegrist

FISCAL COMMITTEE

Senator Derryl McLaren, Co-chairperson
Representative David Millage, Co-chairperson
Senator Tom Flynn
Senator Patricia Harper
Senator JoAnn Johnson
Senator Mary Kramer
Representative Libby Jacobs
Representative Pat Murphy
Representative Don Shoultz
Representative James Van Fossen

INTERNATIONAL RELATIONS COMMITTEE

Representative Brent Siegrist, Chairperson
Senator Dennis Black
Senator Nancy Boettger
Senator Bill Fink
Senator Eugene Fraise
Senator Steve King
Senator Derryl McLaren
Senator Sheldon Rittmer
Senator Neal Schuerer
Senator Elaine Szymoniak
Representative Paul Bell
Representative Kay Chapman
Representative Minnette Doderer
Representative Jack Drake
Representative Betty Grundberg
Representative Libby Jacobs
Representative Christopher Rants
Representative Paul Scherrman

OVERSIGHT COMMITTEE

Senator Steve King, Co-chairperson
Representative Bill Dix, Co-chairperson
Senator Patrick J. Deluhery
Senator Patricia Harper
Senator Mary Lundby
Senator Sheldon Rittmer
Representative Clyde Bradley
Representative Jim Drees
Representative Steve Falck
Representative Geri Huser
Representative Willard Jenkins
Representative Steve Kettering
Representative Mona Martin
Representative Wesley Whitead

RULES

IOWA LEGISLATIVE COUNCIL

1999-2000

1. Thirteen members shall constitute a quorum.
2. At least thirteen affirmative votes are required for final action on any motion except a motion to recess or adjourn.
3. A substitute motion may be offered in lieu of a pending motion at any time unless the question has been called on the pending motion. A substitute motion takes precedence over any pending amendment to the original motion and, if adopted, disposes of the original motion and any pending amendments to the original motion.
4. Whenever Mason's Manual of Legislative Procedure does not conflict with the rules specifically adopted by the Council, Mason's Manual of Legislative Procedure shall govern the deliberations of the Council.
5. Meetings shall be set by motion before adjournment, or by call of the Council Chairperson with the approval of the Vice Chairperson if meetings are necessary before the date set in the motion.
6. Rules may be changed by a majority vote of the Council as provided in Rule 2.
7. The Council upon its motion may create committees in addition to those provided by statute to carry out its duties and shall designate the members of those committees. The committees shall include members of both political parties. The actions of the committees shall be reported to the Council at each meeting.
8. The Speaker of the House, Majority Leader of the Senate, and Minority Leaders of the Senate and House of Representatives shall appoint the members of their respective caucuses to interim study committees created by the Legislative Council or by statute or resolution.
9. If the appointing authority for members of permanent legislative committees, committees created under rule 7, statutory bodies, and other bodies is the Legislative Council, the Speaker of the House, Majority Leader of the Senate, and the Minority Leaders of the Senate and House of Representatives, shall make the appointment or appointments.

Adopted:

June 2, 1999

GENERAL ASSEMBLY OF IOWA

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Susan E. Crowley
Patricia A. Funaro
Michael J. Goedert
Nicole R. Haatvedt
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JOHN C. POLLAK
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LOANNE M. DODGE
IOWA CODE EDITOR

KATHLEEN K. BATES
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

June 1, 1999

MEMORANDUM

TO: CHAIRPERSON SIEGRIST, VICE CHAIRPERSON IVERSON, AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: DIANE BOLENDER *DB*

RE: COURT RULES

Under Section 602.4202 of the Iowa Code, the Supreme Court is required to submit Court Rules changes to the Legislative Council and the rule takes effect 60 days after its submission to the Legislative Council or at a later date specified by the Court. The amendments to the Iowa Rules of Criminal Procedure are scheduled to take effect July 2, 1999, unless within 60 days of the submission the Legislative Council delays the effective date.

The rules changes relate to the Rules of Criminal Procedure. In 1995 the Legislature amended section 902.7 to provide that a person must serve a mandatory minimum sentence of 5 years if during the commission of a forcible felony the person used a dangerous weapon. Prior to 1995, a person must have used a firearm during the commission of a forcible felony to qualify under 902.7. The changes in the rules are in response to the 1995 change in section 902.7.

IN THE SUPREME COURT OF IOWA

FILED

APR 01 1999

CLERK SUPREME COURT

0 2 1999
IN THE MATTER OF
AMENDMENTS TO IOWA
RULES OF CRIMINAL PROCEDURE
6 AND 21

REPORT OF THE
SUPREME COURT

TO: DIANE BOLENDER, SECRETARY OF THE LEGISLATIVE COUNCIL OF THE
STATE OF IOWA.

The Iowa Supreme Court has approved amendments to Iowa Rules of Criminal Procedure 6 and 21 as shown in attached Exhibits "A" and "B." Pursuant to Iowa Code sections 602.4201 and 602.4202, the court submits these changes to the Legislative Council and reports them to the Secretary of the Legislative Council.

Subject to the provisions of Iowa Code section 602.4202(2), the amendments to Iowa Rules of Criminal Procedure 6 and 21 are to take effect July 2, 1999.

Dated this 2 day of April, 1999.

Respectfully submitted,

THE SUPREME COURT OF IOWA

By Arthur A. McGiverin
Arthur A. McGiverin, Chief Justice

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council, hereby acknowledge delivery to me on the 5th day of April, 1999, the Report of the Supreme Court pertaining to the amendment of Iowa Rules of Criminal Procedure 6 and 21.

Diane J. Bolender
Secretary of the Legislative Council

Please return to: Iowa Supreme Court Clerk's Office, State Capitol, Des Moines, IA 50319.

EXHIBIT A

Iowa Rule of Criminal Procedure 6.

Pleading special matters in indictments and informations--multiple offenses or defendants; pleading prior convictions; pleading statutes.

* * * *

6. *Allegations of use of a firearm dangerous weapon.* If the offense charged is one for which the defendant, if convicted, will be subject by reason of the Code* to a minimum sentence because of use of a firearm dangerous weapon, the allegation of such use, if any, shall be contained in the indictment. If use of a firearm dangerous weapon is alleged as provided by this rule, and if the allegation is supported by the evidence, the court shall submit to the jury a special interrogatory concerning this matter, as provided in R.Cr.P. 21(2).

*Sec § 902.7

* * * *

EXHIBIT B

Iowa Rule of Criminal Procedure 21

Verdict.

* * * *

2. *Answers to interrogatories.* It must also return with the general verdict answers to special interrogatories submitted by the court upon its own motion, or at the request of the defendant in prosecutions where the defense is an affirmative one, or it is claimed any witness is an accomplice, or there has been a failure to corroborate where corroboration is required.

Where a defendant is alleged to be subject to the minimum sentence provisions of Iowa Code section 902.7, (use of ~~firearms~~ a dangerous weapon), and the allegation is supported by the evidence, the court shall submit a special interrogatory concerning that matter to the jury.

* * * *

REPORT OF THE SERVICE COMMITTEE TO THE LEGISLATIVE COUNCIL

June 2, 1999

The Service Committee of the Legislative Council met on June 2, 1999, and makes the following report and recommendations to the Legislative Council:

1. The Service Committee elected Senator Stewart Iverson, Jr. as Chairperson and Representative Christopher Rants as Vice Chairperson of the Service Committee.
2. The Service Committee received and filed the personnel reports from the Legislative Fiscal Bureau, Legislative Service Bureau, Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman. New employees of the Computer Support Bureau and Office of Citizens' Aide/Ombudsman were introduced.
3. The Service Committee discussed the charge of the special personnel committee, established by the Legislative Council at its November 1998 meeting, to review job classifications and salary structures for legislative employees.
4. The Service Committee recommends that the Legislative Council approve the following:
 - That the Citizens' Aide/Ombudsman be authorized to proceed with the sale of case management software, developed by a consultant under contract with the Citizens' Aide/Ombudsman, to other ombudspersons' offices and to explore the establishment of an intergovernmental agreement to share future developmental costs associated with the software.
 - That the Legislative Service Bureau be authorized to carry forward \$50,000 from FY 1998-1999 into FY 1999-2000 for publication of the Fourth Edition of the Iowa Court Rules.
 - That the President of the Senate be designated as the authority to appoint one Senator from the Senate majority caucus to serve as one of the four legislator members of the special personnel committee to review legislative employee job classifications and salary structures.

Respectfully submitted,

Senator Stewart Iverson, Jr.
Chairperson

REPORT OF THE STUDIES COMMITTEE TO THE LEGISLATIVE COUNCIL

June 2, 1999

The Studies Committee of the Legislative Council met on June 2 1999, and makes the following report and recommendations:

1. The Studies Committee elected Senator Stewart Iverson, Jr. as Chairperson and Representative Chuck Gipp as Vice Chairperson.
2. The following are legislative studies that were previously authorized or are reoccurring:
 - a. Sentencing Commission – the Studies Committee recommends authorization of 6 additional meeting days, to be used for subcommittee and full commission deliberations for the 1999 interim.
 - b. Child Welfare Services Work Group.
 - c. Public Retirement Systems.
3. The following are mandated legislative studies or review items:
 - a. Campaign finance commission with public members, some of which are appointed by legislative leaders, and with legislative staffing (SF 470).
 - b. Legislative Council review and approval of design and location proposals for construction of the Iowa Hall of Pride (HF 772).
4. The Studies Committee recommends authorization for the School Finance Working Committee to complete its deliberations during the 1999 interim, as requested by the Working Committee's co-chairpersons. In addition, the Working Committee shall study and make recommendations for funding alternative high school programs in accordance with the directive in 1999 Iowa Acts, House File 782. An authorization of five meeting days is recommended.
5. A listing of studies requirements and requests was received and filed.

Respectfully submitted,

Senator Stewart Iverson, Jr.
Chairperson

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JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

May 21, 1999

MEMORANDUM

**TO: TEMPORARY CHAIRPERSON SIEGRIST, TEMPORARY VICE CHAIRPERSON
IVERSON, AND MEMBERS OF THE LEGISLATIVE COUNCIL**

FROM: DIANE BOLENDER, DIRECTOR *DB*

RE: JUNE LEGISLATIVE COUNCIL MEETING

Temporary Chairperson Siegrist has scheduled the organizational meeting of the 1999-2000 Iowa Legislative Council for 2:00 p.m. on Wednesday, June 2, 1999. Service and Studies Committees will meet prior to the Legislative Council meeting in Committee Room 118. Because many Committee rooms are not available this interim, the Legislative Council will meet in the front portion of the House Chamber. A time schedule for the day's meetings follows:

11:00 a.m. Service Committee – Committee Room 118

1:00 p.m. Sine Die Closing

1:15 p.m. Studies Committee – Committee Room 118

2:00 p.m. Legislative Council – House Chamber

Copies of the tentative agendas for the meetings are enclosed. Also enclosed are copies of the November 18, 1998, Service Committee, Capital Projects Work Group, and Legislative Council minutes. Also enclosed are copies of January 5, 1999, and March 19, 1999, minutes of the Computer User Policy Direction Committee.

Please indicate whether you will be able to attend the June 2 meeting on the enclosed postcard, telephone the Legislative Service Bureau, or send an e-mail addressed to me.

Thank you.