

IOWA SUPREME COURT

RULES FOR REVIEW BY LEGISLATIVE COUNCIL UNDER SEC. 602.4202

<u>Rule No.</u>	<u>Type of Rule</u>	<u>Subject</u>	<u>Page No.</u>
297	Civil Procedure	Proceeds of Partition Sale	1-2

IN THE SUPREME COURT OF IOWA

FILED

MAY 24 1988

CLERK SUPREME COURT

IN THE MATTER OF A CHANGE)
IN THE IOWA RULES OF) REPORT OF THE
CIVIL PROCEDURE) 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,
the Supreme Court of Iowa has prescribed and hereby reports
to the Secretary of the Legislative Council an amendment to
Iowa Rule of Civil Procedure 297, attached as Exhibit "A"
and issued on this date.

Pursuant to Iowa Code section 602.4202(2), this change
is to take effect August 1, 1988.

Respectfully submitted,

THE SUPREME COURT OF IOWA

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

Des Moines, Iowa

May 23, 1988

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council
hereby acknowledge delivery to me on the 24th day of
May, 1988, the Report of the Supreme Court pertaining
to the Iowa Rules of Civil Procedure.

Donovan Peeters
Secretary of the Legislative Council

EXHIBIT "A".

297. Paying small sums. Whenever a minor, having no legal guardian, is entitled to proceeds of a partition sale, not in excess of ~~one~~ four thousand dollars, the court may order the referee discharged of all liability therefor, by paying them to the minor's parent or natural guardian, or the person with whom ~~he~~ the minor resides, for the use of such minor, and taking receipt therefor.

REPORT OF THE STUDIES COMMITTEE
OF THE LEGISLATIVE COUNCIL

June 8, 1988

The Studies Committee of the Legislative Council met on June 8, 1988, and makes the following recommendations:

1. That the request for funding for the Midwestern Conference on Children and Youth be referred to the Health and Human Rights Appropriations Subcommittee.
2. That the proposal for funding of the study of Driving While Intoxicated sentencing be approved so long as matching private funds are committed.
3. That an interim study of the Iowa obscenity laws and pertinent court decisions be approved with appointment of five Senators, five Representatives, and two meeting days.
4. That the World Trade Institute Study Committee's expenditure of \$22,500 for previously approved projects out of their discretionary funds is accepted; that the expenditure of \$152,314 for a contract with the Interdisciplinary Working Group on International Business be approved as proposed by the Study Committee; and that any additional expenditure by the Study Committee be submitted through the appropriation subcommittees.
5. That action by the Studies Committee regarding the contract letting for educational foundation consulting be deferred for action by the Legislative Council.
6. That two members of the Senate and two members of the House be appointed to the Juvenile Justice Advisory Committee and that the number of meeting days for this Committee be deferred until the next meeting of the Legislative Council.
7. That no funds be released for the transportation-related independent studies until the appointing authorities submit a gender-balanced slate of representatives.
8. That an interim study of civil commitment procedures be conducted by five Senate members and five House members who will independently research civil commitment practices and one meeting day be approved for the Committee.
9. That a study of the bingo statutes be conducted by five Senate members and five House members be approved for one meeting day.
10. That guidelines for interim study committees be reviewed by the Studies Committee and action deferred until the next meeting of the Legislative Council.

Respectfully submitted,

SENATOR BILL HUTCHINS
CReport, studies608
jp/dg/20

**REPORT OF THE
COMPUTER OUTREACH COMMITTEE OF THE LEGISLATIVE COUNCIL**

June 8, 1988

The Computer Outreach Committee of the Legislative Council met on June 8, 1988, and makes the following report:

1. Sandy Scharf of the Computer Support Bureau reported that for 1988 there are sixteen subscribers to the computer service, paying total fees of \$11,200. Expenses total \$8,974.63, leaving a net income of \$2,225.37. A copy of the report is attached.

2. On motion of Senator Kinley, the Committee voted to recommend to the Legislative Council a change in the contract allowing Sandy Scharf to establish the beginning and ending dates for the contract year to coincide with the fiscal year of the user.

Respectfully submitted,

**SENATOR DONALD DOYLE,
Chairperson**

1988 SUBSCRIBERS

COMPANY NAME	AMOUNT PAID
*=====	
Ahlers, Cooney, Dorweiler, Haynie	\$ 600.00
Assoc. of Electric Cooperatives	\$ 600.00
Belin, Harris, Helmick	\$ 1000.00
Bevington, Swanson & Forest, P.C.	\$ 1000.00
Board of Regents	\$ 600.00
Davis, Hockenbergs, Wine, Brown	\$ 600.00
Dept. of Natural Resources	\$ 600.00
Dreher, Wilson, Simpson, Jensen	\$ 600.00
Iowa Assoc. of Municipal Util.	\$ 1000.00
Iowa Farm Bureau Federation	\$ 600.00
Iowa State Association of Count.	\$ 600.00
Motor Club of Iowa	\$ 600.00
Nyemaster, Goode, McLaughlin	\$ 1000.00
Sioux City Chamber of Commerce	\$ 600.00
Ted Anderson	\$ 600.00
Walter & Associates	\$ 600.00
	=====
TOTAL	\$ 11,200.00

1988 Public Access Program
Financial Report

Income

16 Subscribers	\$ 11,200.00
	=====
Total Income	\$ 11,200.00

Expenses

3 Paradyne rack mount modems for public access	\$ 1,578.51
3 Paradyne stand alone modems for Legislative access	1,810.50
1 Line module for DCP	2,250.00
3 Phone lines installation with rotary	249.70
8 Phone lines per year public access	2,057.28
4 phone lines per year legislative access	1,028.64
	=====
Total Expenses	\$ 8,974.63
GRAND TOTAL	\$ 2,225.37

**REPORT OF THE
SERVICE COMMITTEE OF THE LEGISLATIVE COUNCIL**

June 8, 1988

The Service Committee of the Legislative Council met on June 8, 1988. The meeting was called to order by Senator Joe Welsh, Chairperson, at 10:40 a.m. in Room 22 of the State House, Des Moines, Iowa.

The Service Committee respectfully submits to the Legislative Council the following report and recommendations:

1. The proposed administrative rules for the Office of Citizens' Aide/Ombudsman were received and filed. Action on the rules is delayed until the next meeting of the Service Committee.

2. Personnel guidelines for the central legislative staff agencies were received and filed. Copies of the proposed personnel guidelines shall be distributed to members of the Legislative Council who may make comments to Service Committee members prior to action on the proposed guidelines by the Service Committee at its next meeting. The directors of the central legislative staff agencies shall make copies available to employees. Employees may file written comments with either the Chief Clerk of the House or the Secretary of the Senate who will transmit the comments to the Service Committee.

3. Annual salary reports for each of the central legislative staff agencies were received and filed, including notification of review dates for merit step increases.

4. A report of individuals employed by the Legislative Service Bureau as interim Code publication employees was received and filed.

5. The Service Committee recommends that the Legislative Council approve the employment of Mr. Glen Dickinson as a Principal Legislative Analyst serving as Data Base Supervisor in the Legislative Fiscal Bureau at Pay Grade 36, step 2, subject to the stipulation that the next legislative analyst vacancy in the Legislative Fiscal Bureau not be filled.

6. The Service Committee recommends that the Legislative Council approve the following reclassifications of employees of the Legislative Service Bureau:

- a. Ms. Janet Wilson from Legal Counsel II to Senior Legal Counsel.
- b. Mr. Mark Johnson from Legal Counsel I to Legal Counsel II.
- c. Mr. John Pollak from Research Analyst I to Research Analyst II.
- d. Ms. Patty Funaro from Research Analyst I to Research Analyst II.

7. The Service Committee recommends that the Legislative Council approve the employment of Mr. Kent Peterson as an Assistant Public Information Officer at Pay Grade 18, step 2.

8. The Service Committee recommends that the Legislative Council approve the following reclassifications of employees of the Legislative Fiscal Bureau on their salary review date, subject to a satisfactory performance evaluation by the director:

a. Mr. Dan Davis from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

b. Mr. John McDonald from Legislative Analyst I to Legislative Analyst II at pay grade 30 effective January 6, 1989.

c. Ms. Carter Ricks from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

d. Ms. Sherry Stratman from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

e. Mr. Paul Durand from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

f. Ms. Beth Lenstra from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

g. Mr. John Hawley from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective January 6, 1989.

h. Ms. Alice Wisner from Legislative Analyst I to Legislative Analyst II at pay grade 30, effective April 14, 1989.

i. Ms. Terri Johnson from Legislative Analyst II to Legislative Analyst III at pay grade 33, effective May 26, 1989.

j. Mr. Robert Snyder from Legislative Analyst II to Legislative Analyst III at pay grade 33, effective January 6, 1989.

k. Mr. Carey Novak from Legislative Analyst II to Legislative Analyst III at pay grade 33, effective January 6, 1989.

l. Mr. Dan Ritter from Legislative Analyst II to Legislative Analyst III at pay grade 33, effective January 6, 1989.

m. Mr. Jon Neiderbach from Legislative Analyst III to Senior Analyst at pay grade 35, effective January 6, 1989.

Respectfully submitted,

SENATOR JOE WELSH
Chairperson

Report, Service608
lw/dg/20

REPORT OF THE LEGISLATIVE FISCAL COMMITTEE
TO THE
LEGISLATIVE COUNCIL

June 9, 1988

The Legislative Fiscal Committee met at 10:00 A.M., June 9, 1988, in Room 24 of the State Capitol Building with Chairperson Tom Jochum presiding.

The Committee reviewed and made the following recommendations on the Appropriations Subcommittee Visitation Oversight Requests:

Transportation and Law Enforcement: Denied, asked request be reworked and resubmitted.

Administration: Denied

Education: Denied, and asked Subcommittee to consider Phase III of the Education Excellence program.

Justice: Directed Subcommittee to prioritize capital needs, identify other needs and type of beds needed (minimum and medium security).

Human Services: Denied, asked request be reworked and resubmitted.

Health and Human Rights: Requested revision of request to include just statutory members for three days, meeting late in the 1988 interim, and request could be considered at next meeting.

Economic Development: Denied request because of interim study on subject.

Larry Wilson, Director, Department of Natural Resources, appeared before the Committee to discuss the development of Brushy Creek and was given a list of questions for his response.

A three member subcommittee was appointed to review the mandated studies and studies referred to the Fiscal Committee by the Studies Committee of the Council.

The Department of Human Services presented a report on the Mandated Studies. A copy of these reports are on file in the Fiscal Bureau.

Pat Cavanaugh, Director, Department of Management, presented an update on FY '88 reversions, FY '88 projected ending balance, and the FY '89 appropriations and revenue projection. Mr. Cavanaugh was requested to prepare a salary adjustment distribution report month by month.

The Committee also requested that Mr. Cavanaugh submit a financial statement for state government listing all current assets and liabilities according to GAAP and an itemized listing of all outstanding indebtedness for all state agencies by October 1, 1988.

Senator Holden presented an amendment to S.F. 2341 which he had introduced last session. A copy of this amendment is attached for presentation to the Council.

A subcommittee was named to study capital expenditures on an on-going basis and the feasibility of developing a separate legislative capital expenditures committee. The five members appointed were: Senator Welsh, Chair, Senator Holden, Representative Jochum, Representative Doderer and Representative Schnekloth.

Pat Cavanaugh, appearing as a representative of the Governor's Office on the "Bill of Rights," stated they are working with DHS to pursue enhancement of MH/MR/DD services. Chairperson Jochum announced that the names of Arthur Hedberg and Senator Bruner will be submitted to the Governor for his approval as two of the nine members of the Enhanced MH/Mr/DD Services Plan Oversight Committee, pursuant to H.F. 2447, Sec. 14.

675b

Approved for introduction
SENATE LEGAL COUNSEL

Handwritten initials and scribbles

SENATE FILE 2341

1 Amend Senate File 2341 as follows:
 2 1. Page 3, by inserting after line 7 the
 3 following:
 4 "Sec. ____ Section 8.35A, Code 1987, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 5. The director of the department
 7 of management shall prepare and submit to the
 8 legislative fiscal committee by October 1, of ~~each year~~ 1988
 9 all of the following:
 10 a. A financial statement for state government
 11 listing all current assets and liabilities according
 12 to generally accepted accounting principles.
 13 b. An itemized listing of all outstanding bonded
 14 indebtedness for all state agencies."
 15 2. By renumbering as necessary.

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 17 *Edgar H. Holden*
 18 EDGAR H. HOLDEN
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 20 *George R. Kuley*
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 24 *Julia Gentleman*
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 27 *John Jensen*
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 30 *E. O. Schwengel*
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 33 *Paul Cook*
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 37 *Wilma Bernick*
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 39 *Jack M. Dexter*
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 42 *Richard [unclear]*
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 44 *Lee W. Holt*
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 49 *Charles [unclear]*
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Handwritten signatures and names:
Bob [unclear]
Carl [unclear]
Frank [unclear]
Ray Taylor
Joseph [unclear]
William W. Dieleman
Till [unclear]
Eug. [unclear]
Pat DeLubery
Don [unclear]
Beal E. [unclear]
James Wells
Joseph [unclear]
 SE 2341.701 72
 JJ/SC
[unclear]