

IOWA LEGISLATIVE COUNCIL
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REPRESENTATIVE DELWYN STROMER, VICE CHAIRPERSON

IOWA LEGISLATIVE SERVICE BUREAU

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June 29, 1981

TO: MEMBERS OF THE LEGISLATIVE COUNCIL

Senator Calvin O. Hultman, Chairperson
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Representative Lawrence Pope
Representative Richard W. Welden

Enclosed you will find the minutes of the last two meetings of the Legislative Council.

I am seeking the concurrence of the Legislative Council in regard to procedures to be followed for consideration of a third re-districting plan and the submission of amendments to such a plan.

Chapter 42 provides procedures for the drafting of re-districting laws. Chapter 42 is an exception to the normal functions of the Bureau, because it provides that the Bureau shall draft the plans which in effect make policy. Normally the Bureau only carries out directions and puts into legal language the policies requested by legislators or legislative committees. Once we have completed our duties pursuant to Chapter 42, it is my feeling that the Bureau reverts to what has been its normal procedure. That would be to draft bills specifically as directed and not leave it to the Bureau's discretion to draft policy.

Section 2.58 of the Code provides that the Bureau shall upon proper request of members and committees of the General Assembly prepare research reports upon any governmental matter. Such research reports and the findings therein shall not contain any recommendations. (Emphasis added) The Bureau shall draft and prepare bills for committees and individual members of the General Assembly. The Legislative Council shall have the sole power and duty to allocate the workload of the Bureau but may delegate such duty to the Legislative Service Bureau Director.

Based upon Chapter 2, and Chapter 42, it is my belief that once Plan III is completed, I should not draft any plans for any committee or individual member, unless the committee or the individual members give me specific directions as to how I would frame the words which would carry out the plans drafted by them. Thus I believe that every request for an amendment or a plan should be specific as to how I describe them, and thus the burden will be on the committee or on the individual to specify every line within a plan that is to be drawn. There is also the question of whether I should reproduce any maps submitted. I believe that those submitting the plans should provide the maps.

I have already received at least two requests from individuals to draft plans and I have stated to them that I do not believe it is the function of the Bureau to do that once we have completed our duties under Chapter 42. I have also pointed out time problems that are prevalent in such a procedure. I feel that it may take us as long as four weeks to prepare Plan III and it could take us four weeks in additional time to prepare any committee or individual plan requested if we had the power to do so. This is not to say that we will not draft into legal language plans or amendments; I think we must draft them if time will allow. However in doing so I think that I would have to draft bills designed to carry out a plan pursuant to the direction of the Council, which as I have noted must allocate the workload of the Bureau.

I note that the Statement of Policy which is in effect for the Legislative Service Bureau and was enacted September 13, 1978 and has been subsequently approved either expressly or through the failure to amend it, does control the manner in which the Bureau completes its work. Subsection 8 of the Bureau Statement of Policy provides as follows:

"8. PRIORITY OF BILL DRAFTING AND RESEARCH REQUESTS

In most instances, priority for bill drafting and research shall be as follows:

- (1) Bill drafts and research studies for standing committees and subcommittees of standing committees.
- (2) Bill drafts and research studies assigned to an interim study committee by the Council.

- (3) Bill drafts and research studies requested by a majority or minority floor leader on the basis of a caucus position.
- (4) Bill drafts and research studies requested by individual legislators, in the order requested subject to adjustment on the basis of complexity or availability of information.
- (5) Prefiled executive department bills."

The above seems to me to be a reasonable approach for the Bureau to perform its work. I ask concurrence of the Council in continuing to follow this procedure. I ask concurrence in my conclusion that I should not write complete plans for any committee or legislator, without specific directions as to what will constitute the plans. I am sure that the Council will probably meet before we complete Plan III and I would hope that the Council will take the position of allocating the workload of the Bureau according to law and according to its Statement of Policy.

Sincerely,



SERGE H. GARRISON
Director

SHG:dg

REPORT OF THE
LEGISLATIVE FISCAL COMMITTEE
TO THE
LEGISLATIVE COUNCIL

July 8, 1981

The Legislative Fiscal Committee met July 7, 1981, at 1:00 p.m. in the Legislative Fiscal Bureau. Members present were:

Representative Richard Welden, Co-chairman
Senator Rolf Craft
Senator William Palmer
Representative Lowell Norland
Representative Hugo Schnekloth

The Committee went to the Hoover Building for a tour of the Central Data Processing Division. Dale Nelson, Director of Data Processing, welcomed the Committee and gave a brief overview of their operations. After a tour of the facility, Mr. Nelson and Bob Keyt, Data Base Administrator, answered questions concerning the Data Base Management System.

The Committee then moved to the Fiscal Bureau office in the Lucas Building where they viewed the computer equipment.

Representative Welden presided at the meeting conducted in the Commerce Commission Hearing Room. Thom Freyer presented a brief overview of the Program Evaluation report on "Office Space Management." After presentation and discussion of the recommendation from the report, the Committee decided to take a closer look at the report and study a recommendation for presentation to the Legislative Council.

The Fiscal Committee recommends to the Legislative Council that approval be given to the following interim schedule for committees and appropriation sub-committees:

Education Visitation Comm.	6 members	4 meeting days	24 member days
Social Services Approp. Sub.	17 members	3 meeting days	51 member days
Corrections and Mental Health Subcommittee	17 members	2 meeting days	34 member days
Human Resources Visitation	6 members	2 meeting days	12 member days
Advisory Comm. on Appropri- ate Uses of Women's Corr. and State Juven. Inst.	6 members	1 meeting day	6 member days

(This would allow the Commission a day for organization and determining their agenda. They could then request additional meeting time.)

Gerry Rankin summarized the fiscal year receipts for the Committee indicating that while the revenues were more than anticipated, the economy is still not robust. He said that the interest receipts exceed the original estimate by \$14 million because of higher interest rates and monthly rather than quarterly

payments to the school districts. The increase in sales and personal income taxes were the lowest for the year in several years. However, it is improving but is expected to remain rather flat for the next six months. The Fiscal Bureau will be making its quarterly revenue estimate by about July 15.

Senate File 563, passed by the first session of the 69th General Assembly, had two purposes. Number One--to allow the Governor to allocate funds from anticipated Block Grants starting October 1 without a special session of the General Assembly. Number Two--to provide a mechanism for legislative comment on federal funds application.

Donna Van Haalen will be following the progress of Congress as they appropriate funds for the next fiscal year. Specifically, as it affects Block Grants and we will be coordinating the review and comments on federal funds applications. Donna indicated that Congress is currently reconciling the differences between the House and Senate budget target bills, both of which include Block Grants. The reconciling is expected to be completed by the last of July, but final passage of appropriation bills may not come much before October 1.

The Fiscal Bureau has established a procedure for a review and comment on federal funds application. This procedure was reviewed with the Committee.

The meeting was adjourned.

REPORT OF THE
STUDIES COMMITTEE
TO THE
LEGISLATIVE COUNCIL

July 8, 1981

The Studies Committee met on July 7, 1981 and recommends that the Legislative Council approve the attached list of 1981 interim studies with the number of members and meeting days specified.

The Studies Committee also referred the following studies to the Fiscal Committee:

1. Workfare for public assistance recipients -
SR 20
2. Medically indigent program.
3. Monitoring conditions and population of state
correctional facilities.

LARRY POPE
Chairperson

MEMBERSHIP AND STUDIES FOR 1981 INTERIM

<u>STUDY SUBJECT</u>	<u>COMMITTEE STRUCTURE</u>	<u>NO. OF MEMBERS</u>	<u>MTG. DAYS</u>	<u>MEMBERSHIP</u>
1. Water Use SCR 22 HCR 22	Agriculture Natural Resources	14	3	
2. Small Busi- ness Problems	Commerce	10	1	
3. Money Market and Mortgage Investment Funds SCR 34 SCR 29 SCR 19	Commerce	10	2	

4.	Bill Standards	County Government	10	2
5.	Education Funding HCR 23 SCR 16 S.F. 552	Education Full Comm. 2 Subcomms.	10 ea.	1 3 ea.
6.	Elderly Abuse and Elderly Service Pro- grams SCR 20 HCR 45	Human Resources	10	2
7.	Retirement Systems	State Government	10	4
8.	Contract and Bidding Procedures Hk 15	State Government	6	2

9. Disaster Services	State Government	6	1
10. Merit Employment	State Government Appropriations State Department Approp. Subcomm.	10	2
11. Court Study Continuation of 1980 Interim Study SR 12	Judiciary & Judiciary & Law Enforcement	10	2
12. Sentencing HCR 27	Judiciary & Judiciary & Law Enforcement	10	2