

SUMMARY--IOWA CONGRESSIONAL DELEGATION--STATE LEGISLATORS' MEETING

Washington, D.C., September 7, 1973

NOTE: A detailed report of this meeting will be developed and will be available through the offices of the Iowa Legislative Service Bureau. This summary is submitted for the purpose of quickly informing those who desire such information of the proceedings of the meeting.

The meeting was held in Room 1318 of the New Senate Office Building in Washington, D.C. Persons present included sixteen Iowa state legislators, two legislative staff members, six persons representing the executive branch of Iowa state government, seven members of the Iowa United States congressional delegation, members of the staffs of the members of the Iowa congressional delegation, and six members of federal administrative agencies.

Topics discussed primarily concerned federal policies relating to transportation, energy, and agriculture in Iowa and also the Occupational and Safety Health Act and its implementation in Iowa.

AGRICULTURE--The new federal agricultural law was discussed at length. Provisions of the new law as well as the law in effect prior to its implementation were discussed in light of problems now existing in Iowa which will be present during the 1973 harvest season. The manner in which price guarantees are provided were discussed at length and particularly the concept of the escalation of the base price for grain or as it is termed in the federal law, the "established price". The basic price for corn established under the bill is \$1.38 per bushel subject to the escalator clause. The escalator clause is in effect only for the last two years of this four-year bill and thus does not become effective until 1976. The escalator clause allows for adjustments in the target price (established price) because of the changes in farm expenses. Another consideration in the escalator clause is changes in yields which would reduce the escalation of the base price.

The problem of the storage and shipping of grain was discussed at length. It was suggested by members of the state legislators' delegation that high moisture content loans should be made available so that grain might be stored on the ground.

A feed grain reserve program was suggested and the pros and cons of such a program were spoken of at length. The possibility for a high moisture content loan program does exist.

ENERGY--Energy problems as they will immediately affect Iowa during the 1973 harvest and during the forthcoming winter season were discussed at length. Mr. Charles DiBona, Special Consultant to the President on Energy Problems, stated that it is the intention of the federal government to provide for mandatory allocation of propane through a new program that is now being finalized. Priority allocations are for farm use and residential use. Details for allocation and distribution have not been worked out and the suggestions of the states at this time were determined to have a definite bearing upon the ultimate program.

It was noted that a mandatory allocation program will require thousands of people to administer it. Iowa state legislators asked that the State of Iowa be given the authority to distribute its own allocations or a portion of its allocations of propane and heating oil for emergencies. Iowa legislators stressed the fact that the State of Iowa has had substantial successful results in administering and allocating fuel supplies. Federal administrators responded that they were cognizant that the State of Iowa has demonstrated its ability to allocate fuel for emergency problems but also noted that many other states do not want the responsibility for allocation of fuel in emergency situations. Mr. DiBona and Mr. James Falk, Associate Director of the White House Domestic Council and Coordinator of State-Federal Relations, stated that they would urge former governor John Love as Chief Administrator of the Federal Energy Office to provide that a state such as Iowa be allowed to distribute all or a portion of its allocation of propane in emergency situations. It was noted that the federal bureaucracy was in no position to determine which emergencies within a given state have priorities.

It was also suggested that the allocation of propane at this time is a necessity. The allocation of other fuels at this time should be approached in a deliberate manner. Several congressmen agreed with the state legislators that there are things that can be done at the state level by legislators that cannot be done at the federal level. Both Mr. DiBona and Mr. Falk stated that they would take the recommendations of Iowa legislators to the administration and present Iowa's position. It was noted that the Department of Interior should definitely be consulted and informed of the position of Iowa. It was stated that Governor Love agrees with the position that Iowa legislators presented and that he would be the one who would make the final decision as to the methods of how the allocations would be distributed.

TRANSPORTATION--The new Federal Transportation Act was discussed at length. It was noted that the new act will have a great effect upon the State of Iowa and in many cases may prove to be disadvantageous. Improvement of railroad transportation is dependent upon congressional action. The movement of grain is complicated by many factors. New grain cars are too large in many cases for existing rails and the ability to maintain the rails is hurt by the lack of capital on the part of the railroads. There are more railroad cars presently available than in the past but traffic problems are prevalent in many instances in moving the cars and providing adequate turnaround time to make the cars available. There appear to be too many federal agencies involved in the administration of the transportation industry and there is a need for coordination between agencies.

The new Federal Act has changed the type of projects for which funds are available and Iowa now has planned projects for which it has no funds, and may have funds for which it will have no projects planned. This involves funds from the new Federal Act.

In regard to the impoundment of federal trust funds, Mr. John Barnum, Under Secretary of the Department of Transportation, confirmed the position of the Department of Transportation that if Iowa wishes to have \$31,000,000 of impounded funds released it will have to sue the Department of Transportation in the same manner that Missouri has sued the Department. The fact that Missouri has won its case and the Department of Transportation has decided not to appeal the decision, appears not to have deterred the Department of Transportation's position that each state must sue on an individual basis. Mr. Barnum indicated that the Department of Transportation will not follow the decision in the Missouri case but will, instead, wait until a decision is arrived at by the United States Supreme Court involving the State of Georgia and several other types of trust funds. It was pointed out that the facts of the Missouri case are almost identical to the facts of the Iowa case and yet the Department of Transportation will not yield in its position.

Mr. James Falk, Associate Director of the White House Domestic Council and Coordinator of State-Federal Relations, was surprised to find that the Department of Transportation has taken this position and assured the Iowa delegation that he would attempt to resolve the problem. Mr. Falk agreed with the Iowa delegation's position that it should not have to sue the Department of Transportation since the facts of the Iowa case are almost identical to those of the Missouri case and the federal judicial district in which the Missouri case was decided will also have jurisdiction over the Iowa case.

OCCUPATIONAL AND SAFETY HEALTH ACT--Members of the state legislative delegation criticized the implementation of the Federal Occupational and Safety Health Act (OSHA) because of arbitrary enforcement and unreasonable standards. It was noted by members of the Iowa state delegation and by Mr. John Stender, Assistant Secretary of Labor for OSHA, that many of the standards mandated in the Act are old standards which have not been adequately reviewed in the past nor adequately enforced. Mr. Stender stated that there have been variations provided for in the standards and there would be more variations in the future. Standards which are mandated when not adequately reviewed prior to the implementation of the Act are receiving attention at this time. Mr. Stender stated, however, that in order to revise a rule normal procedures must be followed for changing all rules and it is time consuming. He stated that the fact that Iowa did not provide for a penalty in a first violation of a provision of OSHA makes Iowa a state which does not comply fully with the federal Act. Mr. Stender stated that he did not anticipate that there would be any penalties for violations of unreasonable standards and which may be subject to change. The provisions of the OSHO Act were generally criticized, particularly as they affect small businesses in rural communities which do not have the ability to respond to changes dictated by the Act in the proper manner.

CONCLUSIONS--The meeting in Washington provided information for all who participated. Iowa state legislators urged the members of the Iowa congressional delegation to consider a similar meeting for the fall of 1973 to be held in Iowa.

Two positions of Iowa state legislators probably deserve particular attention:

In regard to the fuel crisis, Iowans pressed for state discretion to direct not more than 10% of any wholesale purchasers total allocation of propane for priority use. The state should be able to determine the priority because the federal government does not appear to have the ability to do so within an individual state. Since the exact program for mandatory allocation of propane has not been determined, the Iowa legislators representing both the federal and state levels were assured that the Iowa position in regard to the distribution of Iowa's allocation would be presented to Governor John A. Love, who will be making the decisions as to the manner in which mandatory allocations will be developed.

In regard to the impoundment of highway trust funds, Iowans meeting in Washington were assured that the position of the Department of Transportation, which is that Iowa must sue to recover the \$31,000,000 impounded, would be brought to the attention of proper officials. Mr. James Falk, Associate Director of the White House Domestic Council and Coordinator of State-Federal Relations, assured the Iowa delegation that he would attempt to resolve the question.

September 10, 1973

Mr. Serge Garrison, Director
Legislative Service Bureau
State Capitol Building
Des Moines, Iowa, 50319

Re: Legislative Service Bureau Remodeling
and the Remodeling and A/C of
Legislative Areas.

Dear Mr. Garrison:

Plans and specifications for this project have been substantially completed and upon approval by the Legislative Council will be ready to advertise for bids. The plans and specifications have been prepared in three sections to allow full analysis of the bids received and to permit the acceptance of add alternates to the base bid for air conditioning of certain legislative areas, if desired.

The three sections can be generally described as follows:

1. Base Bid Remodeling: Legislative Service Bureau mezzanine construction and remodeling, including the mechanical systems and electric rewiring as provided in the legislative appropriation.
2. Alternate No.1: Air conditioning and heating system improvements including remodeling to accomodate to the equipment and ductwork for the second and third floor northeast and southeast tower quadrants.
3. Alternate No.2: Air conditioning and heating system improvements including remodeling to accomodate the equipment and ductwork for the second and third floor northwest and southwest tower quadrants.

The work included has been coordinated by Mr. Pulley and myself with the Legislative Chambers air conditioning project previously awarded. Our jointly prepared estimated project costs is as follows:

| | |
|--|-------------|
| 1. Legislative Service Bureau Remodeling ----- | \$80,000.00 |
| 2. NE and SE Tower Quadrants ----- | 75,000.00 |
| 3. NW and SW Tower Quadrants ----- | 47,000.00 |

Estimated Total Project Costs -----\$202,000.00

September 10, 1973

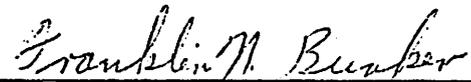
Mr. Serge Garrison, Dir. - Re: Leg. Service Bureau Remodeling - Page 2

These cost estimates do not include blinds, draperies, furnishings or project fees. Painting, decorating and refinishing of new finishes only is included for the alternate bid areas, while the remodeled areas of the Legislative Service Bureau areas will be refinished. All window A/C and package A/C units, surplus light fixtures, salvage carpet and other usable salvage (not scheduled for reuse in the project) will remain the property of the State for use elsewhere as desired.

These estimates include branch circuit wiring, lighting and all associated electrical work for the areas involved. At this writing, there is some question regarding the adequacy of transformer and feeder capacity to serve these facilities. We understand that matter is under study by another consultant who will report to what, if any, electric facilities of this nature are required and/or recommended and presumably, an estimate of their cost.

If the project is approved by the Legislative Council in their meeting of September 12, 1973 the legal advertising would be commenced immediately and bids received at 2:00 P.M. C.D.T. October 9, 1973, in the House Meeting Room #1. Please advise us of the Legislative Council decision on this report.

Respectfully submitted


Franklin N. Bunker

FNB/ib

cc: Frank Pulley Assoc.

REGISTERED PROFESSIONAL ENGINEERS

| | | |
|---------------|-----------------|-----------------|
| K. R. BROWN | M. T. MC DONALD | J. S. VETERONEC |
| C. E. BENNETT | M. C. HAYWARD | J. R. READ |
| E. DUTTO | O. L. JENSEN | NASSER SAEBI |
| GLAUBERO | W. C. MARKER | O. D. SHAFER |

BROWN ENGINEERING COMPANY
CONSULTING ENGINEERS
BROWN ENGINEERING BUILDING
508 TENTH STREET
DES MOINES, IOWA 50309
TELEPHONE - AREA CODE 515 - 288-2207

September 12, 1973

Buildings and Ground Department
Iowa State Capitol
Des Moines, Iowa 50319

Re: Electrical Service for Air Conditioning

Attention: Mr. John Drummond
Superintendent

Dear John:

This letter is a review of the electrical system serving the Capitol with a discussion of means for serving air conditioning loads.

In the planning for the electrical service to the Capitol, the continuity of service for lighting, convenience outlets, power to computers, and other essential uses has been considered of prime importance. At the power source in the Lucas Building there are two incoming lines from Iowa Power. From the Lucas Building there are two underground cables to the Capitol, thus providing essentially dual service to the Capitol. There are four transformers in the basement of the Capitol to provide for the 208/120 volt loads. Two transformers are in the north end and two in the south end of the building. The two transformers in each end of the Capitol are connected to different incoming cables and there is a throw over system on the 208/120 volt sides to automatically throw over the load from one transformer to another in case of a failure of service from one incoming cable. Reserve capacity is, of course, necessary to allow either transformer of each pair to carry the load of both transformers.

The air conditioning loads can be interrupted for short periods without substantially curtailing the carrying on of the normal operations in the Capitol. Thus, the dual service with reserve transformer capacity and automatic throw over are not needed for air conditioning. The plan for serving air conditioning loads is to have two transformers in the basement-- one of which was installed about two years ago and the second was to be added when needed. These two transformers would be sized to carry all future air conditioning loads for the entire Capitol. When the first transformer for air conditioning was installed it was sized for the air conditioning then contemplated, which was the addition of air conditioning for the two legislative chambers. Plans now include air conditioning for the Supreme Court, Law Library, and other areas on the second floor. If these additional areas are air conditioned, it is recommended that the second air conditioning transformer be installed at an estimated cost of \$26,000.00.

Buildings and Ground Department

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September 12, 1973

An alternative to adding the second air conditioning transformer now would be to install capacitors for power factor correction. It is estimated that \$4000.00 would be needed for capacitors and the result would merely be a stop-gap measure for a year or more. No provision would be made to allow additional air conditioning over that now planned. This alternative would defer the estimated \$26,000.00 expenditure for a second air conditioning transformer for a year or more; however, with continued inflation, the transformer would cost more at a later date. The capacitors would not be necessary if the second air conditioning transformer is installed at this time. Because of the saving of cost of capacitors and the probable increase in cost of the transformer at a later date, it is recommended that the second air conditioning transformer be installed now rather than proceed on this alternate.

Sincerely yours,

BROWN ENGINEERING COMPANY

Joe S. Vetersneck
Joseph S. Vetersneck, P.E.

JSV:bc

REPORT TO
THE LEGISLATIVE COUNCIL
ON
LEGISLATIVE FISCAL COMMITTEE MEETING
SEPTEMBER 11, 1973

The Fiscal Committee approved the withdrawal of the request of the State Departments Visitation Committee to visit with the Beer and Liquor Control Department.

Representative Den Herder reported on the Human Resources Visitation Committee's visit to Glenwood and Woodward. After hearing the report the Fiscal Committee requested a meeting with Acting Commissioner Burns and Jim Bethel, Director of the Bureau of Mental Retardation to discuss with them the policy of the Department and the differences in philosophy of the Superintendents of the two hospital-schools. This meeting will be scheduled for the October 9 meeting of the Legislative Fiscal Committee.

The Legislative Fiscal Committee approved a request from Representative Den Herder for Representative Husak and Senator Murray, who are members of the Human Resources Visitation Committee, to visit the Riverview Release Center, subject to approval of the Council.

Representative Small reported on the Natural Resources Visitation Committee's visit to the Ledges State Park. The Committee studied the alternatives available to the Conservation Commission and the Corps of Engineers to minimize damage to the Ledges State Park regarding the high water.

The Committee started reviewing the draft recommendations of the Council of State Governments Legislative Improvement and Modernization study concerning the appropriations process. This review will be continued at the October meeting.

Marvin R. Selden, Jr., State Comptroller, appeared before the Committee. The following topics were discussed:

1. Subcommittee assignments
2. State Accounting system - Cost Center objectives
3. Legislative Intent concerning allocation of appropriations
4. Inclusion of narrative in the Governor's Budget Book
5. Administration of Tax Credits

Performance Auditing was discussed briefly with the major emphasis placed upon a Records Retention Study to be done by the Legislative Fiscal Bureau. Action on this matter was postponed until the October meeting of the Fiscal Committee. The subcommittee appointed to report on a Centralized Microfilm Study will also report at that time.

At the request of Senator McCartney, his name was withdrawn from the Centralized Microfilm subcommittee and Senator Van Gilst was appointed.

The attached preliminary report on the cost to State Government to meet O.S.H.A. requirements was presented and discussed. More information will be obtained in this regard and a study will be made in an effort to determine if all the requirements detailed by the departments are O.S.H.A. requirements or if they are commingled with Health and Fire Marshall requirements.

LEGISLATIVE FISCAL BUREAU
PRELIMINARY COST ESTIMATES TO COMPLY WITH O.S.H.A.
SEPTEMBER 1, 1973

| DEPARTMENT | ESTIMATED COST |
|--|-------------------|
| Beer and Liquor Control Department | \$ 100,000 |
| Conservation Commission | 200,000 |
| General Services - Capitol Complex | 933,000 |
| Highway Commission | 650,000 |
| Dept. of Public Instruction - Area Schools (1) | |
| Ankeny | 53,000 |
| Estherville | 51,000 |
| Davenport | 97,000 |
| Fort Dodge | 96,000 |
| Marshalltown | 110,000 |
| Sheldon | 50,000 |
| Waterloo | 35,000 |
| | 492,000 |
| Regents: (2) | |
| University of Iowa | 25,935,000 |
| Iowa State University | 19,484,000 |
| University of Northern Iowa | 5,487,000 |
| Iowa School for the Deaf | 1,292,000 |
| Iowa Braille & Sight Saving | 826,000 |
| Resident Systems | 15,000,000 |
| | 68,024,000 |
| Social Services: | |
| Anamosa - Men's Reformatory | 666,000 |
| Cherokee - Mental Health Institute | 537,000 |
| Clarinda - Mental Health Institute | 1,657,000 |
| Davenport - Annie Wittenmyer Home | 83,000 |
| Eldora - Boy's Training School | 112,000 |
| Fort Madison - State Penitentiary | 611,000 |
| Glenwood - State Hospital-School | 622,000 |
| Independence - Mental Health Institute | 1,282,000 |
| Marshalltown - Soldier's Home | 140,000 |
| Mitchellville - Girls Training School | 24,000 |
| Mt. Pleasant - Mental Health Institute | 544,000 |
| Oakdale - Security Medical Facility | 1,000 |
| Rockwell City - Women's Reformatory | 18,000 |
| Toledo - Juvenile Home | 22,000 |
| Woodward - State Hospital-School | 1,732,000 |
| | 8,051,000 |
| Preliminary Cost Estimate | \$78,450,000 |

- (1) All Area Schools have not submitted, as of this date, an estimated cost to comply with O.S.H.A. standards.
- (2) Board of Regents estimate is based on \$4.25 per square foot at each location except University of Iowa and that cost is \$4.41 per square foot.

REQUESTS OF COMMITTEES FOR CITIZEN MEMBERS AND OTHER REQUESTS

- A. Local Funding and Budgeting Committee requests authorization to appoint the following persons as citizen members of the study committee:
1. Roberta Burkhead, County Auditor of Dallas County.
 2. Charles Stroud, former budget officer for the city of Des Moines and present legal counsel for Meredith Printing.
 3. Wencil Kadrlík, City Councilman, Garner, Iowa.
 4. Warren Wood, Administrative Director for Scott County Board of Supervisors, Davenport, Iowa.
 5. A. E. "Bill" Minner, City Clerk, Marshalltown, Iowa.
- B. The Land Use Policies Study Committee requests authorization to appoint the following persons as citizen members of the study committee:
1. Frank Mendell, former Director of the Soil Conservation Service who served on the previous Land Use Policies Study Committee, Des Moines, Iowa.
 2. Sherry Fisher, member of the State Soil Conservation Committee who served on the previous Land Use Policies Study Committee, Des Moines, Iowa.
 3. Allen J. Meier, Legislative Director for AFL-CIO, who served on the previous Land Use Policies Study Committee, Cedar Rapids, Iowa.
- C. The Penal and Correctional Systems Study Committee requests authorization to appoint the following persons as citizen members of the study committee:
1. Mrs. Dorothy Strohbein, a citizen member of the Council Bluffs Crime Commission.
 2. Mr. Joseph DeRaad, a former advisory member of the Penal and Correctional Systems Study Committee, and Juvenile Court Referee for Woodbury County, Sioux City, Iowa.
 3. Mr. Donald Hoskins, former legal counsel in the Legislative Service Bureau, Marion, Iowa.

4. Mrs. Naomi S. Mercer of the Legal Aid Society of Polk County, Des Moines, Iowa.
 5. Captain Eugene Johnson, Ottumwa Police Department, Ottumwa, Iowa.
 6. A representative of an institution of higher learning with expertise in criminology and concepts of behavior modification; to be selected.
 7. Three inmates from Iowa correctional institutions; to be selected.
- D. The Uniform Commercial Code Study Committee requests authorization to appoint the following persons as citizen members of the study committee:
1. Mr. Melvin Struthers, Jr., MorAmerica Financial Corp., Cedar Rapids, Iowa.
 2. Mr. Wendell Gibson, Iowa Bankers Association, Des Moines, Iowa.
 3. Mr. Ed. S. Tesdell, Jr., Iowa Savings & Loan Association, Des Moines, Iowa.
 4. Mr. Alfred Kahl, Iowa Auto Dealers Association, Des Moines, Iowa.
 5. Mr. Edgar F. Hansell, attorney, Des Moines, Iowa.
 6. Mrs. Betty Talkington, Iowa Consumers League, Des Moines, Iowa.
 7. Professor Richard F. Dole, Jr., Professor of Law, Iowa City, Iowa.
- In addition the study committee requests that travel expenses be authorized for two or three research assistants from Iowa City to attend committee meetings.
- E. The Consumer Credit Code Study Committee requests authorization to pay Professor George Wallace his expenses for attending committee meetings.
- F. The Tax Study Committee requests authorization to pay Representative Jay Mennenga expenses but no per diem for attending a committee meeting to discuss the proposal for a net worth tax.