

STUDY COMMITTEE APPOINTMENTS AND REQUESTS

1. The Land Use Study Committee recommends that the Legislative Council appoint Mr. Sherry Fisher as a nonlegislative member of the Study Committee. Mr. Fisher is a member of the Governor's Committee on the Conservation of Outdoor Resources and the State Soil Conservation Committee. He is a Des Moines banker.
2. The Criminal Code Study Committee requests that the following persons be appointed to the Criminal Code Study Committee:
 - (1) Mr. Kermit Dunahoo, a member of the staff of the Attorney General, who is a Research and Training Specialist of the Area Prosecutors' Division.
 - (2) Representative Lillian McElroy
--Replacement for Representative Norman Jesse.
 - (3) Representative James I. Middleswart
--Replacement for Representative Michael K. Kennedy.
 - (4) Mr. John J. Quinn, Legal Instructor, Law Enforcement Academy
--Replacement for Mr. James Van Ginkel.
 - (5) Senator Gene V. Kennedy
--Replacement for Senator Lee H. Gaudineer, Jr.
3. The Higher Education Study Committee requests that the subject of new members for the Study Committee be considered. The Committee believes that at least three new members should be appointed following the general election since there will be a minimum of three retiring. New members will be able to hear first phase reports and report to the General Assembly. It is also recommended that Committee be officially extended for one more year.
4. Senator Hill will present a request from the Consumer Credit Charges Study Committee.

REPORT OF THE
PERSONNEL COMMITTEE OF THE LEGISLATIVE COUNCIL

October 11, 1972

RE: Employment of a Citizens' Aide

The Personnel Committee of the Legislative Council met on October 11, 1972 for the purpose of recommending procedures for the employment of a Citizens' Aide. The Personnel Committee makes the following recommendations:

1. That an application form be developed and mailed to all applicants for the position of Citizens' Aide which will request the following information:
 - a. The name, age, address, and marital status of the applicant.
 - b. The employment record, duties in each position of employment, salary levels for each position, and whether the applicant has supervisory experience.
 - c. The military service record and government service record.
 - d. Education background.
 - e. Reasons for applying for the position and viewpoints as to the concept of duties and purposes of the Citizens' Aide.
 - f. A picture of the applicant should be requested.

The Personnel Committee recommends that the application form be developed immediately and mailed to each applicant accompanied by a copy of the Citizen Aide law. A news release should be issued informing the public that applications are available upon request from the Legislative Service Bureau and that applications will be accepted until two days before the next Council meeting (specify date when applications must be submitted).

The Personnel Committee plans to meet the day before the next Council meeting to review all applications. At such time an interview schedule will be established for applicants who appear to possess the best qualifications for the position. The Personnel Committee will conduct interviews after the November meeting of the Legislative Council and before the December meeting. The Personnel Committee will make its recommendations to the Legislative Council at the December meeting or request final applicants to appear before the Council at the December meeting depending upon the desire of the Council.

Respectfully submitted,

Senator James Briles, Chairman
Personnel Committee

REPORT OF THE LEGISLATIVE PROCEDURES AND FACILITIES COMMITTEE
SUBMITTED TO THE LEGISLATIVE COUNCIL

October 11, 1972

The Legislative Procedures and Facilities Committee met on Tuesday, October 10, 1972 for the purpose of developing a plan for a two-day legislative orientation conference. The Legislative Procedures and Facilities Committee submits the attached proposed agenda for a two-day legislative orientation program. A detailed explanation of the proposed agenda is also attached.

The Legislative Procedures and Facilities Committee is also submitting a proposed joint rule relating to the use of fiscal notes for the consideration of the Legislative Council and recommendation to the joint Rules Committees of the two houses of the General Assembly. The proposed joint rule is submitted separately.

PROPOSED AGENDA FOR A TWO-DAY LEGISLATIVE ORIENTATION PROGRAM
TO BE HELD THE FIRST WEEK IN JANUARY

First Day

- 9:00 a.m. Call to order. Senators and Representatives to meet in separate meetings.
Welcome and opening remarks by President of the Senate and person selected as Speaker by majority party of the House.
- 9:30 a.m. Legislative Facilities and Staff Services Presentation. (Item I of suggested topics.)
Presentation by Chief Clerk of the House to House members. (Item I-1)
Presentation by Secretary of the Senate to Senate members. (Item I-1)
- 10:30 a.m. Presentation by Legislative Fiscal Director to Senate members. (Item I-2)
Presentation by Director of the Legislative Service Bureau to House members. (Item I-3)
- 11:00 a.m. Presentation by Legislative Fiscal Director to House members. (Item I-2)
Presentation by Director of the Legislative Service Bureau to Senate members. (Item I-3)
- 11:30 a.m. Presentation by Legislative Service Bureau concerning bill drafting to Senate members. (Item I-6)
Presentation by Code Editor to House members. (Item I-4)
- 12:00 Noon Prearranged lunch in the Legislative Dining Room.
Admission by name tag.
- 1:30 p.m. Reconvene.
Presentation by Legislative Service Bureau concerning bill drafting to House members. (Item I-6)
Presentation by Code Editor to Senate members. (Item I-4)
- 2:00 p.m. The Rules of Procedure and Decorum (Item II).
Presentation by a Senator and Secretary of the Senate to Senate members, and by a member of the House and the Chief Clerk of the House to House members.
- 2:30 p.m. The Development of the state budget (Item IV).
Presentation to Senators and House members meeting jointly by the State Comptroller.
- 3:00 p.m. Presentation by State Law Librarian (Item I-5) to members of Senate and House meeting jointly.

3:30 p.m. Tour of legislative service areas and law library. Senate members to tour in one group and House members in another group. Areas to be toured in addition to law library are House and its various rooms, Senate and its various rooms, Legislative Fiscal Director's office, Legislative Service Bureau, area above and adjoining the Fiscal Director's office, and office of the Code Editor.

4:00 p.m. Adjournment.

6:00 p.m. Dinner (Item IX).

Second Day

All meetings on second day are joint meetings.

9:00 a.m. How a bill becomes a law. (Item III)
Presentation by a legislator.

9:30 a.m. The manner in which the state budget is considered by the General Assembly and expended. (Item V)
Presentation by legislator active in appropriations process.

10:00 a.m. Organization of the executive branch of government. (Item VI)
Presentation by a legislator or member of the Governor's staff. Introduction of major department heads.

12:00 Noon Prearranged lunch. Governor and members of Executive Council invited.

1:30 p.m. Functions of statutory legislative agencies. (Item VII)
Presentation by legislative chairmen.

2:00 p.m. Legislators relationship with constituents, staff, lobbyists and members of the news media. (Item VIII)
Presentation by a legislator, lobbyist or former lobbyist, and member of news media.

3:00 p.m. Adjournment.

POSSIBLE SUBJECT MATTER AND AGENDA FOR
A TWO-DAY LEGISLATIVE ORIENTATION CONFERENCE
TO BE HELD THE FIRST WEEK IN JANUARY 1973

SUGGESTED TOPICS AND PARTICIPANTS
FOR A LEGISLATIVE ORIENTATION PROGRAM

I. Legislative facilities and staff services. Participants should include Chief Clerk of the House, Secretary of the Senate, member of the Legislative Fiscal Director's office, member of the Legislative Service Bureau office, member of the Code Editor's office, and the State Law Librarian. Each office would explain its duties and the services it provides as well as noting number and names of employees who help provide such services. Procedures used in providing such services should be mentioned. Reference should be made of executive branch departments which also provide services of use to legislators.

1. Chief Clerk of the House and Secretary of Senate could make presentation to legislators who will be members of their House as to manner of paying salaries and expenses, information it has available, mailings it will make, duties in regard to such things as compiling journals, calendars, clip sheets (after explaining what they are), listing of legislators and lobbyists, names of newspapers, where to file bills, how they are printed, how amendments are prepared and submitted, what the duties of the front desk are, where the various people charged with such responsibilities are located and how they perform their duties, and the time involved in performing duties. The manner in which bill books are compiled and how to use them should also be included.

2. Legislative Fiscal Director's office should explain duties and how they are performed. Mention of available staff, preparation of budget for Appropriations Committees, preparation of fiscal notes and fiscal information, time involved, forms and documents used should be explained and examples should be available, and procedures used to accomplish duties should be explained.

3. Legislative Service Bureau office should explain its research, bill drafting, and committee staffing duties, the procedures to be used for requesting a bill, the procedures used within the office in preparing a bill or doing research, the forms used, the time limitations involved, the people involved, the location of facilities, library materials available, and relationship to other state and national agencies. The method of obtaining Attorney General opinions should also be explained.

4. Code Editor should explain duties in regard to publication of Code and departmental rules, bill drafting services available, and perhaps how to use the Code and Session Laws. Difference between Code and Session Laws and rules should be explained, how to find material in Code, Session Laws, and rules should be outlined, and the relationship of a bill draft to the Code and Session Laws noted.

5. State Law Librarian should explain material available in library, particularly such items as various state codes, research sources, and location of such materials.

6. Explanation of a bill draft. Presentation by member of the Legislative Service Bureau. Form for drafting bills should be explained as well as the different documents such as Joint Resolutions, Concurrent Resolutions, and Senate and House Resolutions. In regard to bills, form should be explained as well as constitutional, statutory, and rule requirements. Rules of statutory construction should be explained. The basic text for this presentation would be the bill drafting manual.

II. The rules of procedure and decorum. Presentation by a legislator from each House to the members of such House with possibly back-up from Chief Clerk of the House and Secretary of the Senate. Explanation of the rules of the House and Senate and joint rules. Of course, not all rules can be explained, but the source of such rules and the manner in which they are used can be covered. An explanation of Mason's Manual should be included, the role that the Rules Committee plays, Constitutional requirements, and traditional practices should be included. Decorum in the two houses and traditions should also be explained. Basic text would be rules books.

III. How a bill becomes a law. Presentation by a legislator. Trace the course of a bill through the two houses of the General Assembly with notations as to alternative routes a bill might take. The route should carry the bill to the Governor's office and the eventual codification in the Code of Iowa. Basic text would be the publication "How a Bill Becomes a Law".

IV. The development of the state budget. Presentation by the State Comptroller. Trace the development of the state budget from the time budget forms are sent to state departments by the Comptroller to the time of enactment of the budget bills and the signing by the Governor. Mention requests by departments, processing by Comptroller, Governor's budget hearings, and submission of budget to Legislature by Governor. An explanation of the funding sources, as well as the difference between special funds such as road use tax fund and the general fund might be included.

V. Budget consideration and expenditure. This presentation by a veteran legislator active in the appropriation process would take the state budget from the point it is presented by the executive office and trace the manner in which the Legislature will act upon the budget. In order to prepare new legislators for the presentation in relation to organization of the executive branch of government, special notation should be given to the percentage of the state budget which is ordinarily allocated to the major departments to carry out programs under such departments.

VI. Organization of the executive branches of government. Moderator for this portion of the program might be either a legislator or a member of the Governor's staff. A review of the structure of the executive branch of government should be made as well as the function and jurisdiction of the major executive agencies.

The heads of the major departments should be introduced. Major departments are considered to be the Department of Public Instruction, Department of Social Services, Department of General Services, the Highway Commission, Department of Revenue, the Governor's office, Board of Regents, and Office for Planning and Programming. They are major in the sense that they provide services to legislators, are in continuous contact with the General Assembly, or require large appropriations. Other executive offices will be present for the lunch on the second day of the conference.

Presentation should also include manner in which the Governor's office or other executive offices communicate with the Legislature and with each other.

VII. Functions of statutory legislative agencies. This presentation might be performed by the Chairmen of the Legislative Council, Budget and Financial Control Committee, and Commission on Interstate Cooperation. The functions and duties of the agencies should be noted. The interim activities should be explained in the manner in which they are organized. How persons are appointed to such agencies should also be noted. The office of the Citizen's Aide should be explained.

VIII. Legislators' relationship with constituents, staff, lobbyists and members of the news media. Presentation by a legislator. The initial presentation should be an explanation by a legislator in regard to relationships with constituents. An explanation as to how to meet constituents, what to show them, how to respond to them, what to expect in the form of mail, how to answer mail, how to handle school and other groups, and similar helpful suggestions.

An explanation should also be given as to the duties of a secretary and how best to use a secretary.

Consideration might be given to having a lobbyist and a newsman make presentation as to their viewpoints of their jobs and their relationship to individual legislators or the Legislature as a whole. Thus this segment might take the format of having a veteran legislator make a presentation as to his viewpoint of the role of the lobbyist and newsman and provide for a lobbyist or newsman to make their assessment of their positions. Consideration might be given to having this presentation combined with an earlier presentation by a legislator.

IX. Welcoming dinner. Rather than hold a lunch as was done in the past, it is suggested that a dinner be held at the end of the first day. This could be presided over by the Speaker of the House and the President of the Senate who could make welcoming remarks or a speech if they desire. Holding a dinner, rather than a lunch, appears to have some advantages. The new legislators will have had the advantage of a full day's presentation and may have more questions or things to talk about at the end of the day. There will be no rush to get back to a meeting and more time for informal discussion between new legislators, veteran legislators, and the participants in the program. It is suggested that most of the participants in the program be present for the dinner.

The Legislative Procedures and Facilities Committee suggests that all veteran legislators be invited to the conference as well as new legislators and that expenses be paid for those who wish to attend. Prior notification of attendance will be needed in order to properly plan the dinner and lunches.

It is also suggested that a dinner speaker be obtained who has a national perspective of state legislatures. Mr. Larry Margolis of the Citizen's Conference on State Legislatures has been contacted and he indicates he can be available on the evening of January 3, 1973. If Mr. Margolis is invited to speak, it is suggested that an honorarium of \$150 plus travel and lodging expenses be paid to Mr. Margolis.

The Committee also suggests that copies of "The Legislative Process in Iowa", written by Professor Charles Wiggins, be obtained for each member-elect of the Iowa General Assembly. The cost of each book is \$3.95.

Proposed Rule to Joint Rules of Senate and House

· FISCAL NOTES

A fiscal note shall be attached to any bill or joint resolution which might have an annual effect or a combined total effect within five years after enactment of \$50,000.00 or more on the revenues, expenditures or fiscal liability of the state or its subdivisions. This rule does not apply to appropriation measures where the total effect is stated in dollar amounts.

The preliminary determination of whether the bill appears to require a fiscal note shall be made by the Legislative Service Bureau which shall indicate that a bill requires a fiscal note by stamping "FISCAL NOTE REQUIRED" prominently on the bill jacket. Upon completion of the bill draft, the Legislative Service Bureau shall immediately send a copy to the Legislative Fiscal Director for his review.

The fiscal note shall be printed on the bill before introduction if practicable, and in any event attached to the bill before the bill is reported out by a committee.

The Legislative Fiscal Director shall prepare the fiscal note within a reasonable time after receiving the request. A copy of the fiscal note shall be filed by the Legislative Fiscal Director with the Secretary of the Senate and the Chief Clerk of the House. The Legislative Fiscal Director may request the cooperation of the State Comptroller or any state department or agency. If a fiscal note is prepared by the Comptroller or any state department or agency at the request of the Fiscal Director, that fact shall be stated in the note.

Each fiscal note shall state in dollars the estimated effect of the bill on the revenues, expenditures, and fiscal liability of the state during each of the first five years after enactment. Sources of funds for expenditures under the bill shall be stated, including federal funds. If the Fiscal Director cannot make an accurate estimate, he shall state his best available estimate or shall state that no dollar estimate can be made and state concisely the reason.

The fiscal note shall be attached or printed in the bill following the explanation or shall be printed in the daily clip sheet.

A revised fiscal note may be requested by a committee chairman or a sponsor of the bill if the fiscal effect of the bill has been changed by adoption of an amendment. However, a request for a revised fiscal note shall not delay action on a bill unless so ordered by the presiding officer of the house in which the bill is under consideration.

If a date for adjournment has been set, then a constitutional majority of the House in which the bill is under consideration may waive the fiscal note requirement during the three days prior to the date set for adjournment.