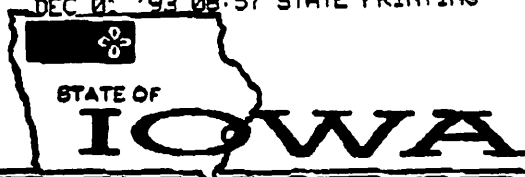


DEC 01 '93 08:57 STATE PRINTING



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF GENERAL SERVICES
J. MICHAEL CARLSTROM, DIRECTOR

DATE: December 1, 1993

TO: Diane Bolander
Legislative Service Bureau

FROM: Kristi Little, Superintendent
Printing/Mail/Records Management

RE: 1993 Election Law Supplement Price

The following costs have been submitted for preparation and publication of this years Election Laws supplement.

*Editing and preparation as reported by the Iowa Code Division	\$6869.25
*Printing of 600 copies by Centralized Printing	\$2000.00
*Distribution (\$2.31 each) by Centralized Printing	\$1386.00
*Base set for new subscriber (does not include '93 supplement)	\$ 50.00

Based on these figures, I recommend a price of \$15.95, tax .80, to recoup costs as directed in the Code of Iowa.

cc-LoAnne Dodge
Iowa Code Editor

**REPORT OF THE FISCAL COMMITTEE TO THE
LEGISLATIVE COUNCIL**

November 17, 1993

The Fiscal Committee met on November 17, 1993, in Senate Room 22 of the State Capitol. No formal recommendations were adopted.

The Committee received information on the following:

- **Overview of Judicial Department Operations**
 - Court's budget, functions, organization
 - Comments from the Chief Justice of the Iowa Supreme Court
- **Overview of Federal Budget Issues - Phil Smith, Washington Office**
 - Update on Federal budget activities
 - Federal funding opportunities
 - Federal changes impacting State budget
 - Overview on Health Care Proposal
 - Overview on NAFTA
- **Layers of Management Report by the Department of Personnel**
- **Update on the Iowa Communications Network**
 - Construction costs
 - Operating revenues & expenditures
 - Other issues relating to the Network
- **Drug Prior Authorization Program**
- **Overview of the Road Use Tax Fund**
- **Update on State Economy - Harvey Siegelman, DED**

Respectfully submitted,

Senator Larry Murphy
Co-chairperson

Representative Ron Corbett
Co-chairperson

REPORT OF THE ADMINISTRATION COMMITTEE

TO THE LEGISLATIVE COUNCIL

December 1, 1993

The Administration Committee met on December 1, 1993, and makes the following report:

1. The Administration Committee recommends that the Legislative Council, pursuant to its authority under Code Section 2.43 to assign the use of areas in the state capitol and to assign areas in other state office buildings for use of the General Assembly or legislative agencies, do the following:

a. Assign the space currently occupied by the Executive Council's secretary for legislative use, and that necessary remodeling be completed, limited to removing one wall and necessary electrical, carpeting, and ceiling work.

b. Offer the space currently designated as the First Aid Room for use of the Executive Council's secretary.

c. Assign space in the basement level of the Lucas State Office Building for legislative use.

d. Assign the small legislative dining room area as a temporary smoking area with an additional door being added and weather-stripping being installed on all doorways of that room.

2. The Administration Committee recommends that the Legislative Service Bureau be authorized to negotiate and enter into an agreement for the sale of all or a portion of the electronic Code database to local governments which have requested to purchase such database.

Respectfully submitted,

WILLIAM PALMER
Chairperson

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

December 1, 1993

The Service Committee of the Legislative Council met on December 1, 1993. The meeting was called to order by Speaker Harold Van Maanen, Chairperson, at 10:58 a.m. in Room 24 of the Statehouse, Des Moines, Iowa.

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

1. The Service Committee received and filed a personnel report from the Legislative Computer Support Bureau.
2. The Service Committee received and filed a personnel report from the Office of Citizens' Aide/Ombudsman.
3. The Service Committee recommends that the Legislative Council approve the promotion of Ms. Judith Milosevich from the position of Assistant 1 at grade 29, step 4, to Assistant 2 at grade 32, step 3, effective on December 3, 1993.
4. The Service Committee received and filed a personnel report from the Legislative Service Bureau.
5. The Service Committee recommends that the Legislative Council approve the promotion of Ms. Joanne Walroth, from the position of Assistant Code Editor 1 at grade 24, step 2, to Assistant Code Editor 2 at grade 27, step 1, effective on February 25, 1994.
6. The Service Committee recommends that the Legislative Council approve the promotion of Ms. Jonetta Douglas from the position of Legislative Librarian at grade 24, step 4, to Senior Librarian at grade 27, step 3, effective on December 31, 1993.
7. The Service Committee recommends that the Legislative Council approve the promotion of Ms. Rosemary Drake from the position of Assistant Editor 1 at grade 24, step 3, to the position of Assistant Editor 2 at grade 27, step 2, effective on December 31, 1993.
8. The Service Committee recommends that the Legislative Council approve the promotion of Ms. Sue Fetters from the position of Proofreader 1 at grade 16, step 3, to Proofreader 2 at grade 19, step 2, effective December 31, 1993.
9. The Service Committee received and filed a personnel report from the Legislative Fiscal Bureau.
10. The Service Committee recommends that the Legislative Council approve the promotion of Mr. Jeffrey Robinson from the position of Legislative Analyst 3 at grade 35, step 1, to Senior Legislative Analyst at grade 38, step -1, effective May 1, 1994.

11. The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocation of the Legislative Service Bureau for the fiscal year beginning July 1, 1994, pursuant to section 2.12 of the Code.
12. The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocation of the Legislative Fiscal Bureau for the fiscal year beginning July 1, 1994, pursuant to section 2.12 of the Code.
13. The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocation of the Legislative Computer Support Bureau for the fiscal year beginning July 1, 1994, pursuant to section 2.12 of the Code.
14. The Service Committee recommends that the Legislative Council approve the proposed budget and budget allocation of the Office of Citizens' Aide/Ombudsman, less the amount estimated for full compliance with the Americans with Disabilities Act standards, for the fiscal year beginning July 1, 1994, pursuant to section 2.12 of the Code.
15. The Service Committee received and filed a report from the Computer User Policy Direction Committee. The Service Committee recommends that the Legislative Council approve the recommendation for touch screen computer access for legislators of each chamber, provided that the terminals are not located within the chambers. The costs of providing touch screen computer access will be paid from the joint House and Senate account.
16. The Service Committee received and filed a request from the State Library of Iowa that the legislature pay for maintaining bill books in the Law Library. The Service Committee recommends that the Legislative Council respond to the request of the State Library to suggest that the Law Library retain a session-only person to perform the duties associated with maintaining the bill books, with the costs paid from the State Library budget.
17. The Service Committee received an update from the Communications Review Committee regarding a proposal for a pilot project paperless amendment system and possible recommendations for a state strategic information plan. The proposal for the pilot project paperless amendment system will be submitted to the Senate Rules and Administration Committee and the House Administration Committee.
18. The Service Committee received and filed a report regarding the evaluations of the directors of the Legislative Service Bureau, the Legislative Fiscal Bureau, the Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman. The Service Committee recommends that the Legislative Council approve retention of all four directors in their current capacity.

Respectfully submitted,

SPEAKER HAROLD VAN MAANEN
Chairperson

**REPORT OF THE STUDIES COMMITTEE
TO THE LEGISLATIVE COUNCIL**

December 1, 1993

The Studies Committee of the Legislative Council met on December 1, 1993, without a quorum present. The members present recommend the following:

1. That approval be given to the completion deadline extension requests of the Adoption Reform and Natural Disaster Preparedness Interim Study Committees.
2. That approval be given to the Rural Revitalization Study Committee requests for a completion deadline extension and for an additional meeting day.
3. That approval be given to the Underground Storage Tanks Interim Study Committee requests for deadline extension and for authorization to hold an additional meeting during the second week of the 1994 Legislative Session.

The Studies Committee received and filed a response to the Legislative Council request to the Office of the Governor for payment of per diem and expenses of legislators serving on executive branch studies.

Respectfully submitted,

SENATOR WALLY HORN
ACTING CHAIRPERSON

THE WHITE HOUSE
WASHINGTON

December 1, 1993

Members of the
Iowa Legislative Council
State Capitol Building
Des Moines, Iowa 50319

Dear Members:

Thank you for your letter regarding federal flood relief for the Midwest. I apologize for the delay in my response.

As you probably know, the federal government will reimburse 90 percent of disaster costs to public and nonprofit properties in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. I am overseeing relief efforts to ensure that they are carefully coordinated among federal agencies and with state efforts.

I am confident that this aid will help these states to rebuild and to emerge stronger than ever.

Sincerely,

Bill Clinton

GENERAL ASSEMBLY OF IOWA

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Mary M. Carr
Martin G. Cook
Susan E. Crowley
Patricia A. Funaro
Michael J. Goedert
Leslie E. W. Hickey
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COMMITTEE SERVICES ADMINISTRATOR

LOANNE DODGE
IOWA CODE EDITOR

PHYLLIS V. BARRY
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

November 9, 1993

MEMORANDUM

TO: CHAIRPERSON HORN, VICE CHAIRPERSON VAN MAANEN, AND MEMBERS OF THE IOWA LEGISLATIVE COUNCIL

FROM: DIANE BOLENDER, DIRECTOR *DB*

RE: NOVEMBER AND DECEMBER LEGISLATIVE COUNCIL MEETINGS

Chairperson Horn and Vice Chairperson Van Maanen have scheduled a meeting of the Legislative Council for Wednesday, December 1, 1993. This meeting is in lieu of the November 17 and December 22 previously scheduled meetings of the Legislative Council which are canceled. You will receive times and locations of the December 1 Legislative Council and Council Committee meetings at a later date.

Enclosed is a copy of an informal Attorney General's Opinion relating to the assignment of certain space in the State Capitol which was requested on behalf of Chairperson Palmer and the Administration Committee.

Please notify the Legislative Council if you will be unable to attend the December 1 meeting.



Department of Justice

BONNIE J. CAMPBELL
ATTORNEY GENERAL

ADDRESS REPLY TO:
HOOVER BUILDING
DES MOINES, IOWA 50319
TELEPHONE: 515-281-5164
FACSIMILE: 515-281-4209

November 5, 1993

The Honorable William D. Palmer
State Senator
460 Hawthorn Circle
Des Moines, IA 50317

Dear Senator Palmer:

You have asked for an opinion from our office on behalf of the Administration Committee of the Legislative Council with respect to whether the Executive Council office space in the Capitol building is part of the space allocated to the office of Governor, and therefore outside the control of the Legislative Council, pursuant to Iowa Code section 2.43. Because we have determined that the answer to your question is clear from the provisions within the Iowa Code and no need for extensive legal research exists, we are answering your question by way of this letter of informal advice rather than through our formal opinion process.

The office of Governor is created by the Constitution of the State and further described in chapter 7 of the Iowa Code. The Executive Council and its staff are described in Iowa Code chapter 7D. The duties of the Executive Council consist of the payment of claims, the issuance of anticipatory warrants, the approval of payment for court costs, the control over certain insurance fund balances and other duties specifically outlined in chapter 7D and elsewhere in the Code. See, e.g., sections 29C.20; 421.38(2); 450.6; 469A.1. The duties of the Executive Council are separate and distinct from those of the Governor, even though the Governor is one of the five members of the council. The Executive Council, with its respective duties listed in the Code, is not part of the office of Governor any more than it is part of the office of any of the other elected officials who are members of the Executive Council.

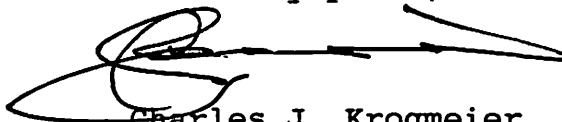
Iowa Code section 2.43, among other things, provides as follows:

The Honorable William D. Palmer
State Senator
Page 2

. . . Pursuant to such duty and responsibility, the legislative council shall assign the use of areas in the state capitol except for the areas used by the governor and the courts as of January 1, 1986 and in consultation with the director of the department of general services and the capitol planning commission, may assign areas in other state office buildings for use of the general assembly or legislative agencies. . . .

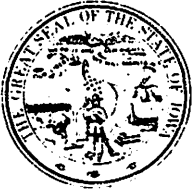
Therefore, we conclude that the office space used by the Executive Council in the Capitol building is not within the areas of the Capitol used by the Governor or the courts as of January 1, 1986. Thus, the legislative council is free to assign that space pursuant to section 2.43.

Sincerely yours,



Charles J. Krogmeier
Executive Deputy Attorney General

/jam



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

RECEIVED
NOV 17 93
Legislative Service
Bureau

November 16, 1993

Ms. Diane Bolender
Secretary to the Council
Iowa Legislative Council
State Capitol Building
L O C A L

Dear Diane:

As you know, the Governor's Office operates from a set appropriation by the legislature.

Currently, no funds are available to compensate legislators for per diem and expenses associated with their participation in the working groups.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary W. Steinke".

Gary W. Steinke
Administrative Assistant

GS/ps

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LOANNE DODGE
IOWA CODE EDITOR

PHYLLIS V. BARRY
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

November 23, 1993

MEMORANDUM

TO: CHAIRPERSON HORN, VICE CHAIRPERSON VAN MAANEN, AND MEMBERS OF THE IOWA LEGISLATIVE COUNCIL

FROM: DIANE BOLENDER, DIRECTOR *DB*

RE: DECEMBER LEGISLATIVE COUNCIL MEETING

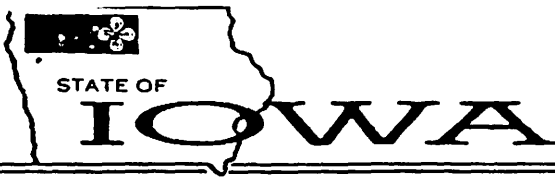
The December Legislative Council and Council Committee meetings are scheduled for Wednesday, December 1, 1993, at the State Capitol in Des Moines. Meetings are scheduled in Committee Room 22 as follows:

11:00 a.m.	Administration Committee
1:00 p.m.	Studies Committee
1:30 p.m.	Legislative Council

The members of the Service Committee will gather in Chairperson Van Maanen's office beginning at 8:30 a.m. for evaluations of central legislative staff agency directors. The Service Committee will convene at 11:00 a.m. in Committee Room 24.

Tentative agendas for the meetings and minutes of the October 27 meetings of the Studies Committee, Service Committee, and the Legislative Council are enclosed as well as the minutes of the Computer User Committee from November 3.

Please notify the Legislative Service Bureau if you will be unable to attend the meeting.



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF GENERAL SERVICES
J. MICHAEL CARLSTROM, DIRECTOR

MEMORANDUM

To: Ralph D. Oltman
From: Mark Willemsen
Subject: Update of the Construction / Move Estimate -- Capitol Building Ground Floor
Date: November 30, 1993

This is an update to the attached November 23, 1993 memorandum. Everything has remained essentially the same except for the following two items:

- After further review, we currently have approximately 29 lineal feet of existing wainscot that may be reused. After the wall is removed, we will need approximately 36 lineal feet of wainscot. Approximately \$4,000 should be added to the committee room estimate if new wainscot needs to be produced. I believe we can still remain within the existing estimate if we do not install wainscot on the east wall of the new committee room.
- We estimated \$1,500 to install a door between the existing small dining area and the large dining area and convert the small dining area into a designated smoking room. We believe this door is needed, but a mechanical system is also still needed to exhaust the smoke and provide air exchanges in that room to meet the ASHRAE standards. Without the mechanical system, we believe smoke will still travel to the adjoining rooms. The estimated cost for this mechanical system is \$20,000 (attachment).

MLW:mlw

ATTACHMENT



TERRY E. BRANSTAD, GOVERNOR

PRELIMINARY

DEPARTMENT OF GENERAL SERVICES
J. MICHAEL CARLSTROM, DIRECTOR

MEMORANDUM

To: Ralph D. Oltman
From: Mark Willemsen
Subject: Construction / Move Estimate -- Capitol Building Ground Floor
Date: November 23, 1993

This memorandum is in response to our meeting with Speaker Van Maanen and his staff on November 22, 1993. We were asked to develop a scope of work and cost estimate for the following scenario on the ground floor of the Capitol Building:

- The Health Services area will no longer staff a doctor and/or nurse. All health services supplies and equipment shall be removed, except for the lactation room which shall remain as is in this area.
- The Executive Council Secretary shall be moved into the current Health Services area, but the lactation room shall remain functional.
- The current Executive Council Secretary room shall be converted into a Legislative Committee Room, removing the wall separating the current Health Services Exam room and the current Executive Council Secretary's room.
- The small Legislative Dining room shall be converted into a smoking area with minimal work done. (Weatherstrip the door to the Legislative Information Office and install a door with weatherstripping to the large dining room)
- The current Legislative Fiscal Conference Room shall be converted into offices.

The following is an estimation of what will need to be done during each phase of the above scenario:

- Health Services will find a use or storage space for their supplies and equipment currently in the Capitol. They will continue to maintain the lactation room.
- The Executive Council Secretary should be able to move into the office area of the current Health Services room with minimal communications and electrical work, although I have not yet met with her.
- If the wall is removed in the new committee room, work to be done to make the room presentable is as follows:

- The floor under the existing carpet is a combination of concrete and wood, and the carpet on both sides of the wall is different. The carpet should be replaced.
 - A sink is installed on this wall. This will need to be removed and the plumbing will need to be capped in the sub-basement.
 - The wall protrudes above the suspended ceiling. When this wall is removed, the suspended ceiling will need to be reworked so both sides can be joined at the same height.
 - Electrical outlets in this wall will need to be removed and the wiring removed back to the originating electrical panel.
 - Computer equipment is permanently installed that links General Services ISD to the Capitol Building occupants. A partition will need to be built around this equipment for security reasons and appearance.
 - Wainscoting is existing in the current Executive Council's Secretary room and paneling is installed on the walls of the current exam room. For the appearance of the room, the wainscot should be taken off the demolished wall and reinstalled on the east wall of the new committee room.
-
- We were asked to convert the small Legislative dining room into a smoking room for minimal cost, such as adding a door between the small dining room and large dining room and installing weatherstripping around this door and the door to the Legislative Information Office. This can be done, but we believe this alone will not keep the smoke from eventually penetrating into the other areas.
 - The current Legislative Fiscal Conference Room conversion to offices could be made with minimal communications and electrical work.

The estimated cost for the communications and electrical work required for the personnel moves is approximately \$1,000.00. The estimated cost for the remodeling of the new committee room is approximately \$6,000.00. The estimated cost for the new smoking room is approximately \$1,500.00.

It is our understanding that these moves are temporary until a more permanent solution to the overcrowding problem can be found. These moves will be re-evaluated with the Legislative staff after the next Legislative Session has been completed.

MLW:mlw

Cost Estimate for Capitol Legislative Dinning Annex Smoking Exhaust
June 17, 1993

Quant.	Description	Unit Price	Total Price
1)	1,800 cfm Air Handler	\$4,070.00	\$4,070
2)	1,800 cfm Exhaust Fan	\$1,800.00	\$1,800
3)	300 lbs Galvanized Ductwork	\$4.54	\$1,362
4)	100 ft 2" Chilled Water Pipe (Type "L")	\$14.20	\$1,420
5)	160 ft 2" Steam Pipe (Schedule 40)	\$12.60	\$2,016
6)	160 ft 3/4" Condensate Pipe (Schedule 40)	\$6.15	\$984
7)	50 ft 3/4" Drain Pipe (Type "M")	\$5.40	\$270
8)	250 ft 2" Pipe Insulation	\$4.42	\$1,105
9)	160 ft 3/4" Pipe Insulation	\$3.63	\$581
10)	2 2" Ball Valves	\$55.00	\$110
11)	1 2" Balancing Valve	\$110.00	\$110
12)	1 2" Steam Valve	\$180.00	\$180
13)	3 3/4" Ball Valves	\$23.00	\$69
14)	1 3/4" Steam Trap	\$94.00	\$94
15)	2 16" X 16" Floor Grilles	\$105.00	\$210
16)	75 SqFt Duct Insulation	\$1.83	\$137
17)	1 Size 00 Starter	\$199.00	\$199
18)	1 Size 0 Starter	\$213.00	\$213
19)	80 ft 1/2" EMT	\$2.11	\$169
20)	320 ft #12 THHN Copper Wire	\$0.33	\$106
21)	2 20 AMP - 208 Volt Breakers	\$55.00	\$110

Total	\$15,314
10 Percent Incidental Costs	\$1,531
Total Estimated Construction Cost	\$16,846
20 Percent Contingency Cost	\$3,369
Total Estimated Project Cost	\$20,215

IOWA LEGISLATIVE COUNCIL

STATE CAPITOL BUILDING

DES MOINES, IOWA 50319



IOWA LEGISLATIVE COUNCIL RESOLUTION

A Resolution designating January 5, 1994, as a day to honor Dr. George Washington Carver, one of the most distinguished graduates of Iowa's renowned education system, in the year of his one hundredth alumni anniversary.

WHEREAS, Dr. George Washington Carver's contributions in United States agriculture and industrial areas have significantly benefited all Americans and improved life for people throughout the world; and

WHEREAS, Dr. Carver was Iowa State University's first African-American student, first African-American graduate, receiving a bachelor of science degree in agriculture in 1894 and a master's degree in 1896, and first African-American faculty member; and

WHEREAS, Dr. Carver's unquenchable thirst for knowledge led him to become one of the greatest scientists of his time and one of Iowa State University's most famous alumni; and

WHEREAS, Dr. Carver, in addition to being an accomplished scientist, was an outstanding educator, artist, poet, singer, and benefactor to all Americans; and

WHEREAS, Dr. Carver's legacy continues to live on today as thousands of young people look to follow his heroic example and are challenged to strive for excellence; and

WHEREAS, George Washington Carver was awarded the honorary doctorate degree by various colleges and universities across the country, including Simpson College in Indianola, Iowa; and

WHEREAS, a coalition of Iowa State University students, faculty, staff, and friends have proposed that Iowa State University celebrate Dr. George Washington Carver's one hundredth year alumni anniversary; and

WHEREAS, the first week in January has been recognized by seven other states as George Washington Carver Week; NOW THEREFORE,

BE IT RESOLVED BY THE IOWA LEGISLATIVE COUNCIL, That the Iowa Legislative Council honor Dr. George Washington Carver by designating January 5, 1994, as a day to celebrate and recall his many accomplishments and contributions to humanity.

Executive Council Contingent Fund

Appropriation Authority:

Code 7D.30

Purpose- To provide for the payment of expenses related to the performance of the duties of the Executive Council.

Duties of the Executive Council:

Code 29C.20

- Payment of expenses related to riots.
- Payment of expenses related to state property damaged, destroyed or lost by fire, storm, theft or unavoidable cause.
- Payment of aid to local governments in an area declared a natural disaster area by the Governor.

Types of aid available to local governments:

-Loans to local governmental subdivisions:

- Declaration of disaster by Governor.
- Up to 75% of the amount reported as expenses related to the disaster.
- Interest free loan.
- Repayment to be made from property tax levies.
- Aggregate amount of loans in any one fiscal year shall not exceed one million dollars.

-Financial grants to local governments and eligible private non-profit agencies:

- Declaration of disaster by Governor and President.
- Amount of state grant shall not exceed 10% of the total eligible expenses.
- Grant conditioned on the receipt of at least 75% Federal aid for public assistance grants.
- Grant conditioned on the receipt of at least fifty percent Federal aid for hazard mitigation grants.
- No limit on number or aggregate amount of grants awarded for an individual fiscal year.

-Financial grants to individuals and families:

- Declaration of disaster by Governor and President.
- Grant shall not exceed the maximum federal authorization to an individual or family.
- Grant conditioned on the receipt of at least 75% Federal aid for public assistance grants.
- No limit on number or aggregate amount of grants awarded for an individual fiscal year.

Compensation and Expense of the National Guard

Appropriation Authority:

Code 29A.29

Purpose- To provide for the payment of compensation and expenses of the National Guard while on active duty.

Appropriation Availability:

Funds become available when the National Guard is activated by direction of the Governor.