

Supreme Court

ARTHUR A. MCGIVERIN
CHIEF JUSTICE

STATE CAPITOL
DES MOINES, IOWA 50319

REBECCA COLTON
EXECUTIVE ASSISTANT
TO CHIEF JUSTICE

January 2, 1990

Ms. Diane Bolender
Secretary of the Legislative Council
Legislative Services Bureau
L O C A L

RECEIVED
JAN 02 90

Dear Ms. Bolender:

Please find enclosed two Report(s) of the Supreme Court. Please sign both and return originals to me.

Thank you in advance for your assistance.

Sincerely,

Becky
Rebecca A. Colton

RC/dsj

IN THE SUPREME COURT OF IOWA

FILED
DEC 28 1989
CLERK SUPREME COURT

IN THE MATTER OF A CHANGE)
IN THE IOWA RULES OF)
CRIMINAL PROCEDURE)

REPORT OF THE
SUPREME COURT

TO: MS. DIANE BOLENDER, 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
on this date to the Secretary of the Legislative Council
concerning amendments to Iowa Rules of Criminal Procedure
43 and 45 which are attached as Exhibit "A" and Exhibit "B"
respectively.

Pursuant to Iowa Code section 602.4202(2), these
changes are to take effect April 2, 1990.

Respectfully submitted,

THE SUPREME COURT OF IOWA

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

Des Moines, Iowa

December 28, 1989

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative
Council hereby acknowledge delivery to me on the ___ day
of _____, 1990, the Report of the Supreme Court
pertaining to the Iowa Rules of Criminal Procedure.

Secretary of the Legislative Council

EXHIBIT "A"

Rule 43. Bail. Admission to bail shall be as provided for in Iowa Code chapter 811. Upon proper application, a district court judge or district associate judge is authorized to review and amend the conditions of bail previously imposed. There shall be no more than one review except upon changed conditions.

EXHIBIT "B"

Rule 45. Trial date. Upon a plea other than guilty the magistrate shall set a trial date which shall be at least fifteen days after the plea is entered. The magistrate shall notify the prosecuting attorney of the trial date and shall advise the defendant that the trial will be without a jury unless demand for jury trial is made at least no later than ten days prior to the date set for trial following the plea of not guilty. Failure to make a jury demand in the manner prescribed herein constitutes a waiver of jury. If demand is made, the action shall be tried by a jury of six members. Upon the request of the defendant, the magistrate may set the date of trial at a time less than fifteen days after a plea other than guilty is entered. The magistrate shall notify the defendant that a request for earlier trial date shall constitute a waiver of jury.

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council hereby acknowledge delivery to me on the 4th day of January, 1990, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

Alvina E. Blender
Secretary of the Legislative Council

IN THE SUPREME COURT OF IOWA

FILED
DEC 28 1989
CLERK SUPREME COURT

IN THE MATTER OF A CHANGE)
IN THE IOWA RULES OF)
CIVIL PROCEDURE)

REPORT OF THE
SUPREME COURT

TO: MS. DIANE BOLENDER, 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
on this date to the Secretary of the Legislative Council
concerning amendments to the following Iowa Rules of Civil
Procedure as shown in the corresponding attached Exhibits:

- | | |
|-------------|-------------|
| Exhibit "A" | Rule 130 |
| Exhibit "B" | Rule 140 |
| Exhibit "C" | Rule 147(a) |
| Exhibit "D" | Rule 215 |
| Exhibit "E" | Rule 270 |
| Exhibit "F" | Rule 372. |

Pursuant to Iowa Code section 602.4202(2), these
changes are to take effect July 2, 1990.

Respectfully submitted,

THE SUPREME COURT OF IOWA

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

Des Moines, Iowa

December 28, 1989

EXHIBIT "A"

130. Procedure under R.C.P. 129. The request may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the original notice upon that party. The request shall set forth the items to be inspected either by individual item or by category, and describe each item and category with reasonable particularity. The request shall specify a reasonable time, place, and manner of making the inspection and performing the related acts.

The party upon whom the request is served shall serve a written response within thirty days after the service of the request, except that a defendant may serve a response within sixty days after service of the original notice upon that defendant. The court may allow a shorter or longer time. The response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for objection shall be stated. If objection is made to part of an item or category, the

part shall be specified. Notwithstanding the provisions of R.C.P. 82 "d," copies of the documents produced shall not be filed with the clerk. The party submitting the request may move for an order under R.C.P. 134 with respect to any objection to or other failure to respond to the request or any part thereof, or any failure to permit inspection as requested.

EXHIBIT "B"

140. Depositions upon oral examination.

a. When depositions may be taken. After commencement of the action, any party may take the testimony of any person, including a party, by deposition upon oral examination. Leave of court, granted with or without notice, must be obtained only if the plaintiff seeks to take a deposition prior to the expiration of ten days after the date for ~~special appearance~~, motion or answer for any defendant, except that leave is not required:

(1) If a defendant has served a notice of taking deposition or otherwise sought discovery, or

(2) If special notice is given as provided in subdivision "b"(2) of this rule. The attendance of witnesses may be compelled by subpoena as provided in R.C.P. 155. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.

b. Notice of examination--general requirements--special notice--nonstenographic recording--production of documents and things--deposition of organization.

(1) A party desiring to take the deposition of any person upon oral examination shall give reasonable notice in writing to every other party to the action. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined, if known, and, if the name is not known, a general description sufficient to identify the person or the particular class or group to which the person belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena shall be attached to or included in the notice.

(2) Leave of court is not required for the taking of a deposition by plaintiff if the notice:

(A) States that the person to be examined is about to go out of the state and will be unavailable for examination unless the person's deposition is taken before the expiration of the thirty-day period ten days after the date for motion or answer for any defendant, and

(B) Sets forth facts to support the statement. The plaintiff's attorney shall sign the notice, and the attorney's signature constitutes a certification by the attorney that to the best of the attorney's knowledge, information, and belief the statement and supporting facts are true.

If a party shows that upon being served with notice under this subdivision "b"(2) the party was unable through the exercise of diligence to obtain counsel to represent him or her at the taking of the deposition, the deposition may not be used against that party.

(3) The court may for cause shown enlarge or shorten the time for taking the deposition.

(4) The court may upon motion order that the testimony at a deposition be recorded by other than stenographic means, in which event the order shall designate the manner of recording, preserving, and filing the deposition, and may include other provisions to assure that the recorded testimony will be accurate and trustworthy. If the order is made, a party may nevertheless arrange to have a stenographic transcription made at that party's own expense. Leave of court is not required to record testimony by nonstenographic means if the deposition is also to be recorded stenographically.

(5) The notice to a party deponent may be accompanied by a request made in compliance with R.C.P. 129 and 130 for the production of documents and tangible things at the taking of the deposition. The procedure of R.C.P. 130 shall apply to the request.

c. Failure to attend or to serve subpoena--expenses.

(1) If the party giving the notice of the taking of a deposition fails to attend and proceed therewith and another party attends in person or by attorney pursuant to the notice, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by the other party and the other party's attorney in attending, including reasonable attorney's fees.

(2) If the party giving the notice of the taking of a deposition of a witness fails to serve a subpoena upon the witness and the witness does not attend because of such failure, and if another party attends in person or by attorney because such other party expects the deposition of that witness to be taken, the court may order the party giving the notice to pay to such other party the reasonable expenses incurred by the other party and the other party's attorney attending, including reasonable attorney's fees.

d. Depositions by telephone.

Any deposition permitted by these rules may be taken by telephonic means.

A party desiring to take the deposition of any person upon oral examination by telephonic means shall give reasonable

notice thereof in writing to every other party to the action. Such notice shall contain all other information required by paragraph "b"(1) herein and shall state that the telephone conference will be arranged and paid for by the initiating party. No part of the expense for telephone service shall be taxed as costs.

The person reporting the testimony shall be in the presence of the witness unless otherwise agreed by all parties.

If any examining party desires to present exhibits to the witness during the deposition, copies shall be sent to the deponent and the parties prior to the taking of the deposition.

Nothing in this rule shall prohibit a party or counsel from being in the presence of the deponent when the deposition is taken.

EXHIBIT "C"

147. Oral examination--notice.

a. Oral depositions may be taken only in this state, or outside it at a place within one hundred miles from the nearest Iowa point. But, on hearing, on notice, of a motion of a party desiring it, the court may order it orally taken at any other specified place, if the issue is sufficiently important and the testimony cannot reasonably be obtained en by written interrogatories or deposition by telephone.

EXHIBIT "D"

215. Voluntary dismissal. A party may, without order of court, dismiss that party's own petition, counterclaim, cross-petition or petition of intervention, at any time before the trial has begun, subject to the provisions of R.C.P. 181.4 up until ten days before the trial is scheduled to begin. Thereafter a party may dismiss an action or that party's claim therein only by consent of the court which may impose such terms or conditions as it deems proper; and it shall require the consent of any other party asserting a counterclaim against the movant, unless that will still remain for an independent adjudication. A dismissal under this rule shall be without prejudice, unless otherwise stated; but if made by any party who has previously dismissed an action against the same defendant, in any court of any state or of the United States, including or based on the same cause, such dismissal shall operate as an adjudication against that party on the merits, unless otherwise ordered by the court, in the interests of justice.

EXHIBIT "E"

270. The action--pending probate. Real or personal property may be partitioned by equitable proceedings. Where the entire interest in real estate is owned by a decedent on whose estate administration or probate is pending, the action cannot be begun until ~~six~~ four months after the second publication of the notice of the appointment of the personal representative, nor at any time while an application for authority to sell such real estate is pending in the probate proceeding.

EXHIBIT "F"

372. Rules by trial courts. Each district court, by action of a majority of its district judges, may from time to time make and amend rules governing its practice and administration not inconsistent with these rules. A copy of all rules in effect July 4, 1961, and any amendments thereafter made by any such court shall be transmitted to the clerk of the supreme court. In all cases not provided for by rule, courts may regulate their practice in any manner not inconsistent with these rules. All such rules or changes shall be subject to prior approval of the supreme court.

Iowa Reapportionment News

April 24, 1990

Legislative Service Bureau

Volume 2, Number 1

COMPUTER VENDOR CHOSEN TO SUPPORT IOWA REDISTRICTING

Three computer vendors demonstrated their redistricting software packages to the Redistricting Technology Selection Committee and staff members on November 1, 1989. These vendors were: Election Data Services, Inc. (EDS), Washington, D.C.; Public Systems Associates, Inc. (PSA), Denver, Colorado; and Sammamish Data Systems, Bellevue, Washington. All of the vendors were able to adequately demonstrate the current capabilities of their systems, as well as answer many questions asked by the committee and staff members. Each vendor was supplied with a suggested demonstration agenda specifying several features which they were asked to demonstrate. After the demonstrations were completed, it was obvious that none of the vendors could demonstrate ALL of the features desired by Iowa. The committee decided, however, that EDS and PSA were able to demonstrate the more desirable features and were therefore asked to provide further information about their computerized redistricting systems.

The next twelve weeks involved detailed comparisons of the EDS and PSA systems. Committee and staff members scrutinized the software and hardware features of each vendor, as well as the support services each promised to provide. The staff also contacted many of the references supplied directly by both vendors, as well as several persons who were not referenced by either vendor. These references were generally supportive of both EDS and PSA respectively.

While the systems from EDS and PSA were considered the two best choices by the Redistricting Technology Selection Committee, it should be noted that there are significant differences between them. For example, the EDS system runs on personal computers. Since the legislature is already in the process of supplying legislative staff with personal computers, these computers used in the EDS system could be kept in service after redistricting is completed. This would result in a savings to the legislature in computer hardware costs. This was a definite plus in EDS' favor.

PSA, on the other hand, utilizes a larger mini-computer to run its redistricting system. This type of computer is currently not supported elsewhere in the legislature, and would therefore have potentially less value to the legislature after redistricting is completed. A big plus in PSA's favor was the fact that their redistricting computer program was able to demonstrate more fea-

tures deemed desirable by the committee and staff members. In other words, the current edition of the PSA redistricting program would require only minor changes to make it totally acceptable. The EDS system requires some additional features to make it acceptable as the system to support Iowa's redistricting. Bearing these facts in mind, the committee and staff members continued negotiations with EDS and PSA, resulting in price reductions from the original cost proposals and promises from both vendors to update their respective systems as necessary to meet the requirements for redistricting specified by the committee and staff.

In December, the Redistricting Technology Selection Committee recommended that the Legislative Council should authorize the committee to set the maximum expenditure for a redistricting computer system at \$600,000 and establish July 1, 1990 as the final date for the vendor to supply substantially all of the desirable software functions desired by the legislature. The Legislative Council authorized these recommendations, and both EDS and PSA were notified of these requirements. Both could meet the July 1, 1990 time constraint, but only EDS could match the \$600,000 spending limit. PSA indicated that it could not equal the cost ceiling without substantial reductions in service to the legislature. This would result in the legislature or another outside firm providing some of the services that would otherwise have been done by PSA. In its final proposal, EDS did not reduce any of its support services, did meet the \$600,000 spending limit, and agreed to provide the desirable software features by July 1, 1990.

On January 31, 1990, the Redistricting Technology Selection Committee met to make its final recommendation for a redistricting computer vendor to the Legislative Council. Senator Hultman and Representative Van Maanen supported PSA, while Senator Hutchins, Representative Arnould and Representative Chapman supported EDS. Therefore, EDS was recommended as the vendor to support Iowa's redistricting effort, and the Legislative Council approved this recommendation on February 1, 1990. Contract negotiations are being finalized.

TENTATIVE EDS TIMETABLE TO DEVELOP AND INSTALL REDISTRICTING COMPUTER SYSTEM

February-May 1990: EDS contract awarded and language negotiated.

May-June 1990: System development begins; Census Bureau TIGER/Line files acquired, checked and corrected; Precinct maps and election return data sent by Iowa to EDS; First computer workstations set up allowing for initial staff familiarization.

June 1990: EDS loads preliminary redistricting system and begins staff training.

July 1, 1990: Additional software features are demonstrated by EDS.

August-October 1990: EDS adjusts computer database to match corrected TIGER/Line files provided by the Census Bureau; EDS sets up remaining workstations and continues staff training.

November 1990: EDS collects 1990 election returns to incorporate into caucus databases.

December 1990: 1990 election return data loaded into caucus computers.

January-March 1991: EDS adjusts database to match post-census TIGER/Line files released by Census Bureau; Census Bureau population data delivered and loaded into database (tentative); Redistricting begins.

July 1991: Adjusted census population data delivered and loaded into database (tentative).

NEW STAFF POSITION APPROVED

In November, the Legislative Council approved a recommendation by the Redistricting Technology Selection Committee that the Service Committee should recommend hiring a temporary full-time research analyst to assist the redistricting staff. The addition of this research analyst will bring the number of Legislative Service Bureau staff working full time on redistricting to three.

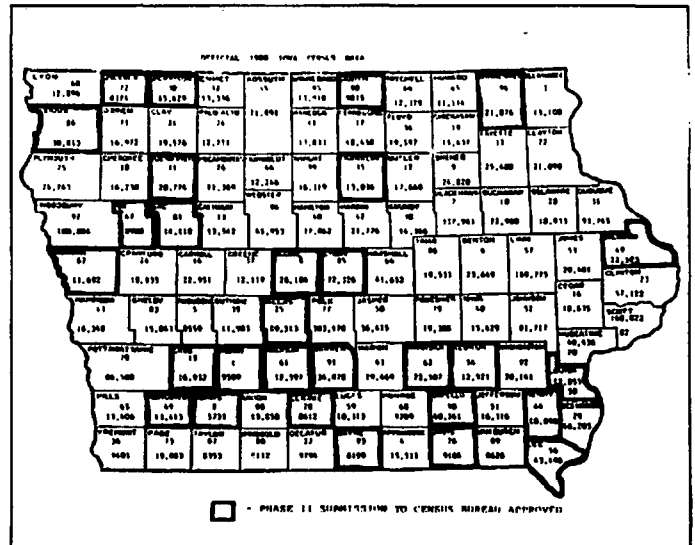
PHASE II COMPLETION LIST

Phase II of the 1990 Census Redistricting Data Program is proceeding on schedule in Iowa. As of April 6, 1990, all 99 Iowa county map sets have been delineated with the current voting precinct lines adjusted to conform with Census block boundaries and then returned to the Census Bureau in Kansas City. Whenever true precinct lines were adjusted by the Legislative Service Bureau staff

to conform to Census Bureau standards, approval from the relevant local jurisdiction was sought.

While most of the Phase II process is completed for the Legislative Service Bureau, it will continue on through much of the summer for the Census Bureau. Once they receive the completed maps from Iowa, they must review and update them to include annexations and boundary changes specified during the Boundary and Annexation Survey completed last year. The Census Bureau then seeks approval from the Legislative Service Bureau staff before making any permanent changes to the voting district maps.

Counties for which the Phase II submissions have been finally approved are shown on the map below. As of April 23, 1990, 29 counties have been finally approved.



POLITICAL SUBDIVISIONS NOT PARTICIPATING

Whenever voting precinct lines were delineated on maps to the Census Bureau, the applicable local jurisdictions were asked to confirm that the boundaries delineated were correct and that any adjustments made to conform to Census block boundaries were acceptable. If no response was received by the Legislative Service Bureau, two reminder letters were sent to the local jurisdiction, the last having a deadline at which date we would presume that all delineations were acceptable. The local jurisdictions which chose not to participate in confirming the precinct boundaries were: Anamosa, Centerville, Colfax, Marshalltown, Newton, Sac County and Warren County.

BUREAU DIRECTED TO KEEP SMALL CITIES WHOLE IN REDISTRICTING

The redistricting staff asked the Redistricting Technology Selection Committee to clarify an interpretation problem with section 42.4, subsection 2, Code 1989. This subsection states that "the number of counties and cities divided among more than one [legislative] district shall be as small as possible. When there is a choice between dividing local political subdivisions, the more populous subdivisions shall be divided before the less populous, but this statement does not apply to a legislative district boundary drawn along a county line which passes through a city that lies in more than one county." This passage is ambiguous when applied to towns split by township lines. The committee recommended and the Legislative Council approved that the computer database for redistricting should be developed so that generally smaller-sized cities will NOT be divided along township boundaries except for those divided by county lines.

REAPPORTIONMENT TASK FORCE MEETS IN BOISE

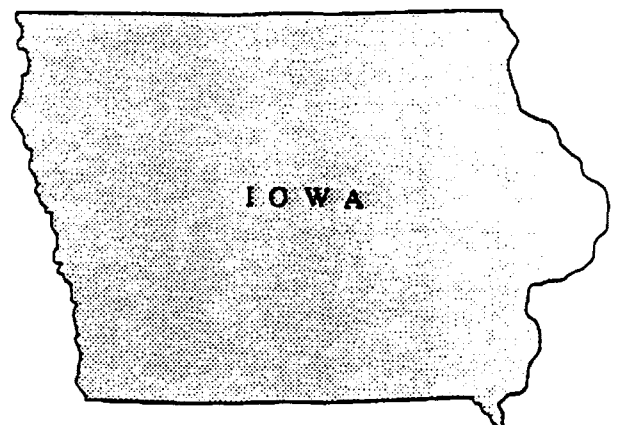
The N.C.S.L. Reapportionment Task Force met in Boise, Idaho, on April 20-21, with discussions on a range of issues including the potential adjustment of the Census count by the Census Bureau to "correct" the overcount and undercount, the "New York Counts" campaign to ensure the best possible Census response, a Census Bureau update, comments from the newly appointed director of the Census Bureau, Ms. Barbara Everitt Bryant, and state progress reports on issues and activities. Mr. Gary L. Kaufman of the Legislative Service Bureau was one of the panelists on the last issue. Copies of Mr. Kaufman's presentation are available on request. The next meeting of the Reapportionment Task Force is scheduled for Baltimore, Maryland on June 28-30, 1990.

CENSUS BUREAU ESTIMATES DATA SIZE FOR IOWA

At Boise, the Census Bureau announced estimates of the size of their data products for Iowa. The number of precensus county block maps for Iowa was 1,715; the precensus TIGER/Line File will be 347.38 megabytes; the P.L. 94-171 population data files will be 72.96 megabytes on 1 reel of tape at 6250 bpi and the number of estimated printout pages for the Census population data is 6,400 pages!

LEGISLATURE ADDRESSES HOLDOVER SENATORS ISSUE

The 73rd General Assembly in the 1990 Session addressed the issue of holdover senators. Iowa has a constitutional requirement of having half of the senators elected at each general election. In the 1970's when the Supreme Court adopted the redistricting plan, they merely had half the senators run for 2-year terms to allow for staggered terms in subsequent years. In the 1981 redistricting bill, any senator who had only served 2 years of his or her 4-year term was allowed to continue to represent the new district as long as (1) they were not paired with another incumbent as of the filing deadline date for the primary election and (2) they were residing in an even-numbered senatorial district on this date. This technique allowed one paired senator to threaten to move all the way across the state to represent a vacant even-numbered senatorial district. The press quickly dubbed this person a "leapfrogging senator" and had a heyday on this issue. This session the Senate passed a bill to require the "leapfrogging senator" to move to a district that is at least contiguous to the district in which the senator resided at the previous election. The House attempted to include a provision requiring the holdover senator's district to contain 75% of the population of the senator's old district in order not to have the senator's term shortened, but the Senate prevailed (Senate File 2372).



COMPUTER HARDWARE & SUPPLIES FOR REDISTRICTING, Needed Before 6/1/90

2	AST-25 MHz 80486 EISA Tower Computer, 2Mg RAM (4 Mg Cap. on board)	\$6,620.00	\$13,240.00
4	AST-16 MHz 80386 SX Computer, 1 Mg RAM (4 Mg capacity on board)	1,810.00	7,240.00
2	NEC 5D Color Multisync Monitor (20"-1280*1024 resolution)	2,400.00	4,800.00
4	NEC 4D Color Multisync Monitor (16"-1024*768 resolution)	1,180.00	4,720.00
1	1.2 Gb CDC Wren 7 SCSI Hard Drive (requires SCSI controller below)	4,100.00	4,100.00
1	Pro Comp M-DCB SCSI Controller, Setup Software , and Cable	494.50	494.50
5	80 Mg Connor EDI Hard Drive	615.00	3,075.00
2	AST Super VGA (800*600) Video Display Controller	100.00	200.00
1	0-K Memory Board (holds 16 Mg of 1 Mg SIMM's)	520.00	520.00
10	1 Mg Ram Expansion (1 Mg SIMM's)	138.00	1,380.00
6	Microsoft Serial Mouse - 400 DPI Resolution (with Windows 286)	145.00	870.00
8	Additional Parallel Port	35.00	280.00
2	Additional Floppy Drive (5.25")	89.00	178.00
1	Tripp-Lite 1200 Watt Uninterruptible Power Supply (Novell approved)	700	700.00
6	Tiara 16 Bit Twisted Pair Ether-Net Adapter Cards	300.00	1,800.00
1	Synoptics 2500 8 Unit Network Concentrator	860.00	860.00
1	Mountain 2.2 Gigabyte Tape Backup + Adapt Tech 1540 SCSI Controller	5,465.00	5,465.00
1	Net Arc Full-Time Tape Backup Software	795.00	795.00
15	3M 2.2 Gigabyte Backup Tape Cartridges	30.00	450.00
1	Storage Dimensions LAN Store - 900 MG Read/Write Optical Disk System	6,500.00	6,500.00
2	900 Mg Optical Disk	360.00	720.00
5	Hewlett-Packard LaserJet Series /// Printers (HPGL-2 compatible)	1,595.00	7,975.00
1	Hewlett-Packard PaintJet XL Color Dot Matrix Printer 11"*17"	1,665.00	1,665.00
1	Hewlett-Packard HPGL-2 Emulation Cartridge for PaintJet XL	675.00	675.00
1	A-Size Media Tray for PaintJet XL (allows automatic paper feeding)	65.00	65.00
1	B-Size Media Kit for PaintJet XL (allows automatic paper feeding)	105.00	105.00
1	Hewlett-Packard DraftMaster MX (HPGL-2) E Size Plotter (w/roll feed)	8,405.00	8,405.00
1	Extended Systems ESI-2041C Share Spool (4 printer connection to LaserJet)	680.00	680.00
1	A-B-C Smart Switch for PaintJet Printer Sharing	100.00	100.00
14	Parallel and Serial Printer Cables	10.00	140.00
1	8-Pen Carousel for DraftMaster MX Plotter	73.00	73.00
20	Plotter Pens, 4 Bags Each Size-3P,5P,7P,3T, & 6T	5.25	105.00
1	Long Pen 6" Round Organizer (holds 30 pens)	34.50	34.50
1	Long Pen 6" Short Organizer (holds 30 pens)	32.25	32.25
1	A-size (8.5"*11") Paper for PaintJet XL - 250 sheet pack	17.00	17.00
1	A-size (8.5"*11") Transparency Film for PaintJet XL - 50 sheet pack	52.50	52.50
1	A-size (8.5"*11") Transparency Film for LaserJet /// - 50 sheet pack	19.00	19.00
1	A-size (8.5"*11") Plotter Paper for DraftMaster MX - 250 sheet pack	10.00	10.00
1	A-size (8.5"*11") Transparency Film for DraftMaster MX - 50 sheet pack	37.00	37.00
1	D-size (24"*36") Plotter Paper for DraftMaster MX -250 sheet pack	46.25	46.25
3	E-size (36"*48") Plotter Paper for DraftMaster MX -250 foot roll	27.75	83.25
6	Acco 50676 Surge Protector (with remote on/off switch)	60.00	360.00
6	QVS 3.5" Disk Holder & System Stand	15.00	90.00
6	Mouse Pads	6.00	36.00
6	Glass Glare Gaurds & Cleaner	128.33	770.00
6	3M Box of 10 3.5" HD Diskettes	25.00	150.00

TOTAL

\$80,113.25



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF GENERAL SERVICES
JACK B. WALTERS, DIRECTOR

April 20, 1990

The Honorable Bill Hutchins
Senate Majority Leader
The Senate
Capitol Building
LOCAL

The Honorable Donald Avenson
Speaker of the House
House of Representatives
Capitol Building
LOCAL

Dear Senator Hutchins and Speaker Avenson:

Subject: Lease/Purchase Request

I have received the attached request from the Department of Human Services to lease-purchase telecommunications equipment to replace their aging teleconferencing system, at a cost of \$374,386.

The lease/purchase is for three years (36 months) at an API interest rate of 7.98% and a cost per month of \$11,728.

I am submitting this request to you for your approval prior to initiating the third party financing process.

Sincerely,

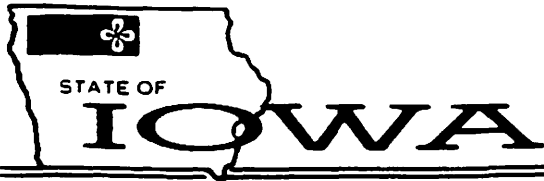
Jack B. Walters, Director
Department of General Services

JBW:jmh

enclosure

cc: J. Robert Soldat, DGS Purchasing
Ken Paulsen, DGS Purchasing
Chuck Palmer, Human Services
George Price, Management
Ann Marie Brick, A.G.
Diane Bolender, Legislative Service Bureau ✓
Kathy Williams, DGS Legislative Liaison

jw33/l-pur.leg



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF HUMAN SERVICES

CHARLES M. PALMER, DIRECTOR

April 19, 1990

Mr. Jack Walters, Director
Department of General Services
Hoover State Office Building
LOCAL

Dear Mr. Walters:

Re: Financing of Teleconferencing System

Well over a year ago the Iowa Legislature appropriated \$50,000 for the Department of Human Services to purchase teleconferencing equipment to replace the CIDS Teleconferencing System in FY90. At the time that the appropriation was made it was understood that the new equipment would be purchased over a period of at least three years.

Attached is a cost comparison that projects costs for the current CIDS system over the next four fiscal years and compares it to the projected costs for the new teleconferencing system. You will note that a savings of over \$79,000 is projected for FY91; that number grows to over \$633,000 in FY94.

This new equipment has been identified by staff from State Communications and State Purchasing and approved by the current CIDS Administrator, Michelle Clark. Because of the tremendous cost savings projected, we would like to move ahead quickly with the purchase of this equipment. Therefore, I am requesting that you seek approval to finance this equipment over 36 months and move ahead with this purchase so that it is installed prior to June 30 of this year.

Sincerely,

Charles M. Palmer
Director

CMP:MLC

att.

COST COMPARISON OF CIDS/New Teleconference Equipment (in State Dollars)

New Equipment Lease/Purchased for 36 Months

CIDS Costs	FY '90	FY '91	FY '92	FY '93	FY '94
General Administration 16.53% of total ITN costs and customer premise equipment.	\$107,624	\$121,581	\$137,337	\$155,247	\$175,429
Field Services 83.42% of total ITN costs and customer premise equipment.	479,804	542,210	612,697	692,347	782,352
Total CIDS Costs *	\$587,428	\$663,791	\$750,034	\$847,594	\$957,781
New Equipment Costs *(2)	(\$23,457)	(\$140,741)	(\$140,741)	(\$117,284)	0
Installation	(4,400)	0	0	0	0
Usage Costs (Lines) *(3)	0	(155,848)	(179,225)	(206,109)	(237,025)
Long Distance Costs *(4)	0	(65,520)	(68,796)	(72,235)	(75,847)
ITN Costs (12 Mos.)					
General Administration	(57,743)	0	0	0	0
Division of Field Services	(297,305)	0	0	0	0
ITN Shared Costs					
General Administration	(39,849)	(39,849)	(39,849)	(761)	0
Division of Field Services	(182,524)	(182,524)	(182,524)	(3,487)	0
Maintenance	0	0	0	(11,578)	(11,578)
Estimated Total Savings	(\$27,550)	\$79,309	\$138,949	\$436,140	\$633,331

Assumptions:

*Costs projected to increase: 5% for customer premise equipment, 5% for ITN shared network costs, 20% for tail-end circuit costs for a total overall increase of 30% each year. Since July '87, tail-end circuit costs have actually increased 62%, ITN shared network costs 73%, and equipment less than 3%.

*(2) 7.78% Interest; E amort. payments projected for FY90.

*(3) Projected to increase total of 15% annually; 5% costs increase, 10% increased usage.

*(4) Projected to increase 5% annually.

REPORT OF THE SERVICE COMMITTEE
TO THE LEGISLATIVE COUNCIL

April 24, 1990

The Service Committee of the Legislative Council met on April 24, 1990. The meeting was called to order by Representative John Connors, Chairman, at 10:35 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 Service Committee received and filed a personnel report from the Legislative Service Bureau and recommends that the Legislative Council approve the employment of Ms. Bonnie King at grade 21, step 6, to fill the vacant position of Publications Coordinator in the Administrative Code Division. Ms. King is presently employed in the Administrative Code Division as an Administrative Assistant at grade 20, step 6.

2. The Service Committee received and filed a personnel report from the Legislative Fiscal Bureau.

3. The Service Committee received and filed a personnel report from the Legislative Computer Support Bureau and recommends that the Computer Support Bureau be granted the authority to advertise and fill the position of Microcomputer (PC) Analyst. The position is funded in the Computer Support Bureau's fiscal year 1991 budget and funds are available to cover the position under the current fiscal year budget.

4. The Service Committee received and filed an Administrative Report relating to office air quality and proposed action by the Citizens' Aide/Ombudsman to cure office air circulation problems. The Service Committee recommends that the Legislative Council instruct the Department of General Services to make the necessary repairs at the Department of General Services' cost.

5. The Service Committee received and filed a Legal Report from the Office of Citizens' Aide and recommends that the Legislative Council approve the retention of attorney Mark Bennett, at the rate of \$70 per hour, to represent the interests of the Office of Citizens' Aide in any judicial review proceedings which may arise from the Job Service administrative hearings relating to Mr. James Peterson's claims for unemployment compensation benefits.

6. The Service Committee received and filed a personnel report from the Office of Citizens' Aid.

Respectfully submitted,

REPRESENTATIVE JOHN H. CONNORS
Chairman

rpt,serv424
lw/dg/20

Study of Adult Literacy (Prospectus)

Statement of the Problem

In 1986 the National Assessment of Educational Progress (NAEP) published the results of a study characterizing literacy skills of young adults in the United States. Sampling procedures of the national study did not provide sufficient representation to determine the literacy level of young adults in Iowa relative to the nation. In recognition of the important implications such information has to education, as well as business and industry, in this state, the Department of Education supports an assessment of the literacy levels of young adults in Iowa and submits the following recommendations for consideration.

Proposed Specifications

Estimates based on previous studies suggest that conducting a literacy study of young adults in Iowa will require at least \$200,000. To provide the most useful information, the study should replicate, where possible, the 1986 NAEP study. This would allow a basis for comparison. The population of young adults targeted in the 1986 NAEP study included young adults between the ages of 21 and 25. The sample selected for the Iowa study should be representative of the population of 21 to 25 year olds in Iowa. To ensure representation, sampling procedures should account for rural/urban status, sex, and other distinguishing characteristics, as available funding will allow.

The NAEP study focused on three specific types of literacy:

1. Prose literacy. The knowledge and skills needed to understand and use information from text that include editorials, news stories, and poems.
2. Document literacy. The knowledge and skills required to locate and use information contained in job applications or payroll forms, bus schedules, maps, tables, and indexes.
3. Quantitative literacy. The knowledge and skills needed to apply arithmetic operations, either alone or sequentially, that are embedded in printed materials, such as in balancing a checkbook, figuring out a trip, completing an order form, or in determining the amount of interest from a loan advertisement.

It is recommended that these types of literacy be assessed in the Iowa study.

Procedures and Timeline

The Department of Education will prepare a request for proposals which specifies the nature and scope of the assessment, and methodological and reporting requirements as soon as funding is secured. A grant will be awarded on or before May 1, 1990, contingent upon available funding. The Department of Education will facilitate implementation and monitor progress of the study through its completion. The final report of the study will be submitted to the General Assembly on or about December 31, 1990.

R E S O L U T I O N

The Board of Directors, the Advisory Committees, and staff of the First Judicial District Department of Correctional Services, are concerned about the need for a comprehensive mechanism to ensure the collection of court ordered restitution, court costs, and attorney fees.

Whereas, recognizing the need for offenders to take accountability for their crimes

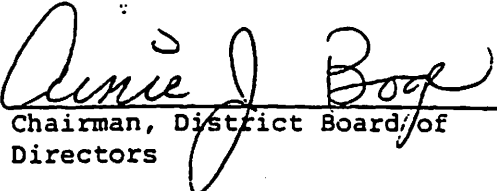
Whereas, a high percentage of offenders never completely fulfill their legal obligations pertaining to the payment of court ordered restitution, fines, etc.

Whereas, there is presently no mechanism in place to track offender's compliance with the conditions of the court order pertaining to the payment of restitution, court cost, etc.

Be it Resolved, That the Board of Directors, First Judicial District Department of Correctional Services endorse the following:

That local legislators be petitioned to request that the Iowa Legislative Council appoint a joint legislative interim study committee, to determine how much is owed and develop a system (similar to Child Support Recovery Unit) to recoup the millions of dollars owed for restitution, court costs, fines, attorney fees, surcharges, etc.

APPROVED by the Board of Directors of the First Judicial District Department of Correctional Services this 9 day of Feb, 1990.


Chairman, District Board of
Directors

First Judicial District
Unpaid Fines, Court Costs, Surcharges, Etc.
1988

ALLAMAKEE

Fines	\$	9,448.70
Court Costs	\$	7,048.72
Surcharges	\$	706.25
Other	\$	33,196.99
TOTAL	\$	50,400.66

BLACK HAWK

Fines	\$	454,095.87
Court Costs	\$	318,826.18
Surcharges	\$	61,973.40
Other	\$	168,928.29
TOTAL	\$	1,003,823.74

BUCHANAN

Fines	\$	26,767.50
Court Costs	\$	8,797.49
Surcharges	\$	4,751.95
Other	\$	30,786.57
TOTAL	\$	71,103.51

CHICKASAW

Fines	\$	12,516.36
Court Costs	\$	6,318.15
Surcharges	\$	2,802.96
Other	\$	8,636.97
TOTAL	\$	30,274.44

CLAYTON

Fines	\$	21,588.83
Court Costs	\$	5,199.25
Surcharges	\$	3,459.98
Other	\$	19,244.41
TOTAL	\$	49,492.47

DELAWARE

Fines	\$	16,225.22
Court Costs	\$	5,204.50
Surcharges	\$	2,670.45
Other	\$	3,881.47
Total	\$	27,981.64

DUBUQUE

Fines	\$	_____
Court Costs	\$	_____
Surcharges	\$	_____
Other	\$	_____
TOTAL	\$	783,000.00

FAYETTE

Fines	\$	22,502.04
Court Costs	\$	9,559.74
Surcharges	\$	4,405.61
Other	\$	13,118.97
Total	\$	49,586.36

GRUNDY

Fines	\$	_____
Court Costs	\$	_____
Surcharges	\$	_____
Other	\$	_____
TOTAL	\$	42,000.00

HOWARD

Fines	\$	7,016.10
Court Costs	\$	2,091.22
Surcharges	\$	714.75
Other	\$	17,593.79
Total	\$	27,415.74

WINNESHIEK

Fines	\$	32,779.97
Court Costs	\$	6,590.41
Surcharges	\$	3,197.00
Other	\$	15,646.95
TOTAL	\$	58,214.33

FIRST DISTRICT TOTALS

Fines	\$	
Court Costs	\$	
Surcharges	\$	
Other	\$	
Total	\$	<u>2,193,292.89</u>



BEVERLY A. HANNON
STATE SENATOR
DISTRICT TWENTY-TWO

PHONE ADDRESS
OFFICE
HOME ADDRESS

The Senate
STATE OF IOWA
Second Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Human Resources, Chair
Small Business and Economic
Development, Vice Chair
State Government
Commerce
Health & Human Rights
Appropriations Subcommittee
Statewide Policy
713-281-3371

February 21, 1990

Legislative Council
State Capitol

Dear Council Members:

I would like to request an Interim Committee study of laboratory licensing.

The Iowa Society for Medical Technology has requested investigation of legislation to license all clinical laboratories in the state in an effort to insure that clinical laboratory tests "are performed with the highest degree of professional competency." The Society's point that such legislation would better protect public health, safety, and welfare is well taken, and I believe the issue is worthy of further investigation.

Yours truly,

Beverly A. Hannon
Beverly A. Hannon
State Senate, Distr. 22

cc: Rep. Janet Adams
Sen. Charles Bruner
Bruce Johnson, ISMT

FFR 22 90
Legislative Council



House of Representatives

STATE OF IOWA

STATE HOUSE

Des Moines, Iowa 50319

March 5, 1990

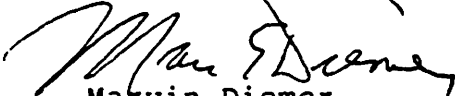
The Honorable Donald Avenson
Legislative Council, Iowa General Assembly
State House of Representatives
Des Moines, Iowa 50319

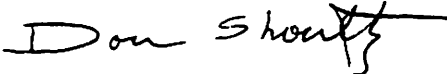
Dear Representative Avenson:

The Black Hawk County delegation requests that the Legislative Council appoint a joint legislative interim study committee to determine how a mechanism can be put in place to track an offender's compliance with the conditions of a court order pertaining to the payment of restitution, court cost, fines, attorney fees, surcharge, etc. (This mechanism could be similar to the Child Support Recovery Unit.)


The Board of Directors, the Advisory Committees, and staff of the First Judicial District Department of Correctional Services made this request to the legislators whose signatures appear below. Copies of the request and the data on how much is owed in the First Judicial District are enclosed.

Sincerely,


Marvin Diemer
State Representative


Don Shoultz
State Representative


Patricia Harper
State Representative


Jane Teaford
State Representative

MINNETTE DODERER
STATE REPRESENTATIVE
Forty-fifth District
Johnson County

Phone: (515) 281-3918
or (515) 281-3221
Session only
HOME ADDRESS
2008 Dunlap Court
Iowa City, Iowa 52245
Phone: (319) 337-9282



House of Representatives

STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Small Business & Commerce.
Chair
State Government
Ways and Means

March 8, 1990

Dear Mr. Speaker:

Attached is a request for an examination of discriminatory practices in Iowa's court system.

Members of the Iowa Supreme Court are anxious to identify these practices and take action to make our court system an example for the nation of equal handed justice both for the accused and also for all the participants in the system.

This memo was given to me by Judge Louis Lavorato of the Iowa Supreme Court, and I am certain if you have any questions, he will be glad to discuss them with you.

Minnette
Minnette

cc: Representative Jochum

RESOLUTION SUPPORTING CREATION OF
SUPREME COURT TASK FORCE
ON GENDER AND RACIAL BIAS

WHEREAS, bias negatively affects quality of legal system; and

WHEREAS, in a recent survey conducted by the Iowa State Bar Association female and minority lawyers responded that they believed they had experienced discrimination in the legal system; and

WHEREAS, the Iowa Supreme Court has taken steps to monitor equality in procedural and substantive justice received by lawyers, litigants, witnesses, jurors, and court personnel within the Iowa court system; and

WHEREAS, the supreme court is planning to create a task force to study equality in the courts; and

WHEREAS, there are currently twenty-seven task forces on gender bias currently operating in the United States.

BE IT RESOLVED, that the legislative council supports the efforts of the Iowa Supreme Court to study equality in the legal system and grants to the Judicial Department the amount of \$100,000 for the purpose of funding the study.

ELAINE SZYMONIAK
STATE SENATOR
District Forty-two

HOME ADDRESS
2106 14th
Des Moines, Iowa 50319
Phone 315-28-1271



The Senate
STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Local Government, *Vice Chair*
Education
Economic Development and
Small Business
Ways and Means
Appropriations Subcommittee
Economic Development
and Iowa Plan

March 13, 1990

Senator Bill Hutchins

Senator Hutchins:

It has become increasingly apparent that Iowa's commitment to civil rights is faltering. The State Civil Rights Commission proposed a process to strengthen local civil rights agencies by bringing them under state control and reducing local control. This proposal has been strongly opposed by the League of Municipalities as a violation of Home Rule.

We believe that this matter can only be solved by intensive study, which would lead to recommendations for development of a strong system. The messages of justice and equal treatment should be carried to every citizen in the State of Iowa.

We suggest an Interim Study Committee, which would include members of the General Assembly, representatives of many associations and of local governments; also, sociologists and civil rights attorneys from the law schools in Iowa.

Sincerely,

Alvin J. Miller

Elaine Szymoniak

BEVERLY A. HANNON
STATE SENATOR
DISTRICT TWENTY-TWO

HOME ADDRESS
R.R. 2
Anamosa, Iowa 52204
Phone: (319) 486-1881



The Senate
STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Human Resources, *Chair*
Small Business and Economic
Development, *Vice Chair*
State Government
Commerce
Health & Human Rights
Appropriations Subcommittee
Statehouse Phone:
(515) 281-3371

April 2, 1990

Senator Bill Hutchins
Representative Don Avenson
Legislative Council

Enclosed is information from the Iowa Civil Rights Commission, including their recommendation for an interim study regarding Iowa civil rights housing laws.

Please advise the Civil Rights Commission and me of your decision.

Thanks,

A handwritten signature in cursive script that reads "Beverly A. Hannon".

Beverly A. Hannon
State Senate, Distr. 22



TERRY E. BRANSTAD, GOVERNOR

IOWA CIVIL RIGHTS COMMISSION
INGA BUMBARY-LANGSTON, EXECUTIVE DIRECTOR

April 2, 1990

The Honorable Beverly Hannon
State House
Iowa Capitol Building
L O C A L M A I L

Dear State Senator Hannon:

The Iowa Civil Rights Commission requests that an interim study be authorized by the Legislative Council regarding the changes in Iowa civil rights housing laws which would be required for Iowa's law to be considered substantially equivalent to the federal 1988 Fair Housing Amendments. The request is being made because these amendments and the Department of Housing and Urban Development (HUD) require Iowa's laws to become substantially equivalent by January 13, 1992, and an interim study could focus on determining what changes are desirable for Iowa and on achieving them. To aid in this proposed study, I am enclosing an analysis of the HUD requirements for substantial equivalency in comparison to Iowa's current fair housing law.

Thank you for your assistance in regard to this request.

Sincerely,

Inga Bumbary - Langston by Ron Fethart

Inga Bumbary-Langston
Executive Director

enclosure



WILMER RENSINK
STATE SENATOR
Third District

HOME ADDRESS
RR #1 Box 51
Sioux Center, Iowa 51250

COMMITTEES

Appropriations
Agriculture
Education
Natural Resources
Appropriations Subcommittee
Education, *Ranking Member*

The Senate

STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319
April 4, 1990

Senator Bill Hutchins
Senate Majority Leader
Statehouse
Des Moines, Iowa 50319

Dear Senator Hutchins,

I am writing in regard to SCR 108 requesting a 1-day interim study to gather information and assess the feasibility of forming a midwest higher education compact.

July 19, 1989, I was the Senate representative to the Midwest Legislative Conference of the Council of State Governments for the higher education study. I attended the committee meeting, as you are aware, and gathered information regarding other compacts but, more specifically, in regard to the Western Interstate Compact of Higher Education.

In December our committee reconvened at the annual meeting of the Council of State Governments in Salt Lake City. At that time we finalized a compact which the midwestern states can ratify and, then, become a member of the compact.

I have enclosed, for your information, correspondence which I received March 30 from Senator Wm. Sederburg of Michigan as to the progress thus far in the midwestern states. I have also enclosed a copy of the compact for your information.

I feel a 1-day interim study would be beneficial as Dr. Phillip Sirotkin and Laura Kliever Foster have both indicated a willingness to attend and explain the benefits of the compact for Iowa to an interim committee. I would anticipate the Board of Regents, Community College Trustees, Independent Colleges and Universities, Governor's Office plus the United Students of Iowa would all be interested in participating in this interim study.

Thank you for your consideration of this matter.

Sincerely,

Wilmer Rensink
State Senator



March 29, 1990

Chairperson
Rep. Jane Barnes
State Capitol
Springfield, Illinois 62706

Vice Chairperson
Senator Gerald Conway
Nebraska

Past Chairperson
Senator Roger D. Voe
Majority Leader
Minnesota

Regional Director
Virginia D. Thrall

Midwestern Office
641 East Butterfield Road
Suite 401
Lombard, Illinois 60148-5651

708/810-0210

Senator Wilmer Rensink
State Capitol
Des Moines, Iowa 50319

Dear Senator Rensink,

Since our December meeting in Salt Lake City during the Council of State Governments national annual meeting, members of the MLC Higher Education Steering Committee have returned to plant the seeds for a Midwestern Higher Education Compact. Enthusiastic response to the concept may allow for enacting the Compact during this legislative year alone! Four states are already moving on necessary legislation: five are needed for the Compact's enactment.

Kansas introduced and passed legislation ratifying the Compact in both the Senate and the House. There was a slight difference in the versions of the bill between the two houses, but this has been reconciled by the House Education Committee accepting the Senate version. The Senate version of the bill has passed to the floor of the House. There is reason to believe that final action will occur before the end of the month, and we have been advised that the Governor will sign the measure. This means that Kansas would be the first state to adopt the Compact.

Missouri passed enabling legislation out of the House and the bill is currently in the Senate Education Committee. There is widespread support from key senators, and it is likely that Missouri will be taking final action in this session.

The Compact has passed out of three committees in Minnesota's House, and is now before the full Appropriations Committee. Again, we have received assurances that it will be approved in the House. There is also reason for being optimistic on the Senate side, since a number of Senate leaders are co-sponsoring the measure.

Enabling legislation has also been introduced in both houses of Michigan's legislature. The bill was heard before the Senate Education and Mental Health Committee yesterday, and is scheduled for a hearing in the House Colleges and Universities Committee in early April.

Nebraska Legislature's Education Committee will conduct an interim study this summer to consider action necessary for the state to become a member of the Midwestern compact in early 1991.

I was able to travel to Kansas in February with Dr. Phillip Sirotkin, consultant to the Midwestern Higher Education Compact, and Laura Kliewer Foster, policy analyst with the Midwestern office of the Council of State Governments. We met with key legislators and higher education officials to discuss the Compact, and their response was uniformly favorable. A similar process has been followed by Dr. Sirotkin and Laura Foster in meeting and testifying in South Dakota, Missouri, Minnesota and Michigan since December. They will meet with state officials in Illinois next week to discuss the benefits of joining the Compact.

As you can see, we've come a long way since December, and I am encouraged by the progress made thus far in establishing this vital mechanism for interstate cooperation in higher education. All of this would not have occurred without the outstanding initiative taken by a few key members of the Higher Education Steering Committee. I remind you that five states are needed to activate the Compact, and twelve states can be members. I would like to see the Midwest's history of quality higher education rejuvenated through optimum participation in interstate cooperation.

Please contact Laura if you would like her and Dr. Sirotkin to work with you in your state. I hope they will be hearing from you soon.

Finally, the draft proposal to the W. K. Kellogg Foundation that the Higher Education Steering Committee members reviewed is being submitted to the Foundation. Thank you for your input, and I look forward to reporting to you again on further progress.

Sincerely,

A handwritten signature in black ink, appearing to read "Wm. F. Sederburg", with a large, sweeping flourish underneath.

Senator William Sederburg
Chair, MLC Higher Education Steering Committee

MIDWESTERN HIGHER EDUCATION COMPACT

ARTICLE I. PURPOSE

The purpose of the Midwestern Higher Education Compact shall be to provide greater higher education opportunities and services in the Midwestern region, with the aim of furthering regional access to, research in and choice of higher education for the citizens residing in the several states which are parties to this Compact.

ARTICLE II. THE COMMISSION

A. The compacting states hereby create the Midwestern Higher Education Commission, hereinafter called the Commission. The Commission shall be a body corporate of each compacting state. The Commission shall have all the responsibilities, powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this Compact.

B. The Commission shall consist of five resident members of each state as follows: the governor or the governor's designee who shall serve during the tenure of office of the governor; two legislators, one from each house (except Nebraska, which may appoint two legislators from its Unicameral Legislature), who shall serve two-year terms and be appointed by the appropriate appointing authority in each house of the legislature; and two other at-large members, at least one of whom shall be selected from the field of higher education. The at-large members shall be appointed in a manner provided by the laws of the appointing state. One of the two at-large members initially appointed in each state shall serve a two-year term. The other, and any regularly appointed successor to either at-large member, shall serve a four-year term. All vacancies shall be filled in accordance with the laws of the

H. The Commission may establish and maintain offices, which shall be located within one or more of the compacting states.

I. The Commission may establish committees and hire staff as it deems necessary for the carrying out of its functions.

J. The Commission may provide for actual and necessary expenses for attendance of its members at official meetings of the Commission or its designated committees.

ARTICLE IV. ACTIVITIES OF THE COMMISSION

A. The Commission shall collect data on the long-range effects of the Compact on higher education. By the end of the fourth year from the effective date of the Compact and every two years thereafter, the Commission shall review its accomplishments and make recommendations to the governors and legislatures of the compacting states on the continuance of the Compact.

B. The Commission shall study issues in higher education of particular concern to the Midwestern region. The Commission shall also study the needs for higher education programs and services in the compacting states and the resources for meeting such needs. The Commission shall, from time to time, prepare reports on such research for presentation to the governors and legislatures of the compacting states and other interested parties. In conducting such studies, the Commission may confer with any national or regional planning body. The Commission may draft and recommend to the governors and legislatures of the various compacting states suggested legislation dealing with problems of higher education.

C. The Commission shall study the need for provision of adequate programs and services in higher education, such as undergraduate, graduate or professional student

exchanges in the region. If a need for exchange in a field is apparent, the Commission may enter into such agreements with any higher education institution and with any of the compacting states to provide programs and services in higher education for the citizens of the respective compacting states. The Commission shall, after negotiations with interested institutions and the compacting states, determine the cost of providing the programs and services in higher education for use in its agreements. The contracting states shall contribute the funds not otherwise provided, as determined by the Commission, for carrying out the agreements. The Commission may also serve as the administrative and fiscal agent in carrying out agreements for higher education programs and services.

D. The Commission shall serve as a clearinghouse on information regarding higher education activities among institutions and agencies.

E. In addition to the activities of the Commission previously noted, the Commission may provide services and research in other areas of regional concern.

ARTICLE V. FINANCE

A. The monies necessary to finance the general operations of the Commission not otherwise provided for in carrying forth its duties, responsibilities and powers as stated herein shall be appropriated to the Commission by the compacting states, when authorized by the respective legislatures, by equal apportionment among the compacting states.

B. The Commission shall not incur any obligations of any kind prior to the making of appropriations adequate to meet the same; nor shall the Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

the enactment of such statute. A withdrawing state shall be liable for any obligations which it may have incurred on account of its party status up to the effective date of withdrawal, except that if the withdrawing state has specifically undertaken or committed itself to any performance of an obligation extending beyond the effective date of withdrawal, it shall remain liable to the extent of such obligation.

B. If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this Compact, all rights, privileges and benefits conferred by this Compact or agreements hereunder shall be suspended from the effective date of such default as fixed by the Commission, and the Commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless such default shall be remedied under the stipulations and within the time period set forth by the Commission, this Compact may be terminated with respect to such defaulting state by affirmative vote of a majority of the other member states. Any such defaulting state may be reinstated by performing all acts and obligations as stipulated by the Commission.

ARTICLE VIII. SEVERABILITY AND CONSTRUCTION

The provisions of this Compact entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact entered into hereunder shall be held contrary to the constitution of any compacting state, the Compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this Compact entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

JAMES R. RIORDAN
STATE SENATOR
Forty-Fifth District

HOME ADDRESS
P.O. Box 11
Wilkes, Iowa 50593

HOME PHONE
515-221-4894
SENATE
515-281-3371



The Senate
STATE OF IOWA
Senate Third General Assembly
STATEHOUSE
Des Moines, Iowa 50319

COMMITTEES

Agriculture, *Vice Chair*
Appropriations
Human Resources
Ways and Means

Appropriations Subcommittee
on Agriculture and
Natural Resources, *Chair*

April 5, 1990

The Honorable Bill Hutchins
Senate Majority Leader
State Capitol

The Honorable Don Avenson
Speaker of the Iowa House
State Capitol

Dear Senator Hutchins and Speaker Avenson:

As you are both aware, rural health care has been a priority of both the House and the Senate, especially for the last couple of years. I believe we made a strong statement last year with the development of the Office of Rural Health, and I am convinced that our continued support for it is good policy and good politics.

However, there are still many issues associated with the delivery of rural health care services. Primary among them is the problem of access. The financial troubles of rural hospitals and the shortage of all categories of health professionals in rural areas indicate that there are serious questions as to how we can assist in the development of policies that help rural Iowans receive the health care they expect and deserve.

One of the ways to increase access is to broaden the authority of certain health professionals to provide services to rural areas that they are not authorized to perform. An opportunity to accomplish this goal was presented to the Senate Human Resources Committee this year with the introduction of SF 2256 which would allow Physician Assistants and Advanced Registered Nurse Practitioners to prescribe and dispense prescription drugs and controlled substances under the supervision of a physician.

Unfortunately, there could be no agreement reached by the various groups involved so that the bill could move on through the process. I was very disappointed that the interest groups could not reach agreement, especially because I felt at times they were very close. I do believe there is common ground that can be reached, but it will require a more comprehensive forum so that consensus can be molded and an agreeable conclusion reached.

Therefore, the only way I see that happening is if there is the formation of an interim study committee that is broadly related to the question of rural health care access, with an emphasis on the expansion of duties for a variety of health care professionals. To that end, I am forwarding this letter to you as an official request for such a study, and I would appreciate your consideration and support.

Sincerely,
Jim
Jim Riordan

REQUESTS FOR LEGISLATIVE STUDIES
IN THE 1990 INTERIM

- I. Studies Requested in Letters
- II. Studies Requested in Resolutions
- III. Studies Requested in Bills and Amendments
- IV. Studies Continued from 1989 Interim
- V. Permanent Legislative Committees
- VI. Referral to Studies Committee by
Legislative Council
- VII. Bodies requiring legislative members

April 23, 1990

Prepared by the
Legislative Service Bureau

REQUESTS SUBMITTED BY LETTER

DATE	REQUESTOR	SUBJECT OF STUDY
1. January 29, 1990	Sen. Running and Rep. Hatch	Continuing Department of Employment Services Study
2. January 30, 1990	Rep. Osterberg	Super computer for state
3. February 21, 1990	Sen. Hannon	Clinical Laboratory Licensing
4. February 27, 1990	Sen. Gettings	Consider Self-Insureds Guaranty Fund for Workers' Compensation Coverage
5. February 28, 1990	Reps. Osterberg, Svoboda, Branstad	Trends in Packers and Stockyards Concentration
6. March 2, 1990	Sen. Connolly	Arts and Cultural Enhance- ment
7. March 5, 1990	Reps. Diemer, Harper, Shoultz, and Teaford	Collection of Court-ordered Restitution
8. March 5, 1990	Rep. Darrell Hanson	State Constitutional Convention Procedures
9. March 8, 1990	Rep. Doderer	Examine Discriminatory Practices in Iowa's Court System
10. March 13, 1990	Sens. Miller and Szymoniak	Strengthen Civil Rights Agencies
11. April 2, 1990	Sen. Hannon	Civil Rights Housing Laws
12. March 20, 1990	Rep. Neuhauser	Year-round or Extended School Year
13. March 20, 1990	Rep. Neuhauser	Financial Access to Higher Education
14. March 21, 1990	Rep. Neuhauser	Needs of Family Caregivers
15. March 30, 1990	Rep. Schrader	Needs of Family Caregivers
16. March 26, 1990	Rep. Chapman	Indirect Anti-Trust and Franchise Enforcement
17. March 27, 1990	Iowa Grain and Feed Association	Ensure Growth of State Livestock Industry
18. March 30, 1990	Sen. Doyle and Rep. Peters	Group Medicare Supplement Insurance Coverage for

		Retired I.P.E.R.S. Members	
19.	March 30, 1990	Rep. Murphy	Homeless Relief Coordination Pilot Project
20.	April 4, 1990	Sen. Rensink	Midwest Higher Education Compact
21.	April 5, 1990	Sen. Riordan	Rural Health Care Access
22.	April 5, 1990	Black Hawk County Auditor and Commissioner of Elections	Elderly and Disabled Persons Access to Polling Places
23.	April 6, 1990	Rep. Svoboda et. al.	Status of State Medical Examiner
24.	April 7, 1990	Rep. Brand	Public Employee's Pre-Tax Benefits
25.	April 7, 1990	Sen. Murphy and Rep. Ollie on behalf of Senate and House Committees on Education	<ul style="list-style-type: none"> a. Area Education Agencies b. Extended School Year c. Adult Literacy d. Television Instruction Standards e. School Food Program f. Post-secondary Option Program Evaluation g. Parenting Education and Assistance
26.	April 7, 1990	Reps. Brown, Dvorsky, Jesse, Lykam, Osterberg, Schrader, Shearer, Shoultz	Handling and Disposal of Infectious Medical Waste
27.	April 13, 1990	Rep. Koenigs	Highway Maintenance Issues
28.	April 14, 1990	Rep. Fogarty	<ul style="list-style-type: none"> a. Farm Drainage Systems b. Ensure Growth of Iowa Livestock Industry c. Fees Retained by County Treasurer d. Cemeteries e. Property Tax Exemptions
29.	Undated	Sen. Boswell	Continue Quality Grains Advisory Committee
30.	Undated	Sen. Murphy	Review State Child Abuse System
31.	April 20, 1990	Rep. Dvorsky & Rep. Hibbard	Economic Growth & Policies

Studies, letter

MIKE CONNOLLY
STATE SENATOR
Eighteenth District
Dubuque County

HOME ADDRESS
3458 Daniels Street
Dubuque, Iowa 52001



The Senate
STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Ways and Means
Environment and Energy
Human Resources
Small Business and
Economic Development
Appropriations Subcommittee
for Justice System

To: Senator Bill Hutchins, Senate Majority Leader
Speaker Don Avenson, Speaker of the House

From: Senator Connolly

Date: March 2, 1990

Re: Interim Study on Arts and Cultural Enhancement

I request the Legislative Council form an Interim Study Committee on Arts and Cultural Enhancement in Iowa. The A.C.E. program will be modeled after the R.E.A.P. program passed in the 1989 legislative session.

This will be a major effort to generate \$20 million (\$10 million from the legislature and \$10 million from the private sector) for each of the next ten years, totaling \$200 million for arts and cultural enhancement.

This effort is to be built around the concept that should be the theme for Iowa in the 1990's - Our Quality of Life. Iowans are committed to the best in education and a clean environment. We also should be known as a place where arts and cultural activities are supported and encouraged. Iowa's message to the rest of the country and the world - Our Quality of Life - should include this major effort in arts and cultural enhancement.

COUNTY AUDITOR
AND COMMISSIONER OF ELECTIONS

GRANT VEEDER

BLACK HAWK COUNTY
316 E. 5TH STREET
WATERLOO, IOWA 50703-4774

ROOM 210
PHONE 291-2430

DIVISION OF
ELECTIONS AND VOTER REGISTRATION
KYLE JENSSON
DEPUTY COMMISSIONER OF ELECTIONS

April 5, 1990

The Honorable Elaine Baxter
Secretary of State
Statehouse
Des Moines, IA 50319

Dear Secretary of State Baxter:

Black Hawk County Auditor Grant Veeder has organized a committee aimed at improving polling place accessibility for the elderly and disabled.

At our initial meeting, realizing that county-wide accessibility could not be achieved quickly, a committee member recommended a temporary measure: County auditors could designate a number of scattered locations where accessibility was assured. Elderly or disabled voters would be given the option of registering to vote at the accessible polling place in their area. For example, the City of Waterloo has five wards of eight precincts each. Perhaps one precinct per ward could be so designated, and would be available, at the option of the voter, to the elderly or disabled voter.

We are aware that no action would be possible during the current legislative session, but we also understand that it helps to get a head start for next year. Our request, then, is that you would cause this to be a topic addressed by an appropriate interim committee before the 1991 General Assembly.

If it is necessary or advisable to address this request elsewhere, please let us know. We are sending copies of this letter to the leaders of both houses of the legislature, and if any of them can assist or advise us, we hope they will do so.

We thank you for your attention in this matter, and for your work generally in the area of polling place accessibility.

Sincerely,



M. James Glaza, Chairman
Black Hawk County Committee for
Polling Place Accessibility

cc: Don Avenson, Speaker of the House
Calvin O. Hultman, Senate Minority Leader (Rm 329)
Bill Hutchins, Senate Majority Leader (Rm 321)
Harold VanMaanen, House Minority Leader



JANE SVOBODA
STATE REPRESENTATIVE
Seventy-Fifth District

HOME ADDRESS
R.R. 2, Box 199
Clutier, Iowa 52217
Phone (319) 479-2526 (h)
(515) 281-3221 (o)



House of Representatives

STATE OF IOWA
Seventy-Third General Assembly
STATE HOUSE
Des Moines, Iowa 50319

COMMITTEES

Transportation and Safety
Appropriations Subcommittee,
Vice Chair
Agriculture
Appropriations
Economic Development

April 6, 1990

TO: Mr. Speaker

RE: Interim study of State Medical Examiner's situation

An interim study to examine the State Medical Examiner's status is requested.

Dr. Bennett has moved to Sioux City and joined a practice there. This has created a difficult situation for Polk County as well as many other counties. The state has consistently underfunded this office, and the time has arrived to develop a more comprehensive plan.

During our Transportation Appropriation Sub Committee hearings, we did informally commit to all interested parties that we would convene an interim to address the problems and conflicts.

Sincerely yours,

Senator Don Gettings, Chair



Rep. Jane Svoboda, Vice Chair

Senator Joe Coleman, Vice Chair

Rep. Dennis Cohoon, Chair

Rep. Don Shoning, Ranking Member

April 7, 1990

MEMO TO: Legislative Council

FROM: Art Ollie, Chair, House Education Committee ^{AO}
Larry Murphy, Chair, Senate Education Committee

RE: Interim Committee Recommendations

The following requests for interim studies have been made by members of the House Education Committee.

I recommend them in the order listed.

1. Area Education Agencies (AEAs) - see HCR 109 attached.
2. Extended school year (ways and means of providing Iowa students with additional opportunities for elementary and secondary education and methods of funding).
3. Adult literacy in Iowa (follow-upon literacy study).
4. Television instruction standards
5. School food program
6. Post-secondary option program evaluation
7. Parenting education and assistance

GENERAL ASSEMBLY OF IOWA



LEGISLATIVE SERVICE BUREAU

STATE CAPITOL BUILDING
DES MOINES, IOWA 50319
515 281-3566
DIANE E. BOLENDER, *DIRECTOR*

ADMINISTRATIVE CODE DIVISION

LUCAS BUILDING 515 281-5285
PHYLLIS V. BARRY
ADMINISTRATIVE CODE EDITOR

PUBLIC INFORMATION OFFICE

CAPITOL BUILDING 515-281-5129
VACANT
DIRECTOR

IOWA CODE DIVISION

LUCAS BUILDING 515 281-5285
JoANN G. BROWN
IOWA CODE EDITOR
JANET L. WILSON
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GARY L. KAUFMAN
DANIEL PITTS WINEGARDEN
LESLIE E. WORKMAN

RESEARCH DIVISION

PATRICIA A. FUNARO
THANE R. JOHNSON
JOHN C. POLLAK

April 17, 1990

MEMORANDUM

TO: CHAIRPERSON HUTCHINS, VICE CHAIRPERSON AVENSON,
AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: Diane Bolender *DB*

RE: Notice of Legislative Council Meeting Tuesday, April 24, 1990

The Legislative Council and Service Committee are scheduled to meet on the day of the Sine Die Adjournment, as follows:

Tuesday, April 24

10:00 a.m. Sine Die Adjournment

10:30 a.m. Service Committee

11:00 a.m. Legislative Council

The meetings will be in Room 22. A listing of Council Committee memberships is attached. Tentative agendas for the meetings are attached.

Also enclosed are copies of the Minutes of the January 31, 1990, Redistricting Technology Selection Committee meeting and the February 1, 1990, Legislative Council meeting.

Council424
db/dg/20

MEMBERSHIP

COMMITTEES OF THE LEGISLATIVE COUNCIL
(Revised October 11, 1989)

1989-1990

ADMINISTRATION COMMITTEE

Senator Donald Doyle, Chairperson
Senator Julia Gentleman
Senator Tom Mann
Representative Bob Arnould
Representative Florence Buhr
Representative Bill Harbor

SERVICE COMMITTEE

Representative John Connors, Chairman
Senator Joe Welsh
Senator Bill Hutchins
Senator Calvin O. Hultman
Representative Kay Chapman
Representative Harold Van Maanen

STUDIES COMMITTEE

Speaker Don Avenson, Chairperson
Senator Bill Hutchins
Senator C. Joseph Coleman
Senator Emil Husak
Senator Calvin O. Hultman
Senator John N. Nystrom
Representative Bob Arnould
Representative John Connors
Representative Mary Lundby
Representative Roger Halvorson

FISCAL COMMITTEE

Senator Joe Welsh, Co-chairperson
Representative Tom Jochum, Co-chairperson
Senator Bill Dieleman
Senator Emil Husak
Senator Dale Tieden
Senator Jack Hester
Representative Tom Swartz
Representative David Tabor
Representative Hugo Schnekloth
Representative Roger Halvorson

LEGISLATIVE CAPITAL PROJECTS
COMMITTEE

Senator Joe Welsh, Co-chairperson
Senator C. Joseph Coleman
Senator Eugene Fraise
Senator Dale Tieden
Senator Calvin O. Hultman
Representative Florence Buhr
Representative Tom Jochum
Representative Wayne McKinney
Representative Roger Halvorson
Representative Ruhl Maulsby

LEGISLATIVE PROCEDURES COMMITTEE

Senator Bill Hutchins, Co-chairperson
Speaker Don Avenson, Co-chairperson
Senator Emil Husak
Senator Joe Welsh
Senator Calvin O. Hultman
Senator Dale Tieden
Senator Joy Corning
Representative Bob Arnould
Representative Jane Teaford
Representative Janet Metcalf
Representative Harold Van Maanen
Representative Bill Harbor

REDISTRICTING TECHNOLOGY
SELECTION COMMITTEE

Senator Bill Hutchins, Chairperson
Senator Joe Welsh
Senator Calvin O. Hultman
Representative Bob Arnould
Representative Kay Chapman
Representative Harold Van Maanen