

**REPORT OF THE ADMINISTRATION COMMITTEE  
OF THE LEGISLATIVE COUNCIL**

**May 19, 1992**

**The Administration Committee met on May 19, 1992, and makes the following recommendations:**

- 1. The Administration Committee requests that the Legislative Council direct the Code Editor to implement the plan submitted to the Administration Committee for dividing the Code contents into four volumes, revising titles of the Code, renumbering certain chapters, moving some chapters, and revising the index.**
- 2. The Administration Committee requests that the Legislative Council negotiate an agreement with the Society of Land Surveyors of Iowa for the sale of a portion of the electronic Code database, and submit the agreement to the Administration Committee for final review and recommendation to the Legislative Council.**
- 3. The Administration Committee requests that the Legislative Council direct the Legislative Service Bureau to further investigate the potential for the sale of the 1993 Code database to the Iowa State Bar Association, update the Committee concerning such investigation, and submit any proposed agreement to the Administration Committee for review and possible recommendation to the Legislative Council.**

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

**May 19, 1992**

**The Studies Committee of the Legislative Council met on Tuesday, May 19, 1991, and makes the following recommendations:**

- 1. That authority be granted to the bipartisan legislative leadership to appoint members to those studies which are mandated by law.**
- 2. That the K-12 Education Reform Study Committee be authorized to meet one day and its subcommittees be authorized to meet for two days.**
- 3. That the Tax Fairness and Equity Study Committee be authorized to meet for three additional days.**

**Respectfully submitted,**

**SENATOR BILL HUTCHINS  
CHAIRPERSON**

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

**May 19, 1992**

The Service Committee of the Legislative Council met on May 19, 1992. The meeting was called to order by Senator Mike Gronstal, Chairperson, at 10:30 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 Office of Citizens' Aide/Ombudsman. Action on a proposal to promote an employee from Assistant I to Assistant II was deferred. (See item number 9.)
2. The Service Committee received and filed a personnel report from the Legislative Fiscal Bureau. Action on a proposal to promote employees within the Legislative Analyst and Run Designer series was deferred. (See item number 9.)
3. The Service Committee received and filed a personnel report from the Legislative Service Bureau. Action on a proposal to promote employees within the Legal Counsel, Research Analyst, and Proofreader series was deferred. (See item number 9.)
4. The Service Committee recommends that the Legislative Council approve the reclassification of Ms. Loanne Dodge from Assistant Editor II, at grade 27, step 6, to Acting Deputy Iowa Code Editor at grade 33, step 2 effective June 19, 1992. With the retirement of the Iowa Code Editor, this reclassification is proposed as temporary solution to the vacancy created. Ms. Dodge has been employed in the Code Office on a permanent basis since 1980 and has increasingly assumed management responsibilities in the Iowa Code Division over the last few years. The Assistant Editor position vacated by Ms. Dodge will be advertised and filled at the Assistant Editor I level.
5. The Service Committee recommends that the Legislative Council approve the transfer in positions of Patty Funaro from Research Analyst II, at grade 30, step 4, to Legal Counsel II, at grade 33, step 3, effective June 19, 1992. Ms. Funaro has recently been awarded a law degree and is sitting for the Iowa bar examination in June. Ms. Funaro has been employed in the Legislative Service Bureau since 1986 and has increasingly assumed the most difficult drafting assignments in the environment and human resources areas.
6. The Service Committee recommends that the Legislative Council approve the reclassification of Bridget McNerney from Acting Executive Administrator, at grade 23, step 1, to Executive Administrator, at grade 23, step 1, effective June 19,

1992. Ms. Kitty Miklus, who was previously employed as the Executive Administrator, has been placed on long-term disability.

7. The Service Committee recommends that the Legislative Council approve the transfer in positions of Cathie Young from Legislative Proofreader, at grade 16, step 3, to Proofreader/Indexer, at grade 17, step 3, effective June 19, 1992. Ms. Young has been employed in the Legislative Service Bureau since 1989 and has spent the major portion of the last three interims assisting the Iowa Code Division in proofreading and performing other miscellaneous tasks related to the Division's legal publications. This promotion would assign her permanently to the Iowa Code Division and leave her position in the Support Services Division vacant. The vacant position would be filled before the next legislative session.
8. The Service Committee received and filed a legal report from the Office of Citizens' Aide/Ombudsman.
9. The Service Committee directed its Chairperson to appoint a subcommittee of its membership to meet in advance of the June Service Committee meeting to review the position classification system, policies relating to promotions, proposals for promotions, and other salary-related issues.

Respectfully submitted,

SENATOR MIKE GRONSTAL  
Chairperson

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OF THE LEGISLATIVE COUNCIL**

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Respectfully submitted,

SENATOR MIKE GRONSTAL  
Chairperson

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- 3. That the Tax Fairness and Equity Study Committee be authorized to meet for three additional days.**

**Respectfully submitted,**

**SENATOR BILL HUTCHINS  
CHAIRPERSON**





## Department of Justice

BONNIE J. CAMPBELL  
ATTORNEY GENERAL

April 9, 1992

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

Speaker Robert Arnould  
Iowa House of Representatives  
State Capitol  
L O C A L

Majority Leader Wayne McKinney  
Iowa House of Representatives  
State Capitol  
L O C A L

Representative Dan Jay  
Iowa House of Representatives  
State Capitol  
L O C A L

President Michael Gronstal  
Iowa Senate  
✓ State Capitol  
L O C A L

Majority Leader Bill Hutchins  
Iowa Senate  
State Capitol  
L O C A L

Senator Al Sturgeon  
Iowa Senate  
State Capitol  
L O C A L

Dear Sirs:

I am writing to request that a legislative interim study committee be appointed to review collection of fines, court costs, surcharges and restitution. The issue of uncollected fines is crucial for several reasons.

First of all, offenders must be held accountable to victims. Victims of crime have the right to receive the money that the court orders the offender to pay as restitution. These payments help to make the victim whole again, and make the criminal justice system responsive to the needs of victims. Often, victims are in no better position to bear the cost of crime than offenders. Aggressive restitution collection brings greater justice to the criminal justice system.

Second, offenders can be held accountable for their crimes by bearing some portion of the costs of prosecution, to the extent that the offender is able to pay. Offenders should receive a clear message that they are responsible for the outlay of court costs and should be held accountable.

Third, too many offenders are allowed to ignore the court orders to pay fines, restitution or court costs. Our sentencing system cannot be effective if offenders realize that court orders can be disobeyed. A loss of respect for the court system is the most serious consequence of an ineffective collection system.

April 9, 1992

Finally, it is impossible to determine exactly how much is outstanding due to the lack of a tracking system. Millions of dollars are currently owed for restitution and fines. A tracking and collection enforcement system must be put into place in the near future. Systems that have been set up within the Department of Corrections and within the Crime Victim Compensation Program have demonstrated that success is possible. With careful implementation, a statewide collection system will pay for itself and help to recover a portion of the outstanding balance of fines, restitution and court costs that are currently owed.

The task of collections has been shared by several components of the criminal justice system, but no one component has been given the authority or the responsibility to collect fines, restitution or court costs. Greater coordination means greater effectiveness. A careful study by an interim committee can provide some needed guidance on how best to set up an effective statewide system of collection.

My office would be available to assist in this study. Thank you for your consideration.

Sincerely,

*Bonnie*

Bonnie J. Campbell  
Iowa Attorney General

**1992 INTERIM**  
**LEGISLATIVE COMMITTEES AND STUDIES**  
**IOWA GENERAL ASSEMBLY**

**This is a reference listing of legislative committees established by statute and by the Legislative Council to function during the 1992 Legislative Interim. Some of the listed committees function on a year-around basis. The listings include the membership, charges, authorized meeting days, and staffing assignments of the committees.**

**Date of Issue for this Edition: May 1992**

**Prepared by the Legislative Service Bureau**

# SUMMARY LISTING

## 1992 INTERIM

### CARRY-OVER STUDIES FROM 1991 INTERIM

1. K-12 Education Reform Study Committee
2. Review of Iowa's Handgun and Offensive Weapons Law Study Committee
3. Tax Fairness and Equity Study Committee

### LEGISLATIVE COUNCIL STUDIES

### LEGISLATIVE COUNCIL AND COMMITTEES

1. Legislative Council
2. Administration Committee
3. Fiscal Committee
4. International Relations Committee
5. Legislative Capital Projects Committee
6. Legislative Procedures Committee
7. Redistricting Committee
8. Service Committee
9. Computer Subcommittee of the Service Committee
10. Studies Committee
11. Transportation Policy Review Committee

### PERMANENT LEGISLATIVE COMMITTEES

1. Administrative Rules Review Committee
2. Communications Review Committee
3. Commission on Compensation, Expenses, & Salaries of Elected State Officials
4. Iowa Boundary Commission
5. Iowa Commission on Interstate Cooperation
6. Judicial Compensation Commission
7. Public Retirement Systems Committee
8. Advisory Commission on Intergovernmental Relations

# STUDIES AND MEMBERSHIP FOR 1992 INTERIM

MAY 1992

COMMITTEE NAME

CHARGE AND MEMBERSHIP

MEETING DAYS

STAFFING

CARRY-OVER STUDIES FROM 1991 INTERIM

1. K-12 Education Reform

CHARGE: Recommend to the General Assembly goals and necessary legislation to reform Iowa's early childhood, primary, and secondary education system. The committee shall include in its review alternative approaches to student assessment, early childhood education initiatives, school-based decision making, uses of education technology, enhanced parental involvement and parent education alternatives, staff development activities and teacher training enhancements, extended school instruction time, use of interagency collaboration and partnerships between schools and business. The committee shall report to the Studies Committee after November 26, 1991, on how the committee desires to proceed. Preliminary recommendations should be forwarded to the Legislative Council by January 1, 1992, with a final report due December 1, 1992.

3 days

LSB - Leslie Workman  
Kathy Harlon  
LFB - Jon Studer  
Carter Hawley  
SD - Bill Halgh  
SR - Curt Stamp  
HD - Joe Romano  
HR - Pam Dugdale

SENATE(8)

Cornolly, Co-Vice-chair  
Dieleman  
Hagerla  
Horn  
Kramer  
Lind  
Lloyd-Jones  
Varn

HOUSE(8)

Ollie, Co-Vice-chair  
Cohon  
Daggett  
Grubbs  
Don Hanson  
Neuhauser  
Shearer  
Shultz

PUBLIC MEMBERS(7)

Mike Blouin, Cedar Rapids  
Chairperson  
Karen Goodenow, Okoboji  
Dr. Tom Switzer, Cedar Falls  
Karen Thomson, Cumberland  
Stan VanHauen, Des Moines  
Ruth White, Cedar Rapids  
Jonathan Wilson, Des Moines  
EX-OFFICIO(1)  
William Lepley or Designee,  
Department of Education

2. Task Force to Review Iowa's Handgun and Offensive Weapons Laws

CHARGE: Examine Iowa's existing laws on handguns and offensive weapons and the laws of other states. Take public testimony. Recommend to the General Assembly those measures which will address the need to reduce violence against the people of Iowa. The Task Force shall report its recommendations to the Legislative Council.

SENATE (7)

HOUSE(7)

Neuhauser, Co-chairperson  
Bernau  
Doderer  
Krebsbach  
Metcalf  
Sherzan  
Weldman

PUBLIC MEMBERS(7)

County Attorney  
Law Enforcement Officer  
Hunter/Sportsman  
Supporter or Mbr. of handgun control group  
Constitutional Law Professor  
Rep. from Victim Rights Organization  
Seller of Weapons

**3. Tax Fairness and Equity**

**CHARGE:** Review Iowa's individual and corporate income, sales, property, and local tax structures, including property tax exemptions and diversions, and tax credits and expenditures to ensure tax fairness and vertical and horizontal equity. In addition the review shall include tax abatement and tax increment financing. The committee will also review state taxation policies regarding retirees living out-of-state. The committee is authorized to hire a consultant to assist with its work. The committee will forward a recommendation for a consultant to the Studies Committee by November 1, 1991, shall submit preliminary recommendations to the Legislative Council by September 1, 1992, and shall submit their final recommendations to the Legislative Council by December 1, 1992.

4 days

LSB - Mike Goedert  
Susan Crowley  
LFB - Paul Durand  
John Hawley  
SD - Bill Haigh  
SR - Jim Boose  
HD - Joe Romano  
HR - Pam Dugdale

**SENATE(5)**

Dieleman, Co-Vice Chair  
Fuhrman  
Murphy  
Rosenberg  
Tinsman

**HOUSE(5)**

Groninga, Co-Vice Chair  
Bennett  
Chapman  
Doderer  
Iverson

**PUBLIC MEMBERS(5)**

Myrt Levin, Des Moines,  
Chairperson  
Jane Bell, Atlantic  
John Kelg, Muscatine  
Mike Lux, Des Moines  
Joanne Stockdale, Spirit Lake

**COUNCIL STUDIES**

**ASSIGNED TO FISCAL  
COMMITTEE**

**1. Department of Employment Services  
Reorganization**

**CHARGE:** Monitor the proposed reorganization of the Department of Employment Services field offices to determine the effectiveness of automated offices in accessing employment services, study the effects of reductions in office hours for satellite offices, and analyze the cost savings of the proposed reorganization to employers paying unemployment taxes and unemployed individuals utilizing the system.

LFB - Tim Faller  
Holly Lyons  
Mary Shipman  
SD - Randy Bauer  
SR - Curt Stamp  
HD - Oliver Ivory  
HR - Paul Savary

**2. Improve Accuracy of State Revenue  
Forecasts**

**CHARGE:** Examine the current state revenue estimating process and procedures used by other states and make recommendations to the Legislative Council for changes in the current process, including but not limited to the membership of the Revenue Estimating Conference, the timing of its meetings, public input into revenue estimates, the use of outside expert opinions in establishing estimates, and expansion of the estimates to include all state revenues and tax refunds.

LFB - Tim Faller  
Holly Lyons  
Alice Wisner  
SD - Randy Bauer  
SR - Curt Stamp  
HD - Mary Fleckenstein  
HR - Greg Watson

**3. Review of Technology Transfer  
Programs**

**CHARGE:** Review technology transfer programs, including the Wallace Technology Transfer Foundation, Iowa Product Development Corporation, and programs at public and private educational institutions. The committee shall examine financing of the programs and the relationship and level of cooperation among the programs, the Department of Economic Development, and the private sector. The committee shall make recommendations to the Legislative Council concerning the most effective coordination, oversight, and funding of technology transfer programs.

LFB - Tim Faller  
Holly Lyons  
John Hawley  
SD - Randy Bauer  
SR - Curt Stamp  
HD - Tom Patterson  
HR - Greg Watson

**LEGISLATIVE COUNCIL AND COMMITTEES**

**1. Legislative Council  
(Section 2.41, Iowa Code)**

**CHARGE:** Serve as the "steering committee" of the General Assembly during the interm. Appoint interim study committees and recommend to the General Assembly the names and numbers of standing committees. Recommend changes in the rules of the House and Senate. Review and delay, if deemed necessary, the effective date of rules and forms submitted by the Supreme Court pursuant to section 602.4202.

**MEETINGS:** LSB - Diane Bolender  
Thane Johnson  
Not  
statutorily  
limited LFB - Dennis Prouty  
Tim Faller  
Holly Lyons  
SD - Greg Nichols  
Debbie O'Leary  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Warren Fye  
CAO- Bill Angrick  
Ruth Mosher  
CSB - Sandy Scharf

**SENATE(12)**

Hutchins, Vice-chair  
Boswell  
Doyle  
Gronstal  
Horn  
Husak  
Jensen  
Lind  
Lloyd-Jones  
Rife  
Tieden  
Tinsman

**HOUSE(12)**

Arnould, Chair  
Adams  
Branstad  
Chapman  
Connors  
Halvorson of Clayton  
Harbor  
Jochum  
Lundby  
McKinney  
Peterson  
Van Maanen

**2. Administration Committee  
(Section 2.45(3), Iowa Code)**

**CHARGE:** Perform such duties as are assigned by the Legislative Council.

Not  
statutorily  
limited LSB - Mark Johnson  
Julie Smith  
LFB - Tim Faller  
SD - Greg Nichols  
Debbie O'Leary  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Warren Fye  
CSB - Sandy Scharf

**SENATE(3)**

Doyle, Vice Chair  
Lloyd-Jones  
Tieden

**HOUSE(3)**

Mike Peterson, Chair  
Harbor  
McKinney



3. Fiscal Committee  
(Sections 2.45(2), 2.46  
Iowa Code)

**CHARGE:** Direct the administration of performance audits and visitations. Study the operation of state government and make recommendations regarding reorganization to the General Assembly. Conduct studies as assigned by the Legislative Council.

Not  
statutorily  
limited

LFB - Tim Faller  
Holly Lyons  
LSB - Kathy Hanlon  
(Monitor)  
SD - Randy Bauer  
SR - Curt Stamp  
HD - Mary Fleckenstein  
HR - Greg Watson

SENATE(5)  
Boswell, Co-Chair  
Dieleman  
Hedge  
Tieden

HOUSE(5)  
Jochum, Co-chair  
Bennett  
Chapman  
Roger Halvorson  
Knapp

4. International Relations Committee  
(Created by the Legislative Council)

**CHARGE:** The charge of the International Relations Committee is to develop goals and procedures that will facilitate international communication between the Iowa General Assembly and foreign governments on several different levels, including but not limited to interpersonal interaction between state legislators and legislative staff and foreign visitors, instruction about state and local democratic institutions, and the development of trade in foreign markets.

Not  
statutorily  
limited

SENATE(5)  
Gronstal  
Lloyd-Jones  
McLaren  
Rife  
Riordan

HOUSE(5)  
Chapman  
Doderer  
Don Hanson  
William Harbor  
McKinney

5. Legislative Capital Projects Committee  
(Section 2.45(4), Iowa Code)

**CHARGE:** Receive recommendations for and reports on capital project budgeting. Perform other duties relating to capital project budgeting as are approved by the Legislative Council.

Not  
statutorily  
limited

LFB - Paul Durand  
LSB - John Pollak  
(Monitor)  
SD - Randy Bauer  
SR - Curt Stamp  
HD - Mary Fleckenstein  
HR - Greg Watson

SENATE(5)  
Husak, Co-chair  
Boswell  
Rife  
Tieden  
Varn

HOUSE(5)  
Brand, Co-chair  
Adams  
Roger Halvorson  
Jochum  
Maulsby

6. Legislative Procedures Committee  
(Created by the Legislative Council)

**CHARGE:** Study and recommend budget process reforms and other reforms with regard to legislative procedures.

Not  
statutorily  
limited

LSB - Richard Johnson  
John Pollak  
LFB - Sue Lerdal  
Holly Lyons  
Glen Dicknson  
SD - Debbie O'Leary  
Greg Nichols  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Warren Fye

SENATE(3)

Gronstal, Co-chair  
Hutchins  
Lind

HOUSE(3)

McKinney, Co-chair  
Arnould  
Harbor

7. Redistricting Committee  
(Created by the Legislative Council)

**CHARGE:**

Not  
statutorily  
limited

LSB - Gary Kaufman  
Gary Rudlcll  
SD - Greg Nichols  
SR - Ann Mollis  
HD - Paulee Lipsman  
HR - Warren Fye

SENATE(3)

Hutchins, Vice Chair  
Gronstal  
Rife

HOUSE(3)

McKinney, Chair  
Chapman  
Van Maanen

8. Service Committee  
(Section 2.45, Iowa Code)

**CHARGE:** Determine policies relating to the operation of the central legislative staff agencies, subject to the approval of the Legislative Council.

Not  
statutorily  
limited

LSB - Leslie Workman  
Richard Johnson  
LFB - Dennis Prouty  
Tim Faller  
Holly Lyons  
SD - Greg Nichols  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Warren Fye  
CAO - Bill Angrick  
Ruth Mosher  
CSB - Sandy Scharf

SENATE(3)

Gronstal, Chair  
Hutchins  
Rife

HOUSE(3)

Connors, Vice Chair  
Chapman  
Van Maanen

9. Computer Subcommittee of the Service Committee  
(Created by the Legislative Council)

**CHARGE:**

Not  
statutorily  
limited

LSB - Gary Rudick  
LFB - Glen Dickinson  
SD - Debbie O'Leary  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Paul Savary  
CSB - Sandy Scharf

SENATE(2)  
Gronstal, Chair  
Rife

HOUSE(2)  
Chapman  
Van Maanen

10. Studies Committee  
(Created by the Legislative Council)

**CHARGE:** Advise the Legislative Council regarding interim study activities.

Not  
statutorily  
limited

LSB - John Pollak  
Mike Goedert  
LFB - Dwayne Ferguson  
SD - Debbie O'Leary  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Warren Fye

SENATE(5)  
Hutchins, Chair  
Horn  
Husak  
Lind  
Rife

HOUSE(5)  
Arnould, Vice Chair  
Adams  
Branstad  
Lundby  
McKinney

**STATUTORY COMMITTEES**

1. Administrative Rules Review  
Committee (Section 17A.8, Iowa Code)

**CHARGE:** Provide legislative oversight of powers and duties delegated to administrative agencies by reviewing administrative rules which have been proposed or are in effect. Provide an opportunity for the public to comment directly to legislators regarding issues and problems which involve administrative rules.

Every second  
Tuesday of  
each  
month

ARRC - Joe Royce  
LSB - Phyllis Barry  
LFB - Jon Neiderbach  
SD - Steve Conway  
SR - Jim Boose  
HD - Oliver Ivory  
HR - Warren Fye  
CAO - Bill Angrick  
Ruth Mosher

SENATE(5)  
Priebe, Chair  
Doyle  
Hedge  
Kibbie  
Tieden

HOUSE(5)  
Pavich, Vice Chair  
Maulsby  
Metcalf  
Schrader  
Teaford

2. Communications Review Committee  
(Section 2.35, Iowa Code)

**CHARGE:** Review the present and proposed uses of communications by state agencies and the development of a statewide communications plan, including review of the work of the State Communications Advisory Council established in section 18.136.

Not  
statutorily  
limited

LSB - John Pollak  
LFB - Jon Studer  
Larry Sigel  
SD - Robyn Mills  
SR - Carol Olson  
HD - Paulee Lipsman  
HR - Warren Fye

SENATE(3)

Drake  
Running  
Kersten

HOUSE(3)

Dvorsky  
Steve Hansen  
Kremer

3. Commission on Compensation,  
Expenses and Salaries of Elected  
State Officials  
(Chapter 2A, Iowa Code)

**CHARGE:** Review compensation and expenses received by members of the General Assembly and salaries paid to other elective state officials by comparing the compensation, expenses, and salary paid for similar positions in other states, the federal government, and private enterprise. Based on the review, make a determination as to compensation and expense levels paid for members of the General Assembly and as to salary levels for other elective state officials. A report on the recommendations shall be submitted to the Governor and the General Assembly on or before February 1st in each odd-numbered year.

Not  
statutorily  
limited

LSB - Mike Goedert  
Susan Crowley  
LFB - Mary Shipman  
Holly Lyons  
SD - Randy Bauer  
SR - Carol Olson  
Stephanie Laudner  
HD - Paulee Lipsman  
HR - Maryjo Welch

SENATE(5)

J. Stone, Clive  
J. Dalhoff, Carroll  
B.Reynolds-Krught,  
Bonaparte  
M. Tramontina, Des  
Moines  
Cecilia Fineran, Denison

HOUSE(5)

P. Copenhagen,  
Independence  
C.Hubbell, Des Moines  
M.Brandsgard, Humboldt  
C. Nielsen, Altoona  
D.Sly-Williams, Sloux City

GOVERNOR(5)

R. Dilley, Des Moines  
D. Cottingham, Cedar Rapids  
D. Fisher, Des Moines  
M. Keller, Blairsburg  
M. Hodges, Webster City

4. Iowa Boundary Commission  
(Section 2.91, Iowa Code)

**CHARGE:** Meet with appropriate representatives of affected states, agencies of those states and Iowa, and agencies of the United States to discuss Iowa's boundaries and to make periodic reports and recommendations to the General Assembly.

Not  
statutorily  
limited

LSB - Mark Johnson  
Doug Adkisson  
LFB - Jeff Robinson  
SD - Theresa Kehoe  
SR - Suzanne Johnson  
HD - Tom Patterson  
HR - Paul Savary

SENATE(3)

Doyle  
Gronstal  
Hester

HOUSE(3)

Pavich, Chair  
Gill  
Royer

5. Iowa Commission on Interstate Cooperation  
(Chapter 28B, Iowa Code)

**CHARGE:** Carry forward Iowa's participation in the Midwestern Legislative Conference of the Council of State Governments. Encourage and assist all branches of government and their employees and representatives to develop and maintain friendly contact with all forms of government in other states and at the federal level. Encourage cooperation between this state and other units of government in the adoption of compacts and uniform laws.

Not  
statutorily  
limited

LSB - Thane Johnson  
LFB - Dennis Prouty  
Holly Lyons  
SD - Greg Nichols  
SR - Stephanie Laudner  
HD - Bill Maloney  
HR - Bruce Brandt

SENATE(5)

Borlaug  
Buhr  
Hester  
Kinley  
Miller

HOUSE(5)

Connors, Chair  
Rod Halvorson  
Haverland  
Lageschulte  
Metcalf

GOVERNOR(3)

Gerald D. Bair  
Almo J. Hawkins  
Larry J. Wilson

HONORARY EX OFFICIO

Governor Terry E. Branstad  
Senator Bill Hutchins  
Speaker Bob Arnould

6. Judicial Compensation Commission  
(Section 602.1514, Iowa Code)

**CHARGE:** Review compensation and related benefits paid to statutory judicial officers by comparing the compensation and related benefits paid for similar positions in other states, the federal government, and private enterprise. Based on the review, make a recommendation as to judicial compensation and related benefits. A report on the recommendations shall be submitted to the Governor and the General Assembly on or before February 1st in each odd-numbered year

Not  
statutorily  
limited

LSB - Mark Johnson  
LFB - Doug Wulf  
SD - Randy Bauer  
SR - Ann Molls  
HD - Mark Teerink  
HR - Margaret Thomson

LEGIS. COUNCIL(4)

H. Elliott, Red Oak  
Gus Johnson, Oelwein  
D. Kerkhoff, Audubon  
Linda Life, Oskaloosa

GOVERNOR(4)

Lols Bliesman, Denison  
Mary Chalupsky, Fairfax  
Wayne Edsall, Des Moines, Chair  
R. Van Vooren, Davenport

7. Public Retirement Systems  
(Section 97B.76, Iowa Code)

**CHARGE:** Develop and recommend retirement standards and a coherent state policy on public retirement systems. Survey pension and retirement developments in other states and the private sector and evaluate the state's policy and standards in light of these developments. Review the provisions in the public retirement system in effect, related individually sponsored bills, and proposals for changes in public retirement laws from interested associations and organizations. Study the feasibility of adopting a consolidated retirement system for the public employees of this state. Make recommendations on retirement standards and a coherent state policy on public retirement systems.

Not  
statutorily  
limited

LSB - Mary Carr  
Alda Audeh  
LSB - Dwayne Ferguson  
Larry Sigel  
SD - Debbie O'Leary  
SR - Suzanne Johnson  
HD - Oliver Ivory  
HR - Maryjo Welch

SENATE(5)

Kibble, Co-chair  
Dieleman  
Drake  
Murphy  
Vande Hoef

HOUSE(5)

Blanshan, Co-chair  
Carpenter  
Rod Halvorson  
Darrell Hanson  
Renaud

8. **Advisory Commission on  
Intergovernmental Relations  
(ACIR) (Chapter 28C, Iowa Code)**

**CHARGE: Perform various activities concerning state and local intergovernmental relations as specified in Chapter 28C.**

**LSB - Thane Johnson  
LFB - Jon Neiderbach  
SD - Bill Halgh  
SR - Carol Olson  
Ann Molis  
HD - Tom Patterson  
HR - Maryjo Welch**

**SENATE(2)  
Miller  
Rittmer**

**HOUSE(2)  
Burke  
Renken**

**GOVERNOR(17)**

**State Officers(4)**

**Betty Grandquist, Elder Affairs  
K. Marie Thayer, Commerce  
Cindy Eisenhauer, Personnel  
Almo Hawkins, Human Services**

**City Officers(4)**

**Bob Dunlop, Mayor, Orange City  
Ann Hutchinson, Mayor, Bettendorf  
Louis Galetch, Mayor, Madrid  
Elizabeth Snyder, Mayor, Clinton**

**County Officers(4)**

**Robert Paulson, Forest City  
Barry Stetzel, Adair  
Joe Warrick, Oskaloosa  
Linus Rothmeyer, Calmar**

**School Corporations(4)**

**Merle Gaber, Dubuque  
Beverly Kehoe, Callender  
Judy Bodhoit, Newell  
Laura Jardon, Imogene**

**Reg. Council of Govt.(1)**

**Don Melsner, Sloux City**

LEONARD L. BOSWELL  
STATE SENATOR  
*Forty-Sixth District*  
Statehouse: (515) 281-3371

HOME ADDRESS  
Rural Route 1, Box 130  
Davis City, Iowa 50065  
Home: (515) 442-3895



*The Senate*  
STATE OF IOWA  
*Seventy-Fourth General Assembly*  
STATEHOUSE  
Des Moines, Iowa 50319

COMMITTEES

CHAIR: Appropriations  
MEMBER: Agriculture  
Small Business/Economic  
Development  
Local Government

TO: Senator Bill Hutchins  
Senate Majority Leader

FROM: Senator Leonard Boswell

DATE: March 3, 1992

RE: E-911

The delivery of E-911 in rural Iowa is a real concern to me. The Legislative district which I serve is rural in its makeup. The population is very sparse, however, needs are the same. As we move toward statewide E-911, there are several problems in rural Iowa that need to be addressed. The population in small counties like Adams, Taylor and Ringgold cannot support E-911 through the current surcharge as provided in the present legislation. Therefore, I am requesting an interim study to determine the feasibility of a statewide surcharge so less populated counties can also provide this safety service to their populous. This interim should be very narrow in its scope. I would recommend that the interim committee be composed only of legislators (i.e. 3 Senators and 3 Representatives). Although they could call on whomever they deem appropriate to testify, I feel this study should be by legislators. Without a funding change, it is my opinion that rural, less populated counties will not be able to provide E-911 services.

llb/map

cc: Michael Gronstal  
President of the Senate

# GENERAL ASSEMBLY OF IOWA

## LEGAL AND COMMITTEE SERVICES DIVISION

IN C. POLLAK, ADMINISTRATOR

### LEGAL COUNSELS

DOUGLAS L. ADKISSON  
AIDA AUDEH  
MARY M. CARR  
SUSAN E. CROWLEY  
MICHAEL J. GOEDERT  
MARK W. JOHNSON  
GARY L. KAUFMAN  
MICHAEL A. KUEHN  
JULIE A. SMITH  
LESLIE E. WORKMAN

### RESEARCH ANALYSTS

PATRICIA A. FUNARO  
KATHLEEN B. HANLON  
THANE R. JOHNSON  
GARY D. RUDICIL



## LEGISLATIVE SERVICE BUREAU

STATE CAPITOL BUILDING  
DES MOINES, IOWA 50319  
(515) 281-3566  
FAX (515) 281-8027  
DIANE E. BOLENDER, DIRECTOR  
RICHARD L. JOHNSON, DEPUTY DIRECTOR

## ADMINISTRATIVE CODE DIVISION

LUCAS BUILDING (515) 281-5285

PHYLLIS V. BARRY  
ADMINISTRATIVE CODE EDITOR

## LEGISLATIVE INFORMATION

### OFFICE

CAPITOL BUILDING (515) 281-5129

JULIE E. LIVERS  
DIRECTOR

## IOWA CODE DIVISION

LUCAS BUILDING (515) 281-5285

JOANN G. BROWN  
IOWA CODE EDITOR

JANET L. WILSON  
DEPUTY IOWA CODE EDITOR

May 12, 1992

## MEMORANDUM

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

FROM: DIANE BOLENDER, DIRECTOR *DB*

RE: MAY LEGISLATIVE COUNCIL MEETING

Chairperson Arnould has scheduled the Legislative Council and Council Committees for the day of the Sine Die Adjournment, as follows:

Tuesday, May 19

10:00 a.m. Sine Die Adjournment  
10:30 a.m. Service Committee, Room 22  
10:30 a.m. Administration Committee, Room 24  
12:00 p.m. Studies Committee, Room 22  
1:00 p.m. Legislative Council, Room 22

Tentative agendas for the meetings are enclosed.

The Legislative Service Bureau will telephone you later this week to verify that you will be able to attend the meeting.



# GENERAL ASSEMBLY OF IOWA



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RICHARD L. JOHNSON, *DEPUTY DIRECTOR*

## LEGAL AND COMMITTEE SERVICES DIVISION

HN C. POLLAK, ADMINISTRATOR

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*DIRECTOR*

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JoANN G. BROWN  
*IOWA CODE EDITOR*

JANET L. WILSON  
*DEPUTY IOWA CODE EDITOR*

May 19, 1992

## MEMORANDUM

TO: SENATOR DONALD V. DOYLE

FROM: Mark W. Johnson 

RE: Proposed Court Rule Changes

1. Proceedings Before a Magistrate -- Initial Appearance of Defendant -- Iowa Rule of Criminal Procedure 2, subsection 1.

Filed: 4-20-92

Rec.: 4-24-92

Provides that an officer making an arrest with or without a warrant must take the arrested person without unnecessary delay before a committing magistrate "as provided by Iowa Rule of Criminal Procedure 25". (See also #3 below.) Previously stated that appearance was "as provided by law".

2. Arraignment and Plea -- Conduct of Arraignment (subsection 1) -- Pleas to the Indictment or Information (subsection 2) -- Iowa Rule of Criminal Procedure 8, subsections 1 and 2.

Filed: 4-20-92

Rec.: 4-24-92

Subsection 1 -- Strikes the requirement that an arraignment must be conducted in open court.

Subsection 2 -- Provides that procedures related to a plea of guilty may, with the approval of the defendant be waived by the court with the approval of the defendant, with respect to an aggravated misdemeanor. Currently, these procedures may be waived for a serious misdemeanor only. The procedures waived currently require the court not to accept a plea of guilty without first determining that the plea is made voluntarily and intelligently and has a factual basis.

3. Presence of Defendant -- Felony or Misdemeanor -- Iowa Rule of Criminal Procedure 25, subsection 1.

Filed: 4-20-92

Rec.: 4-24-92

Provides that in a felony case, in addition to the arraignment and plea, the defendant must be present at the initial appearance and pretrial proceedings. The rule is amended to provide that the presence of the defendant at the initial appearance, arraignment and plea, and pretrial proceedings may be either personally or by interactive audiovisual closed circuit system. The rule currently provides that the defendant must be personally present.

4. Subpoenas -- Service -- Iowa Rule of Criminal Procedure 14.

Filed: 4-20-92

Rec.: 4-24-92

Provides that service of a subpoena upon a minor witness under the Iowa Rules of Criminal Procedure is to be done in the same manner as provided for personal service of an original notice in a civil case pursuant to Iowa Rule of Civil Procedure 56.1(b). This change would allow service of the subpoena to be made upon the guardian or parent of the minor.

**FILED**

APR 20 1992

CLERK SUPREME COURT

IN THE SUPREME COURT OF IOWA

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 2, 8, and 25 which are attached as Exhibit "A", Exhibit "B", and Exhibit "C" respectively.

Pursuant to Iowa Code section 602.4202(2), these changes are to take effect July 1, 1992.

Respectfully submitted,

THE SUPREME COURT OF IOWA

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

Des Moines, Iowa

April 20, 1992

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council hereby acknowledge delivery to me on the 24th day of April, 1992, the Report of the Supreme Court pertaining to the Iowa Rules of Criminal Procedure.

Diane C. Bolender  
Secretary of the Legislative Council

EXHIBIT "A"

Rule 2. Proceedings before the magistrate.

1. Initial appearance of defendant. An officer making an arrest with or without a warrant shall take the arrested person without unnecessary delay before a committing magistrate as provided by law Iowa Rule of Criminal Procedure 25.

\* \* \* \*

**EXHIBIT "B"**

**Rule 8. Arraignment and plea.**

1. **Conduct of arraignment.** Arraignment shall be conducted in open court as soon as practicable.

\* \* \* \*

2. **Pleas to the indictment or information.**

a. **In general.** A defendant may plead guilty, not guilty, or former conviction or acquittal. If the defendant fails or refuses to plead at arraignment, or if the court refuses to accept a guilty plea, the court shall enter a plea of not guilty. At any time before judgment, the court may permit a guilty plea to be withdrawn and a not guilty plea substituted.

b. **Pleas of guilty.** The court may refuse to accept a plea of guilty, and shall not accept a plea of guilty without first determining that the plea is made voluntarily and intelligently and has a factual basis. Before accepting a plea of guilty, the court must address the defendant personally in open court and inform the defendant of, and determine that the defendant understands, the following:

(1) The nature of the charge to which the plea is offered.

(2) The mandatory minimum punishment, if any, and the maximum possible punishment provided by the statute defining the offense to which the plea is offered.

(3) That the defendant has the right to be tried by a jury, and at trial has the right to assistance of counsel, the right to confront and cross-examine witnesses against the defendant, the right not to be compelled to incriminate oneself, and the right to present witnesses in the defendant's own behalf and to have compulsory process in securing their attendance.

(4) That if the defendant pleads guilty there will not be a further trial of any kind, so that by pleading guilty the defendant waives the right to a trial.

The court may, in its discretion and with the approval of the defendant, waive the above procedures in a plea of guilty to a serious or aggravated misdemeanor.

\* \* \* \*

EXHIBIT "C"

Rule 25. Presence of defendant; regulation of conduct by the court.

1. Felony or misdemeanor. In felony cases the defendant shall be present personally or by interactive audiovisual closed circuit system at the initial appearance, arraignment and plea, unless a written arraignment form as provided in R.Cr.P. 8(1) is filed, and pretrial proceedings, and shall be personally present at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by this rule. In other cases the defendant may appear by counsel.

\* \* \* \*

FILED  
APR 20 1992

CLERK SUPREME COURT

IN THE SUPREME COURT OF IOWA

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 Rule of Criminal Procedure 14  
which is attached as Exhibit "A".

Pursuant to Iowa Code section 602.4202(2), this change  
is to take effect July 1, 1992.

Respectfully submitted,

THE SUPREME COURT OF IOWA

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

Des Moines, Iowa

April 20, 1992

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative  
Council hereby acknowledge delivery to me on the 24th day  
of April, 1992, the Report of the Supreme Court  
pertaining to the Iowa Rules of Criminal Procedure.

Diane E. Bolender  
Secretary of the Legislative Council



EXHIBIT "A"

Rule 14. Subpoenas.

1. For witnesses. A magistrate in a criminal action before ~~him or her~~ the magistrate, and the clerk of court in any criminal action pending therein, shall issue blank subpoenas for witnesses, signed by ~~him or her~~ the magistrate or clerk, with the seal of the court if by the clerk, and deliver as many of them as requested to the defendant or the defendant's attorney or the attorney for the state.

2. For production of documents--duces tecum. A subpoena may contain a clause directing the witness to bring with ~~him or her~~ the witness any book, writing, or other thing under the witness' control which ~~he or she~~ the witness is bound by law to produce as evidence. The court on motion may dismiss or modify the subpoena if compliance would be unreasonable or oppressive.

3. Service. A subpoena may be served in any part of the state. It may be served by any adult person. A peace officer making service in a criminal case must serve without delay in ~~his or her~~ the peace officer's county or city any subpoena delivered to ~~his or her~~ the peace officer for service and make a written return stating the time, place, and manner of service. When service is made by a person

other than a peace officer, proof thereof shall be by affidavit. Service upon an adult witness is made by showing the original to the witness and delivering a copy to him or her the witness. Service upon a minor witness shall be as provided for personal service of an original notice in a civil case pursuant to R.C.P. 56.1(b).

4. Depositions. An order to take a deposition authorizes the clerk of the court for the county in which the deposition is to be taken to issue subpoenas for the persons named or described therein.

5. Sanctions for refusing to appear or testify. Disobedience to a subpoena, or refusal to be sworn or to answer as a witness, may be punished by the court or magistrate as a contempt. The attendance of a witness who so fails to appear may be coerced by warrant.