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LEGISLATIVE SERVICE BUREAU

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June 17, 2002

MEMORANDUM

RICHARD L. JOHNSON
DEPUTY DIRECTOR

JOHN C. POLLAK
COMMITTEE SERVICES ADMINISTRATOR

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IOWA CODE EDITOR

KATHLEEN K. BATES
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

TO: CHAIRPERSON IVERSON, VICE CHAIRPERSON SIEGRIST, AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: RICHARD JOHNSON, DEPUTY DIRECTOR *RJ*

RE: PRICING AND DISTRIBUTION OF LEGAL PUBLICATIONS

This memorandum presents the following three items for Legislative Council action:

1. Actual pricing of the administrative rules and court rules publications for the next fiscal year.
2. Authority for the six legislative leaders to approve the pricing of the 2002 Iowa Acts and 2003 Iowa Code slated for publication in late 2002.
3. Authority for the Legislative Service Bureau, on behalf of the Legislative Council, to work with the Office of the Governor and the Supreme Court to control the number of copies of the printed legal publications distributed to recipients in the three branches of state government.

1. Section 7A.22 of the Code of Iowa requires that the Legislative Council establish prices for the Iowa Administrative Code, the Iowa Administrative Code Supplement, the Iowa Administrative Bulletin, and the Iowa Court Rules for each fiscal year. Mr. Scott Bertness, the Administrator of Printing and Imaging of the Department of General Services, has recommended that the prices for the Court Rules remain the same for the next fiscal year since the new 4th Edition was only published and priced six months ago and that prices for each of the administrative rules publications be increased by 1.6% to reflect the latest applicable cost-price indicator.

The recommendations for prices for the publications are as follows:

Iowa Administrative Bulletin	\$277.50
Iowa Administrative Code Supplement	\$447.75
Iowa Administrative Code	\$1,273.00
Iowa Court Rules	\$115.00
Iowa Court Rules Supplements	\$86.50

These costs do not include sales tax. The Printing Administrator's specific recommendations are also attached.

2. The Legislative Service Bureau anticipates the publication of the 2002 Iowa Acts in November or December and the publication of the 2003 Iowa Code in December or January. I request that the six Legislative Leaders be granted the authority to approve the prices for those two legal publications after receiving the pricing recommendations of the Administrator of the Printing and Imaging Division and the Director of the Legislative Service Bureau.

3. During the 2002 regular session, the General Assembly passed House File 2623 (§23) which requires the Legislative Council, the Office of the Governor, and the Supreme Court to work together to control the number of copies of the printed legal publications distributed to recipients in the three branches of state government. Such controls might include distribution limitations by agency or function, requiring some payment by recipients, receipt of electronic publications at a reduced price in lieu of receipt of printed publications, or some combination of any of these controls.

The legislation also transfers the authority to solicit and process orders for these printed legal publications from the Department of General Services to the Legislative Service Bureau. The Bureau has been working diligently to assume this new responsibility by creating a reliable database of current subscribers, preparing a meaningful marketing approach to the sales of these legal publications, and marshalling the personnel resources to process the orders and to accurately and efficiently request the Department of General Services to distribute the legal publications once ordered.

I request the Legislative Council's permission to work with the Office of the Governor and the Supreme Court to propose a plan acceptable to all three branches of state government to distribute printed legal publications to those recipients in the three branches who need them to fulfill their duties and to otherwise make available electronic publications to fulfill their information needs. Such a plan might include restrictions on distribution or payment of a reasonable charge for either printed or electronic publications.

June 14, 2002

Pricing Recommendations
From
General Services Printing Division

Iowa Administrative Bulletin

The Iowa Administrative Bulletin is sold as a separate publication and may be purchased by subscription or single copy. All subscriptions will expire on June 30 of each year. Subscriptions must be paid in advance and are prorated quarterly as follows:

First Quarter/Full Year	Jul 1, 2002 to Jun 30, 2003	\$ 277.50 plus \$ 16.65 sales tax
Second Quarter	Oct 1, 2002 to Jun 30, 2003	\$ 218.50 plus \$ 13.11 sales tax
Third Quarter	Jan 1, 2003 to Jun 30, 2003	\$ 147.00 plus \$ 8.82 sales tax
Fourth Quarter	Apr 1, 2003 to Jun 30, 2003	\$ 73.50 plus \$ 4.41 sales tax

Single copies may be purchased for \$20.85 plus \$1.25 sales tax.

Iowa Administrative Code

The Iowa Administrative Code and Supplements are sold in complete sets and subscription basis only. All subscriptions for the Supplement (replacement pages) must be for the complete year and will expire on June 30 of each year.

Iowa Administrative Code - \$1,273.00 plus \$76.38 sales tax

(Price includes 22 volumes of rules and index, plus a one-year subscription to the Code Supplement and the Iowa Administrative Bulletin. Additional or replacement binders can be purchased for \$12.00 each plus \$0.72 sales tax).

Iowa Administrative Code Supplement - \$447.75 plus \$26.87 sales tax

Iowa Court Rules

The Iowa Court Rules Supplements are sold by subscription basis only. All subscriptions for the Supplement (replacement pages) must be for the complete year and will expire on June 30 of each year.

Iowa Court Rules - \$ 115.00 plus \$ 6.90 sales tax

(Price includes one complete volume of loose-leaf rules. Additional or replacement binders can be purchased for \$11.75 each plus \$0.71 sales tax).

Iowa Court Rules Supplements - \$ 86.50 plus \$5.19 sales tax

All checks should be made payable to the Iowa State Printing Division. Send all inquiries and subscription orders to:

Customer Service Center
Department of General Services
Hoover State Office Building, Level A
Des Moines, IA 50319
(515) 242-5120

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June 24, 2003

MEMORANDUM

TO: TEMPORARY CHAIRPERSON RANTS, TEMPORARY VICE CHAIRPERSON IVERSON, AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: DENNIS PROUTY, ACTING DIRECTOR *Dep*

RE: JUNE LEGISLATIVE COUNCIL MEETING

This letter is to confirm the scheduling of the June 2003, meeting of the Iowa Legislative Council for Monday, June 30, 2003. The Service and Studies Committees will meet in advance of the Legislative Council meeting. The time schedule and locations for the day's meetings follows:

9:00 a.m.	Service Committee	Room 22
10:00 a.m.	Studies Committee	Room 22
11:00 a.m.	Legislative Council	Room 22

Copies of the tentative agendas for the meetings are enclosed. Also enclosed are copies of the June 18, 2002, Legislative Council, Service Committee, and Capital Projects Committee minutes.

RULES FOR PREFILING LEGISLATIVE BILLS

**2002-2003 SESSION
IOWA GENERAL ASSEMBLY**

A. Legislative Bills

Section 2.16, Code ~~2001~~ 2003, authorizes the prefiling of legislative bills and reads as follows:

2.16 PREFILING LEGISLATIVE BILLS.

Any member of the general assembly or any person elected to serve in the general assembly, or any standing committee, may sponsor and submit legislative bills and joint resolutions for consideration by the general assembly, before the convening of any session of the general assembly. Each house may approve rules for placing prefiled standing committee bills or joint resolutions on its calendar. Such bills and resolutions shall be numbered, printed, and distributed in a manner to be determined by joint rule of the general assembly or, in the absence of such rule, by the legislative council. All such bills and resolutions, except those sponsored by standing committees, shall be assigned to regular standing committees by the presiding officers of the houses when the general assembly convenes.

Departments and agencies of state government shall, at least forty-five days prior to the convening of each session of the general assembly, submit copies to the legislative service bureau of proposed legislative bills and joint resolutions which such departments desire to be considered by the general assembly. The proposed legislative bills and joint resolutions of the governor must be submitted by the Friday prior to the convening of the session of the general assembly, except in the year of the governor's initial inauguration. The legislative service bureau shall review such proposals and submit them in proper form to the presiding officer in each house of the general assembly for referral to the proper standing committee. Before submitting any proposal prepared under this section to the presiding officers, the legislative service bureau shall return it for review to, as appropriate, the relevant department or agency or the governor's office and such department or agency or governor's office shall review and return it within seven days of such delivery.

The costs of carrying out the provisions of this section shall be paid pursuant to section 2.12.

In accordance with section 2.16 the following rules for the prefiling of legislative bills and resolutions shall be in effect for the ~~Second~~ First Session of the ~~Seventy-ninth~~ Eightieth General Assembly.

NOTE: For the purpose of the following rules, a reference to bills shall be interpreted to include both bills and resolutions.

1. Drafting of Legislative Bills

Any person who is presently a member the ~~Seventy-ninth~~ General Assembly or elected to serve in the Eightieth General Assembly may request the Legislative Service Bureau to draft a bill at any time prior to the convening of the ~~2002-2003~~ Session of the Seventy-ninth ~~Eightieth~~ General Assembly and a member of the Eightieth General Assembly may request such a draft at any time during the legislative session, subject to any time limitations established by the Senate or House of Representatives. A request to have a bill drafted for the ~~2002-2003~~ Session of the Seventy-ninth ~~Eightieth~~ General Assembly, which is received prior to or during the ~~2002~~ 2003 Session, is only considered a valid request for that session. In order for a member to have a bill drafted for the ~~2003-2004~~ Session of the Eightieth General Assembly, the member must submit a new request prior to or during the ~~2003-2004~~ Session. If a bill is requested prior to the convening of the ~~2002-2003~~ Session of the Seventy-ninth ~~Eightieth~~ General Assembly, unless the bill is specified to be prefiled, the bill will be held by the Legislative Service Bureau until the General Assembly convenes; however, a copy will be sent to the legislator if the bill draft is completed prior to the convening of the session. If the bill is not prefiled, the text of the bill will only be released if the legislator specifically consents to the release.

2. Request for Prefiling

Any person who is presently a member of the ~~Seventy-eighth-ninth~~ General Assembly or elected to serve in the Seventy-ninth ~~Eightieth~~ General Assembly may prefile a legislative bill by making a request to the Legislative Service Bureau by ~~December 3 2, 2001~~ 2002. The request may be in writing and signed by the legislator, may be transmitted electronically through the legislative computer system, or may be made orally and reduced to writing by a member of the Legislative Service Bureau staff. The prefiling request may be made at the time of requesting a bill draft or may be made after the legislator has had the opportunity to review the bill draft. If possible, the names of all sponsors of the prefiled bill shall be given to the Legislative Service Bureau at the time of making the prefiling request.

a. **Drafting of Prefiled Bill.** When a prefiling request for a bill is received, if time allows, the bill draft will be completed prior to the convening of the General Assembly on January ~~14~~ 13,

~~2002~~ 2003. A copy of the bill will be mailed to the legislator who requested the bill prior to the actual filing of the bill and the procedures noted in these rules will be followed.

- b. Introduction of Prefiled Bill. When the legislator receives a copy of a bill which the legislator has requested to be prefiled, the legislator should review the bill to determine if it has been drafted as requested. The legislator should then notify the Legislative Service Bureau requesting any changes in the bill or informing the Bureau that the bill has been drafted as requested. The names of all sponsors should be given to the Bureau.

If the legislator agrees that the bill meets the specifications required and confirms that the bill should be prefiled, the bill will be packaged and forwarded to the legal counsel of the house of introduction for review. **Please note that at this point the bill is considered a public record and the text is available for review by the public.** If the legislator does not want the text to be available for review by the public at this time, the legislator should inform the Bureau and the Bureau will not prefile the bill but will hold it for the legislator so that the legislator can personally introduce the bill. **A prefiled bill will be introduced, numbered, and printed prior to the convening of the General Assembly, and its title will be read at the earliest possible time following the convening of the General Assembly.** No further action will be required by the legislator. The Bureau will provide appropriate forms in order that the legislator will be able to make final confirmation of the desire to prefile the bill.

B. Bill Drafting Request Forms

The Legislative Service Bureau has bill drafting request forms available for legislators. If possible the request form should be completed by the legislator but a request form will be completed by Bureau personnel if the legislator does not have an opportunity to do so. Bill drafting request forms can be obtained from the Bureau upon request and requests can be submitted electronically through the legislative computer system. The Bureau will normally confirm the electronic receipt of a request by electronic message.

C. Confidential Records

It should be noted that the bill drafting request form contains a space for indicating if a drafting request is to be confidential. If a legislator desires that no information be released in regard to a request, including the subject matter of the request, the legislator should indicate on the request form that the bill request is confidential. A designation that a

bill request is to be confidential means that the request will not be listed in the index of bill requests and that Bureau personnel will not release any information in regard to the request. The confidential designation also means that the bill draft will not be sent to the Legislative Fiscal Bureau for fiscal note review unless the legislator specifically requests the Legislative Service Bureau to send the bill draft to the Legislative Fiscal Bureau.

It is the policy of the Legislative Council that either a confidential or a nonconfidential request from a legislator creates a personal relationship between the Bureau and the legislator, and only such information as the legislator desires will be released to the press or other interested persons. In this regard, cognizance must be given to the public records law. Many records of the Bureau are public records and frequent inquiries are made by the press and other interested persons concerning bill drafting requests which have been received by the Bureau. It is the policy of the Legislative Council that a bill draft is not a public record until released by the legislator. A copy of a bill draft will not be released to a person other than the legislator without the legislator's implied or expressed consent or unless the bill draft has been introduced or otherwise placed in the public domain by the legislator.

D. Departmental Requests

Submission of Requests for Prefiled Proposed Bills. Drafting requests for prefiled proposed bills of state departments and agencies shall be submitted to the Legislative Service Bureau beginning **August 1, 2004-2002**, but no later than **November 30 29, 2004-2002**. However, because Friday, November 29, 2002, is a state holiday, requests will be accepted until 4:30 p.m. on Monday, December 2, 2002. Code Section 2.16 requires state departments and agencies to submit their recommendations that they wish to be considered by the General Assembly in bill draft format. The Legislative Council requires that bill drafts submitted by departments and agencies be specific enough to complete the final draft for the department or agency. If the submission by the department or agency is not specific enough to complete the final draft, the Legislative Service Bureau will contact the department or agency and provide the department or agency with a three-business-day period to provide the needed information. If the needed information is not provided by the department or agency within the three-business-day period, the request is rejected and the department or agency will be required to seek a legislative sponsor for the proposal.

Departments and agencies shall submit the fewest number of requests as possible for prefiled proposed bills. One request may contain the department's technical or corrective Code changes. The other requests shall contain the department's legislative policy proposals. The bills may

be drafted in divisions with each division containing a related, but distinct subject matter. The Bureau will confer with the department's representative regarding combination or separation of its technical proposal and its policy proposals into individual legislative bill drafts which can most efficiently be considered by the General Assembly given the General Assembly's customary assignment of subject matters to the standing committees and subcommittees.

Departments and agencies are requested to include a separate memorandum addressed to the members of the General Assembly which describes the need for, purpose of, and intent of the requested bill, including a description of the problem or problems the bill is intended to address. The Legislative Service Bureau will use the memorandum in its completion of the final draft of the department or agency and will forward the memorandum to the legislative leaders at the same time that the bill draft approved by the department or agency is transmitted to the legislative leaders. The separate memorandum will be copied and attached to the back of the bill draft when it is filed as a study bill.

The Legislative Service Bureau will review the proposal submitted by the department or agency, make suggestions as to nonsubstantive changes or corrections, confer with the department or agency representative in regard to the proposal, draft an objective explanation for the bill, and prepare the bill in final form.

Additional drafting instructions requested from the department or agency by the Bureau must be received within seven calendar days of being requested by the Bureau or the drafting request will be considered withdrawn. Approval of the initial draft sent to the department or agency must be received by the Bureau within seven calendar days after its receipt by the department or agency or the drafting request will be considered withdrawn. The Legislative Service Bureau will redraft the bill per the department's or agency's instructions only once following the initial delivery to the department or agency. The department or agency cannot modify the drafting request after the Bureau delivers the redrafted bill to the department or agency for the second time. Once the bill is in final form, the Legislative Service Bureau, not the department or agency, will submit the bill in proper form to the presiding officer of each house for referral to the proper standing committee. All approvals of final bill drafts are to be received no later than **January 13, 2002-2003**. Bill drafting requests from legislators will receive priority consideration by the Legislative Service Bureau over departmental and agency bills.

Proposed bill draft requests submitted by departments and agencies after ~~November 30, 2001~~ **December 2, 2002**, will not be assigned to a staff member unless a legislative sponsor is obtained. Departments and

agencies are strongly urged to submit their proposals as soon as possible after **August 1, 2001-2002**, in order that the Legislative Service Bureau has adequate time to provide assistance in drafting. Lengthy or complex proposals should be submitted far in advance of the deadline date. This will allow the Bureau to provide assistance before a large quantity of legislative requests is received.

If departments and agencies know they will be submitting lengthy or complex legislation, it is suggested they submit or at least discuss the proposals in the **early fall of 2001-2002** even if they will not make final decisions in regard to all provisions until late fall.

For the purposes of these rules, in addition to the Governor, the following executive and judicial branch departments and agencies are authorized to prefile bills:

E. Authorized Prefiling Agencies

1. Executive Branch

a. Elected Officials

- Attorney General (Department of Justice)
- Auditor of State
- Department of Agriculture and Land Stewardship
- Secretary of State
- Treasurer of State

b. Nonelected Heads

- Board of Parole
- Civil Rights Commission
- Department for the Blind
- Department of Commerce
- Department of Commerce/Alcoholic Beverages Division
- Department of Commerce/Banking Division
- Department of Commerce/Credit Union Division
- Department of Commerce/Insurance Division
- Department of Commerce/Professional Licensing and Regulation Division
- Department of Commerce/Savings and Loan Division
- Department of Commerce/Utilities Division
- Department of Corrections
- Department of Cultural Affairs
- Department of Economic Development
- Department of Education
- Department of Education/Board of Educational Examiners
- Department of Education/College Student Aid Commission
- Department of Education/Public Broadcasting Division
- Department of Elder Affairs

- Emergency Response Commission
- Ethics and Campaign Disclosure Board
- Department of General Services
- Department of Human Rights
- Department of Human Rights/Community Action Agencies Division
- Department of Human Rights/Criminal and Juvenile Justice Planning Division
- Department of Human Rights/Deaf Services Division
- Department of Human Rights/Latino Affairs Division
- Department of Human Rights/Persons with Disabilities Division
- Department of Human Rights/Status of African-Americans Division
- Department of Human Rights/Status of Women Division
- Department of Human Services
- Information Technology Department
- Department of Inspections and Appeals
- Department of Inspections and Appeals/Racing and Gaming Commission
- Iowa Finance Authority
- Law Enforcement Academy
- Department of Management
- Department of Natural Resources
- Department of Personnel
- Department of Public Defense
- Public Employment Relations Board
- Department of Public Health
- Department of Public Health/Board of Dental Examiners
- Department of Public Health/Board of Medical Examiners
- Department of Public Health/Board of Nursing Examiners
- Department of Public Health/Board of Pharmacy Examiners
- Department of Public Safety
- Board of Regents
- Department of Revenue and Finance
- Telecommunications and Technology Commission
- Department of Transportation
- Underground Storage Tank Fund Board
- Commission of Veterans Affairs
- Department of Workforce Development

2. Judicial Branch

- Judicial Branch

3. Legislative Branch

- Citizens' Aide/Ombudsman

NOTE: Governor's Proposals. Bill drafting requests from the Office of the Governor are governed by Iowa Code section 2.16 which requires that proposed legislative bills and joint resolutions be submitted by Friday, January ~~11~~ 10, ~~2002~~ 2003. As part of the Legislative Service Bureau's review and preparation in proper form of the Governor's bill requests, the Bureau will make suggestions regarding the combination or division of proposals into separate legislative bill drafts which can most efficiently be considered by the General Assembly given the General Assembly's customary division of subject matter jurisdiction among the standing committees and subcommittees. If specific drafting instructions for proposed legislative bills of the Governor are not received by the Legislative Service Bureau by January ~~14~~ 13, ~~2002~~ 2003, work on completion of those legislative bills must compete with other legislative priorities. Approval of the final draft must be received by the Bureau within seven calendar days of its receipt by the Governor's Office. Once the bill is in final form, the Legislative Service Bureau will submit the bill in proper form to the presiding officer of each house for referral to the proper standing committee.

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TO: CHAIRPERSON IVERSON, VICE CHAIRPERSON SIEGRIST, AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: RICHARD JOHNSON, DEPUTY DIRECTOR *RJ*

RE: RESOLUTIONS

The Legislative Service Bureau (LSB) drafts four types of resolutions:

- Resolutions having the force of law, e.g., constitutional amendments and administrative rules nullifications
- Resolutions that do not have the force of law but request official governmental action, e.g., requesting Congress to act in a certain way
- Resolutions having an effect only within the General Assembly, e.g., passing rules for the General Assembly or requesting studies
- Resolutions that do not have the force of law in any sense and recognize the accomplishments of or honor individuals or organizations in the state.

The number of requests to the LSB for the drafting of the fourth type of resolution (honorary) has grown steadily over the years. Following is a chart of the number of such resolutions drafted over the last 12 years:

<u>Session</u>	<u>Number of Honorary Resolutions Requested</u>	<u>Session</u>	<u>Number of Honorary Resolutions Requested</u>	<u>Session</u>	<u>Number of Honorary Resolutions Requested</u>
2002	130	1998	34	1994	28
2001	86	1997	23	1993	47
2000	70	1996	60	1992	43
1999	49	1995	34	1991	26

The 130 resolutions can be characterized as follows:

- 54 Senator or employee or legislator retirement or years of service recognitions (37 were legislator resolutions)
- 24 athletic team or individual recognitions
- 21 organization or event recognitions
- 8 resolutions recognizing governmental needs or concerns
- 23 miscellaneous resolutions of other individual accomplishments

This last year the LSB Legal Editor drafted approximately 50 of these resolutions himself to avoid assigning them to drafters who needed to concentrate on the drafting of substantive bills, resolutions, and amendments. The 2002 quantity of these resolutions, 130, is approximately the session bill drafting workload of the average LSB drafter. Escalation of this quantity will hinder the LSB from concentrating on substantive legislation drafting. Reducing this quantity or reassigning this work to others would be most helpful in terms of allowing the LSB drafters to concentrate their drafting work on substantive legislation.

I would request the Legislative Council's support and direction for LSB to work with the Secretary of the Senate and the Chief Clerk of the House to determine if it would be possible to meet the needs of legislator requestors of some of these types of resolutions by issuing certificates of recognition rather than drafting resolutions. Of the five kinds of resolutions categorized above I would suggest that LSB continue to draft the following:

- Legislator retirement and years of service recognitions
- State agency head retirement resolutions
- Resolutions recognizing governmental needs or concerns

I would suggest that certificates of recognition be considered for issuance for the following:

- Athletic team or individual recognitions
- Organization or event recognitions
- Recognition of other retirements or individual accomplishments

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MEMORANDUM

TO: CHAIRPERSON IVERSON, VICE CHAIRPERSON SIEGRIST, AND MEMBERS OF THE LEGISLATIVE COUNCIL

FROM: RICHARD JOHNSON, DEPUTY DIRECTOR *RJ*

RE: ARCHIVING OF BILL DRAFTING FILES

The State Archives within the Department of Cultural Affairs has suspended their acceptance of almost all state documents, including LSB's bill drafting files.

LSB would normally send approximately 40-50 small boxes of bill drafting files to the State Archives this fall for permanent storage. As one measure to decrease the amount of materials destined for the State Archives, I would request that the Legislative Council modify its current policy of sending to the State Archives nonconfidential bill drafting files that were not introduced, filed, prefiled, or formally publicly released.

See the following proposed amendment to the current archiving policy:

PROPOSED AMENDMENT

Bill Drafting Files. Beginning with the bill drafting files for the ~~Seventy-third~~ Seventy-eighth General Assembly (~~1989-1999~~ and ~~1990-2000~~ Sessions), the Legislative Service Bureau's procedure is that before the convening of a General Assembly in the odd-numbered year, all bill drafting files for the next-to-the-last General Assembly for bill drafts which were introduced, filed, prefiled, or formally publicly released, whether requested confidentially or nonconfidentially, ~~and all other nonconfidentially requested bill drafting files,~~ will be boxed and sent to the State Archives. The public will be allowed access to these files in the custody of the State Archives. Bill drafting files which were confidentially or nonconfidentially requested and were not introduced, filed, prefiled, or formally publicly released will not be sent to the State Archives but will be retained by the Legislative Service Bureau for an additional two years and then destroyed.

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

December 17, 2001 – State Capitol Building, Des Moines

The Fiscal Committee met December 17, 2001, and took the following action:

- Representative Dave Millage and Senator Jeff Lamberti recommended to the Committee, a resolution stating the Legislative Fiscal Committee requests that the Revenue Estimating Conference meet to review the FY 2002 and FY 2003 estimates on or before March 7, 2002, and the Legislature is requested to adopt a similar resolution for early action on this request. March 7 is the first week of the budget subcommittee meetings under the proposed revised schedule. This earlier meeting would provide updated estimates for the Legislators in the budget process.

The following topics/issues were addressed at the meeting. More information on any of these topics is available from the Legislative Fiscal Bureau.

- Dennis Prouty, Director of the Legislative Fiscal Bureau, provided a revenue update, including the REC report on December 7 and the balance sheet.
- Jeff Robinson, LFB, reviewed the Cash Flow Analysis.
- Holly Lyons, LFB, presented the FY 2002 General Fund Budget update, including the impact of the 4.3% across-the-board budget reduction in FY 2002.
- Shawn Snyder, LFB, reviewed the School Foundation Aid, FY 2002 budget reduction, and FY 2003 budget alternatives.
- Glen Dickinson, LFB, presented information on the FY 2003 Estimated Salary Adjustment Costs.
- Dave Reynolds, LFB, reviewed the LFB Summary Report on State Indebtedness for the fiscal year ending June 30, 2001.
- The Committee received notices of appropriations transfers and lease purchases. The following FY 2002 appropriations transfers were discussed:

Dollars Transferred	Department/Division Transferred To	Amount	Department/Division Transferred From
\$ 114,260	Dept. of Personnel, Customer Services & Benefits Management	\$ 114,260	Dept. of Personnel, Administration & Program Operations
68,951	Dept. of Public Health, Environmental Hazards, Injuries, and Public Protection	68,951	Dept. of Public Health, Community Capacity and Resources Management
25,000	Dept. of General Services, Operations	25,000	Dept. of General Services, Property Management
1,014,304	FY2002 Allocation Change to State Public Defender	1,014,304	Indigent Defense Fund

- Follow-up information from the November 27 meeting:
 - Iowa Crime Rates, Beth Lenstra, LFB
 - Judicial Branch Case Filings by proposed district and court service areas, Jennifer Dean, LFB.
- Report by the Iowa Veterans Home, Commandant Jack Dack, Iowa Veterans Home, and Russ Trimble, LFB:
 - *Issue Review* – Iowa Veterans Home
 - Report due to the Fiscal Committee on December 1, 2001
 - 2001 Annual Report
- Update on Federal Funds, Phil Buchan, State/Federal Office in Washington, D.C. and Doug Wulf, LFB.
- Lee Tack and Ann McCarthy, Department of Education, discussed the federal education bill and the impact on Iowa.

Respectfully submitted,

Senator Jeff Lamberti
Co-chairperson

Representative Dave Millage
Co-chairperson

Co-Chair Senator Mary Lundby
Co-Chair Representative Willard Jenkins
Senator Steve King, VC
Senator Mark Shearer, RM
Representative Jeff Elgin, VC
Representative Greg Stevens, RM
Senator Mary Lou Freeman
Senator Matt McCoy
Representative Clel Baudler
Representative Betty Grundberg
Representative Jack Hatch



Representative Clarence Hoffman
Representative Vicki Lensing
Representative Jackie Reeder

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**REPORT OF THE OVERSIGHT COMMITTEE
TO THE LEGISLATIVE COUNCIL
June 13, 2002**

The Legislative Oversight Committee met on May 8, 2002, for its first meeting of the 2002 Interim. At that meeting, the Committee selected the following meeting dates and some of the topics that will be addressed.

1. June 20, 2002

Review personnel policies at Iowa Central Community College and their handling of the falsifying of records incident.

Review of the processes used by the Revenue Estimating Conference to estimate revenues for the State, compare Iowa's process to methods used in other states, counties, and the private sector. The focus will be how it works and how to improve the process.

2. July 9 and 10, 2002

Continue discussion of the process of revenue estimating.

3. August 26 and 27, 2002

Review the work of the Fisher Commission and discuss the recommendations made by the Commission. (*This issue has been dropped as a result of the creation of the Program Elimination Commission during the second Special Session.*)

4. September 24 and 25, 2002

Review the Governor's FY 2002 proposal to establish a new Department of Administrative Services.

Establish which Departments the Committee will do formal reviews of during 2003, so they can be notified as required by SF 2325 (FY 2002 Oversight Government Reform Act).

5. October and November – No meetings scheduled at this time.

6. December 16 and 17, 2002

Discuss options for services to the children that attend the School for the Blind.

Make recommendations on all issues reviewed during the Interim to the Legislative Council and the General Assembly.

The Committee also received updates on the reorganizations occurring in the Departments of Inspections and Appeals and Natural Resources.

1. Department of Inspections and Appeals

Steve Young, Director, Department of Inspections and Appeals, presented the Committee with an overview of the Child Advocacy Reorganization. He discussed funding for the Program, staff locations, personnel issues, and productivity.

2. Department of Natural Resources

Jeff Vonk, Director, Department of Natural Resources, presented the Committee with an update on the reorganization within the Department. He stated progress had been made in the process and things were moving forward. He gave an overview of the individuals and their positions.

The Committee will identify additional topics for review during the Interim.

The Committee is also considering a comprehensive review of the Community College System during the 2003 General Assembly.

The next meeting of the Committee will be on June 20, 2002, in Room 19 of the Capitol Building. The afternoon portion of the meeting, beginning at 1:00 p.m., will be a joint meeting with the Legislative Fiscal Committee to begin reviewing the revenue estimating process in Iowa and other states.

Respectfully submitted,

Senator Mary Lundby
Co-chairperson

Representative Willard Jenkins
Co-chairperson

REPORT OF THE CAPITAL PROJECTS COMMITTEE TO THE LEGISLATIVE COUNCIL

June 18, 2002

The Capital Projects Committee of the Legislative Council met on June 18, 2002 in Room 118 of the State Capitol and makes the following report:

The Committee heard presentations regarding the following:

- ◆ A proposal by the Office of Citizens' Aide/Ombudsman for assumption of responsibility of a historical painting.
- ◆ Project updates from the Department of General Services for the parking structure, laboratory facility, Capitol landscaping, and other projects.
- ◆ A progress report on the renovation of the Senate and House of Representatives chambers in the State Capitol.

Respectfully submitted,

Senator John Jensen
Chairperson

REPORT OF THE SERVICE COMMITTEE TO THE LEGISLATIVE COUNCIL

June 18, 2002

Members of the Service Committee of the Legislative Council met on June 18, 2002, and absent a quorum, the members make the following report and recommendations to the Legislative Council:

1. The Service Committee received and filed the June 2002 and the annual personnel reports from the central staff agencies and recommends that the following employees be promoted. In addition, due to fiscal constraints for fiscal year 2003, the employees promoted will be limited to a one step increase in pay for that fiscal year.
 - a. For the Legislative Fiscal Bureau:
 - Mr. Ron Robinson, from Legislative Analyst II, grade 32, step 3, to Legislative Analyst III, grade 35, effective September 2002.
 - Ms. Deb Kozel, from Legislative Analyst II, grade 32, step 3, to Legislative Analyst III, grade 35, effective October 2002.
 - Mr. Shawn Snyder, from Legislative Analyst I, grade 29, step 2, to Legislative Analyst II, grade 32, effective July 2002.
 - Mr. Scott Miller, from Computer Systems Analyst III, grade 32, step 5, to Senior Computer System Analyst, grade 35, effective September 2002.
 - b. For the Legislative Service Bureau:
 - Mr. Richard Nelson, from Legal Counsel 2, grade 35, step 3, to Senior Legal Counsel, grade 38, step 1, effective June 2002.
 - Ms. Janet Johnson, from Legal Counsel 2, grade 35, step 3, to Senior Legal Counsel, grade 38, step 1, effective June 2002.
 - Mr. Timothy McDermott, from Legal Counsel 1, grade 32, step 5, to Legal Counsel 2, grade 35, step 3, effective June 2002.
 - Ms. Nicole Haatvedt, from Legal Counsel 1, grade 32, step 5, to Legal Counsel 2, grade 35, step 3, effective June 2002.
 - Ms. Kathy Hanlon, from Research Analyst 3, grade 35, step 6, to Senior Research Analyst, grade 38, step 4, effective June 2002.
 - Ms. Susan Weddell, from Computer System Analyst 3, grade 32, step 5, to Senior Computer System Analyst, grade 35, step 3, effective June 2002.
 - c. For the Legislative Computer Support Bureau:
 - Mr. Jason Koth, from Computer Systems Engineer I, grade 29, step 3, to Computer Systems Engineer II, grade 32, step 1, effective July 2002.
 - d. For the Office of Citizens' Aide/Ombudsman:
 - Ms. Maureen Lee, from Assistant, grade 27, step 6, to Assistant I, grade 29, step 5, effective November 2002.
 - Mr. Jeffrey E. Burnham, from Assistant 3, grade 35, step 5, to Senior Assistant, grade 38, step 3, effective November 2002.

- e. All promotions proposed are subject to review and approval of the applicable director for that agency.
2. The Service Committee recommends that, pursuant to the requirements of 2002 Iowa Acts, House File 2625, §51, the Legislative Council reauthorize and provide an early out incentive program for legislative branch employees for the fiscal year beginning July 1, 2002, and ending June 30, 2003, consistent with the program provided for executive branch employees, and that, pursuant to the requirements of 2001 Iowa Acts, 2nd Extraordinary Session, Senate File 551, §1, the Legislative Council approve and provide a years of service incentive program for legislative branch employees for the fiscal year beginning July 1, 2002, and ending June 30, 2003, consistent with the program provided for executive branch employees.

Respectfully submitted,

Representative Christopher Rants
Chairperson

LEGISLATIVE COUNCIL RESOLUTION

June 18, 2002

A Legislative Council Resolution relating to the reorganization and consolidation of the Legislative Service Bureau, Legislative Fiscal Bureau, and Computer Support Bureau into a single central legislative staff agency, in order to achieve efficiencies and process improvements for the General Assembly.

WHEREAS, the Legislative Council establishes policies for the operation of and provides direction to and control over the Legislative Service Bureau, the Legislative Fiscal Bureau, and the Computer Support Bureau; and

WHEREAS, the Legislative Council appoints the directors of the Legislative Service Bureau, the Legislative Fiscal Bureau, and the Computer Support Bureau; and

WHEREAS, the three central legislative staff agencies have been established to provide the legislative services prescribed in Iowa Code chapter 2; and

WHEREAS, the timely and most cost-efficient preparation and provision of nonpartisan, objective, and quality legislative services and work products can best be accomplished through consolidation of the Legislative Service Bureau, the Legislative Fiscal Bureau, and the Computer Support Bureau; and

WHEREAS, the statutory amendments necessary for reorganization and consolidation of these three central legislative staff agencies cannot be completed without action of the next General Assembly; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the Legislative Council, pursuant to Iowa Code section 2.42, hereby appoints Dennis Prouty as the Director of the Legislative Service Bureau and as the Director of the Computer Support Bureau, to fill those central legislative staff agency director vacancies until the reorganization and consolidation of the three central legislative staff agencies are accomplished by statutory amendment.

2002 Legislative Interim Studies Proposal

- 1. The Volunteer Firefighters Pension Task Force created in 2002 Iowa Acts, House File 2622 §34, shall have the membership identified in the statute.**

- 2. The Program Elimination Commission established in 2002 Iowa Acts, Second Extraordinary Session, House File 2627 §217, shall have the membership identified in the statute.**

- 3. The Oversight Committee created as a statutory body in 2002 Iowa Acts, Senate File 2325 §74, shall fulfill the functions provided in the statute.**

- 4. The Speaker of the House, Majority Leader of the Senate, and the Minority Leaders of the Senate and House of Representatives shall appoint the membership of the three bodies on behalf of the Legislative Council as provided in rule nine of the Rules of the Iowa Legislative Council and may appoint additional members as those leaders deem appropriate.**

Mandated Legislative Studies Created by 2002 Legislation:

Volunteer Firefighters Pension Task Force. This task force is created to study and report to the General Assembly recommendations concerning the establishment of a pension system for volunteer fire fighters. Final membership of this task force is required to be determined by and appointed by the Legislative Council, with nine stipulated members listed in the legislation. The task force's report is to be submitted to the General Assembly by January 1, 2003. (HF 2622 §34)

(Legislative Council would normally determine final membership composition of task force (e.g., in addition to the nine stipulated in the legislation) and delegate specific appointments to the four legislative leaders per Legislative Council rule 9. Rule 9 reads as follows: "If the appointing authority for members of permanent legislative committees, committees created under rule 7 (interim study committees), statutory bodies, and other bodies is the Legislative Council, the Speaker of the House, Majority Leader of the Senate, and the Minority Leaders of the Senate and House of Representatives, shall make the appointment or appointments.")

Program Elimination Commission. This commission is established to review all programs and other functions funded in whole or part with state or local government revenues, including but not limited to general taxes and fees and special revenues such as gaming and road use tax revenues. The commission shall operate with the goal of identifying a 2 percent savings for the general fund of the state. Four legislative leaders individually appoint one voting member each and the Legislative Council appoints one nonvoting member (HF 2627 §217) (Governor has not yet acted on this bill as of 6/12/02) and one voting member (this voting member was substituted for the auditor of state) (see HF 2625, §41).

(Legislative Council rule 9, quoted above, would allow the same four legislative leaders to appoint the Legislative Council appointees.)

Legislative Oversight Committee. The Oversight Committee of the Legislative Council is created as a statutory body. The committee is directed to perform a systematic review of the programs, agencies, and functions of the executive and judicial branches of state government and to annually select by October 1 those that will be subject to review in the succeeding calendar year. (SF 2325 §74)

(Unless Legislative Council wishes to affect how the Oversight Committee functions, no Legislative Council action may be necessary. The Oversight Committee has generally sets its own meeting times, much like the Fiscal Committee, even though the Legislative Council has supervisory authority over both committees. See e.g., Iowa Code § 2.46.)

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June 6, 2002

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MEMORANDUM

TO: CHAIRPERSON IVERSON, VICE CHAIRPERSON SIEGRIST, AND MEMBERS
OF THE LEGISLATIVE COUNCIL

FROM: RICHARD JOHNSON, DEPUTY DIRECTOR *R.*

RE: JUNE LEGISLATIVE COUNCIL MEETING

Chairperson Iverson and Vice Chairperson Siegrist have scheduled the June Legislative Council meeting for Tuesday, June 18, 2002.

It is anticipated that some Council Committees will meet beginning at 9:00 a.m. and that the Council meeting itself will end by noon.

Please indicate on the enclosed postcard whether you will be able to attend the meeting.

Agendas for the meetings and minutes from the December 2001 Council and Council Committee meetings will be sent prior to the meeting date.