Let the Games Begin

Where to start? So much has happened in the last few days, it is difficult to write about it all without this becoming a Tom Clancy novel. Things are moving so quickly now that the minute we write about something – it has changed. This edition of InfoNet is really reporting the nature of the legislative session as of Wednesday night, April 11. A lot of things will probably change as Thursday’s session moves along, particularly since today is the day that the first version of the new redistricting maps are released. But to catch up on what has happened since the last edition of InfoNet:

First, revenues tanked and estimates were revised on March 12. The state’s revenues came in at a much slower rate than expected, causing the Governor to revise his budget requests. Under the new budget estimates, the Governor’s fiscal year 2002 budget had a $285 million shortfall.

Second, the Governor released his revised budget recommendations for fiscal year 2002 on March 28. In order to eliminate the shortfall, the Governor used a combination of budget cuts ($144 million) and revenue transfers ($136.4 million) to fill the hole in the budget. This $280 million reduction from the original budget recommendation represents a 6% across-the-board cut. The Governor indicated a desire to protect the state’s most vulnerable populations from budget cuts as much as possible. The Governor:

- Eliminates $144 million from the original budget recommendation – $144 million in actual reductions and $136.4 million in revenue shifts ($120 million from the $235 million Economic Emergency Fund and $16.4 million from the Road Use Tax Fund).

- Protects funding for property tax credits ($277 million), K-12 education ($1.9 billion); and other items ($67 million) including bond payments, indigent defense, and claims against the state. In total, $2.23 billion in the budget are not touched by cuts.

- Proposes creating the Children First Endowment Fund by investing Iowa’s excess revenues and using the interest off these investments to pay for services to children.
Keeps $40 million in new money in the “lock-box” for teachers’ compensation. These funds are being held harmless – no matter what, the Governor wants to increase salaries for Iowa’s teachers, making the state more competitive for teachers.

Acknowledges the budget cuts may lead to eliminating as many as 600 positions and is driving the need to merge and reform state government. The Governor said, “Over the next nine months, the state will conduct an overall review of state government and identify what can be eliminated, merged and reformed for an additional savings of 3-5% of the following year’s state budget.” This indicates the Governor’s approach to solving the budget crunch – cut deep this year and reform and reorganize government in the following year to achieve efficiencies.

The Governor’s use of transfers has drawn fire from the Republican members of the Iowa Legislature. The Governor explains that the state’s 99% expenditure limitation has filled the state’s reserve funds to their statutory maximum levels of 10% of general fund revenues. Under current law, once these reserves are full, the excess flows back into the general fund and are not subject to the expenditure limitation. As a result, several strong years of revenue growth created an illusion that the state had more money to spend than it really did.

Instead of spending these “reversions” or dumping them back into the general fund, Governor Vilsack is recommending no spending reversions, but investing them for the benefit of children and future generations. Under the Governor’s plan, the ending balances will first go into the state’s reserve funds for economic emergencies. When these reserve funds are full, the balance would then go into the Children First Endowment. These funds would not be spent – but the interest generated from the investment of these funds would be used for children’s programs. The Governor recommends the first appropriation from this fund be used for early childhood education. The Governor said he hopes that, as the endowment builds, these resources would ease pressure on the state’s general fund.

Republicans do not like the use of ending balances and reversions in this way. In fact, they point to Iowa’s law, which prohibits the use of any surplus carried forward from the previous year. That is why the Governor’s budget placed Republicans in a much worse situation. Republicans in the legislature have been philosophically opposed to using reversions and ending fund balances for ongoing programs. In addition, they oppose using gambling dollars for ongoing programs. In order to avoid using the Governor’s revisions, they must make up additional cuts to cover the reversion amounts.

Finally, the Republican budget targets are out, and they are $200 million below the Governor’s cuts! Republicans did not feel the Governor cut enough, and they had to make up for the $136.4 million saved in balance transfers. That made a bad job worse. The Republican targets do not transfer funds out of the Economic Emergency Fund. Democrats are saying the Republican targets make 12% in cuts across the board, while still protecting K-12 and other priority areas. Republicans point out that their plan only represents a 1.3% cut (or $65 million) from the current fiscal year (FY01).

The Republican plan holds K-12 education and property tax replacements harmless, but does not specifically reserve $40 million for teacher compensation. The following comparison chart will give you an idea of the differences between the current fiscal year (FY01), the Governor’s original FY02 recommendations, the Governor’s revised FY02 budget, and the Republican targets.
### Comparison of Current Year, Governor’s Original FY02 Budget, Governor’s Revised FY02 Budget, and Republican Targets for FY02

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<tr>
<td>Administration &amp; Regulation</td>
<td>$87.1 million</td>
<td>$92.8 million</td>
<td>$88.5 million</td>
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<td>-11.6% 13.5%</td>
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<td>Agriculture &amp; Natural Resources</td>
<td>$43.9 million</td>
<td>$39.7 million</td>
<td>$37.3 million</td>
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<tr>
<td>Economic Development</td>
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<td>$32.8 million</td>
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<td>Education</td>
<td>$980 million</td>
<td>$986.2 million</td>
<td>$977.4 million**</td>
<td>$914.4 million</td>
<td>-7.2% -6.9%</td>
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<td>Health &amp; Human Rights</td>
<td>$91.2 million</td>
<td>$93.4 million</td>
<td>$89.5 million</td>
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<td>Human Services</td>
<td>$783 million</td>
<td>$845.4 million</td>
<td>$796.9 million</td>
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<td>Justice Systems</td>
<td>$374.2 million</td>
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<td>Judicial Branch</td>
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<td>Transportation &amp; Capitals</td>
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<tr>
<td>Oversight</td>
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<td>$18.4 million</td>
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<td>Unassigned Standings</td>
<td>$2,339.2 billion</td>
<td>$2,337 billion</td>
<td>$2,378.3 billion</td>
<td>$2,348.4 billion*</td>
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<td>Salaries</td>
<td>N/A</td>
<td>$91 million</td>
<td>$91 million</td>
<td>$55 million</td>
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<td><strong>Total General Fund</strong></td>
<td><strong>$4,878.4 billion</strong></td>
<td><strong>$5,019.8 billion</strong></td>
<td><strong>$5,011.8 billion</strong></td>
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<td>Percentage Difference Compared to FY 2001</td>
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<td></td>
<td></td>
<td></td>
<td>2.7% -1.3%</td>
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* $40 million teachers’ compensation included in the target for unassigned standings.
** Includes $40 million appropriation for teacher compensation.
**Other Useless, But Interesting, Facts**

Iowa is not alone in this financial crisis. In December, 44 states were reporting revenues that were on target or above forecasted revenues. By February, that number slipped to 33. Now, 17 states are reporting lower than projected revenues (compared to only 6 states a year ago). Of these 17 states, 11 say they will need to reduce their projected budgets this year, like Iowa.

**States Below Forecast**
Arkansas, Colorado, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nevada, North Carolina, Ohio, South Carolina, South Dakota, Tennessee and Virginia.

**States On-Target**
Florida, Illinois, Maryland, Nebraska, North Dakota, Rhode Island, Texas, Vermont, Washington, West Virginia and Wisconsin.

Another thing to note about Iowa's revenue drop is that personal income tax revenue increased $8.4 million, or 4.7%, compared to last year at this time, while year-to-date income tax revenue for this year was up to 2.8%. On the other hand, sales tax receipts were down $4.6 million, or 4.8%, from March of 2000, and year-to-date sales were only up .6%. Likewise, corporate income taxes were down $9.7 million, or 37.2%, compared to last March, and down 10.7% for year-to-date figures this year.

**Impact of the Budget Cuts on Disability Services**

Legislators and advocates alike are scrambling this week to determine the actual impacts of the Governor’s budget on various programs and services, and how the Republican’s budget targets will further impact them. The Republican targets are well below the Governor’s revised budget, but really trim only 1.3% off the current year levels for FY02. That means next year’s budget will be 1.3% below the current year’s budget, but the cutting is terribly difficult because legislators are starting from the Governor’s original budget recommendation and the Governor’s revised recommendation, both of which still increase spending for FY02.

Many advocates are up in arms over the Governor’s budget, saying bad information led to disability services being slashed unusually hard. Others are saying there is sound basis for the cuts. Like many things, the truth is in how you read the numbers. Advocates have been meeting with legislative leaders and department officials to try to lessen the impact, but it is very difficult. There is some progress being made, but it is only happening because people with disabilities and their family members spoke out. First, here is what the Governor’s revised budget does:

**Human Services Budget**

- **Adds $182,000 to the Medicaid budget to offset increased costs due to the implementation of the rehabilitation option.** The implementation of the rehab option allows a federal match on Medicaid-eligible persons with mental illness. This reduces county expenditures for applicable services, thus impacting state cases (those cases where persons have no county of legal settlement). This additional funding provides the state match needed for these state cases.
Reduces funding for the Personal Assistance Services (PAS) pilot by $100,000. This reduction is based on a planned phase-out of the pilot as clients access other programs. The program will be closed to new applicants.

Reduces the operational budget at Mental Health Institutes (MHIs) by 1%, for a total savings of $452,602. The proposed reductions at the MHIs will require the state to closely monitor admissions, as well as associated expenses, to assure client safety.

Cuts $18 million from the $26 million allowable growth fund for mental health services. The Governor says counties will save $7.3 million this year because of the implementation of the rehabilitation option. The Governor also recommends an additional $11 million cut to this fund to force counties to spend down their MH/MR/DD fund balances (which he projects are at $95 million). In addition, the Governor says mental health parity will result in some savings to counties. It should be noted that this funding cut rolls MH/MR/DD services funding back to the FY98 level. More on this later.

Health & Human Rights Budget

Eliminates funding ($115,613) for the Neuromuscular and Related Diseases Program. This program provides clinical and educational services to patients, families, and local care providers impacted by neuromuscular and related disorders (e.g. muscular dystrophy, myotonic dystrophy, spinal muscular atrophy). The Department of Public Health (DPH) contracts with the University of Iowa to maintain a central clinic and eight outreach sites. The program served 459 clients in fiscal year 2000, providing services such as case management from a team of health care providers (including a pediatric neurologist, a genetic nurse specialist, and a physical therapist). This reduction eliminates all state financial support for the program, but the DPH said it would help the University of Iowa to identify revenues to replace the lost state subsidy. The DPH is also encouraging collaboration with the state’s Child Health Specialty Clinics to achieve further future savings.

Eliminates state funding ($392,931) for Child Health Specialty Clinics, which are also operated by the University of Iowa and provide services to children with special health care needs. Clients include infants, children, and young adults up to 22 years of age that have or are at risk of suffering from a chronic health condition or disability. The University of Iowa maintains 14 regional centers to provide services, as well as several mobile clinics throughout the state. The DPH says this cut will only reduce some program services, and that $2.5 million in federal funding remains for the program. According to the DPH, 37% of Iowa’s Title V funding is earmarked to support child health specialty clinics and services, and this funding source has increased moderately over the last few years.

Maintains funding for the Department of the Blind at current levels ($1.9 million), expands the Division of Deaf Services funding from FY01 levels by $14,000 ($364,505) to make up for lower than expected interpreter fees, and cuts the Division for Persons with Disabilities by 12,000 ($192,587).

Transportation Budget
Cuts public transit funds by 6% ($660,000). These are dollars that go directly to local governments that operate public transit systems. The amount of public transit assistance right now is based on 1/20th of 80% of the total Motor Vehicle Use Tax revenues collected by the state. The state anticipates FY02 funding would have been at $11 million – this decreases that appropriation to $10.34 million.

Good News, Bad News

It is probably time for some good news. We’ll talk about the good news first, then get to the bad news (which has some glimmers of good news in it).

Advocates for Child Health Specialty Clinics and funding for neuromuscular disease made a difference this week! People concerned about the total elimination of funding for these programs flooded the Governor’s office, the Department of Public Health, and legislators with calls about the importance of these services. They came to the Capitol yesterday and got a bit of good news.

Republicans on the Health and Human Rights Budget Subcommittee have announced their initial recommendations to make a whopping $7.2 million in cuts from the current year funding level. The Governor had recommended cutting funding for these programs, to the tune of more than $500,000. These programs are lumped into a budget category called “Chronic Conditions,” which also funds transportation for renal dialysis (kidney dialysis) patients and other such programs. The Governor had recommended a $1.3 million cut to these programs, which included the cuts to the child health specialty clinics and the neuromuscular disease program. The Republicans plan to redirect cuts to other areas of the budget, and make only a $219,024 cut from this area. That means the Child Health Specialty Clinics and neuromuscular disease programs will take a bit of a cut, but nowhere near the cut recommended by the Governor.

The Health and Human Rights Budget Subcommittee is one of the first to get their budgets out. They plan to vote the budget out today, but may be delayed because of the announcement of the new redistricting plan. Rep. Dave Heaton recently wrote an article on child health specialty clinics, saying that decision makers sit at the Statehouse or in administrative buildings and make decisions based on numbers, but sometimes forget what the numbers mean. His article supported reinstatement of funding for child health specialty clinics, and used an example of a couple in his district that have a child with many disabilities. He put a face to the cuts.

Good advocates will help their legislators put a face to the cuts, and the power of advocacy is demonstrated here. People who speak up in numbers, and do so in a respectful but insistent way, can make a difference. That is why it is important to understand some of what is happening to counties right now on mental health funding. There is no face on this cut yet.

Counties are up in arms about the Governor’s proposal to slash mental health growth dollars by $18 million. This year, the growth factor increased by about $6 million. The $26 million figure is the cumulative growth since the beginning of the state-county partnership in funding for mental health services (marked by the passage of the infamous Senate File 69). An $18 million cut effectively takes the state back to fiscal year 1998 growth levels because the cut not only takes away the new growth for this year ($6 million), but also digs into the growth from past years.

On the surface, this looks easy. According to the Governor’s office, counties are sitting on $95 million of fund balances. This has been a controversy for a number of years. Some counties do not levy at their maximum for mental health services and keep more than 25% of their budgets on hand.
Typically, counties like to keep about 25% on hand for cash flow purposes (so they can pay providers!). However, there are some counties with very large fund balances. That means they are taxing for mental health services, receiving money from the state for mental health services, but not spending it all on mental health services. They are letting it sit in the bank.

Many advocates have been fighting this for a number of years, asking counties with large fund balances to spend it on services or serve more people. Tax groups want counties to stop taxing citizens for services that are not being used. The problem with the Governor’s recommendation is that 20 counties are currently levying at their maximum and not carrying more than an acceptable (less than 25%) fund balance. They are not held harmless from this cut – they too will be cut.

Counties say that about $73 million of the $95 million in fund balances actually represent “cash-flow” balances, or balances less than 25%, in counties that are levying at the maximum rate. That means there is really only about $22 million available in fund balances.

In addition, the Governor uses two additional assumptions in his recommendation. First, that counties would save $7.3 million from the rehabilitation option and don’t need additional state dollars because of this savings. County budgets have been certified since March and were completed well before that time, many before the legislative session started. Counties have known about the rehabilitation option for some time and have already built the savings into their budgets. The Governor’s recommendation actually counts this savings twice.

Second, the Governor states that parity will save money. The problem with this is twofold. Parity is not going to pass the legislature this year, and even if it did pass, parity savings would not be realized in the first year. Health insurance plans would be expanded as they are renewed, which could be very late in the fiscal year. In addition, there is some dispute whether there will be significant, and quantifiable, savings to the state and county mental health budgets.

DHS Department Director Jessie Rasmussen has been working diligently with county representatives to help lessen the impact of cuts in the mental health area. She and her staff are working to find an alternative that would have the same effect (cutting funds) while holding those counties that are serving people and not sitting on fund balances harmless from the cuts. One such proposal combines the $19 million community services fund with the allowable growth dollars and reallocates them to counties with low fund balances and levy at their maximum.

Another option touted by some counties is to raise the levy limit for mental health services, so those counties at their maximum levy can make up the cuts with local dollars. This is much more unpopular, as the Iowa Farm Bureau and tax groups are working hard on a proposal to limit overall county taxing authority. In addition, this would be perceived as a tax increase, and legislators do not want to vote on a tax increase the year before an election, particularly an election in a newly redistricted area.

In addition, Republican leaders must cut an additional $26 million from the Governor’s revised budget. While there are $8.5 million in new child protection workers built into the Governor’s budget, there is not much non-service dollars left to cut. New cuts inevitably mean new cuts to services. Republicans have said they do not anticipate any additional cuts to mental health services, noting they have been cut at a disproportionately high level. In fact, funds to counties for MH/MR/DD services make up 12.9% of the DHS budget, but represent 37% of the cuts recommended by the Governor. Looking at it another way, MH/MR/DD funds to counties represent 2.5% of the total state budget, but make up 12.5% of the cuts to the state budget.
Republicans have vowed to help lessen the impact on mental health services, and Director Rasmussen continues to work with counties to come up with a reasonable alternative. However, level funding (no cuts) is not an option in this budget year. Every program must take a hit, but the goal of many advocates and the counties is to make the hit to mental health services more equitable. They do not want to see the budget balanced on the back of another vulnerable population, persons with disabilities.

The Human Services Budget Subcommittee has not yet discussed how it will make its cuts, but plans to have a preliminary budget out of committee by mid-week next week. If you are concerned about this cut to mental health growth, contact your legislators and let them know. Time is short, we have only two weeks left in session and many of these decisions will be made next week (the week of April 16).

MEPD Program Bill Dies in Funnel

Last Friday (April 6) was the last deadline for committees. All Senate bills had to make it out of House committees, and vice versa. Committees did not vote many bills out this week, as they awaited budget targets and the redistricting plan. Legislators knew that time was short this year – they would have only three weeks to complete (and start) their budgets and get through the redistricting proposal. Because of budget fears, one very important bill is dead.

The bill that lifts the age cap on the Medicaid for Employed Persons with Disabilities (MEPD, or as it is more commonly referred to, the Medicaid Buy-In) Program is no longer eligible for debate this year. This bill (HF 591) was in response to a federal ruling that Iowa is discriminating against older people because it limits the program to persons under the age of 65. The state is currently appealing the case, but if the appeal fails, and the legislature does nothing this year to address the issue, the entire program could be in jeopardy.

If you think this issue is important, contact your state legislators and ask them to put language in the DHS budget bill to fix this problem. HF 591 is now dead, so it can not be acted upon, no matter how big the advocacy effort. However, legislators can find other bills they can amend to include this language.

Other bills that survived and died in the funnel are listed at the back of this update. Bills that requested a study on civil commitment and mental health courts (HF 587 & HF 645, respectively) both died, as well as bills that increased personal needs allowances for institutionalized individuals (HF 181). Again, this language can always be added to other bills by amendment, so if they are important to you, let your legislators know.

Redistricting Plans Out, Hearings Set

The political landscape will start taking shape today, when legislators view the new redistricting proposal. Every ten years, Iowa’s legislature must change legislative and congressional districts based on new population numbers. The new districts for rural Iowa will inevitably be larger and fewer, reflecting the number of people leaving rural areas for cities. Likewise, Iowa’s urban centers and suburbs will see more legislative districts in their boundaries. The nature of Iowa’s legislature will shift from rural dominated to urban dominated.
Ten years ago, after the last redistricting plan took effect, Democrats lost control of the Iowa House of Representatives. Legislators think there is a lot at stake. Legislators may be thrown into the same districts as their colleagues, some will be forced to move to stay elected, and others will choose to resign.

Iowa’s non-partisan Legislative Service Bureau is charged with redrawing the legislative and congressional boundaries. However, they must do so according to certain standards. Iowa’s law requires that no district vary from its “ideal” population size by more than 1%. Based on the official population data, the following is the ideal population for districts in Iowa:

- The ideal population for each of Iowa’s five congressional districts is 585,265.
- For each of Iowa’s 100 Representative districts, the ideal population size is 29,263.
- For each of the 50 Senate districts in Iowa, the ideal population is 58,526.

After the maps are announced today, Iowa law requires three public hearings in three different locations be held prior to a vote in the legislature. The legislature must wait seven days to vote after the public hearings are held. Iowa’s legislature must either vote for or against the new maps – but it cannot be amended. The first day the redistricting plan is eligible for debate is on Friday, April 27. This also happens to be the final paid day for legislators.

If the first plan fails, the Legislative Service Bureau redraws the plan and presents a second bill to the legislature. This plan also is not amendable, and the legislature cannot go back to the first plan once it is rejected. The legislature can request a third and final plan, which is amendable.

A plan must be approved by both the House and Senate, and can be vetoed or approved by the Governor. The Iowa Constitution requires the legislature to complete reapportionment by September 1, 2001. If no apportionment plan becomes law by then, the Iowa Constitution requires the Iowa Supreme Court to reapportion the state. They have until December 31, 2001 to do this.

The public hearings on the redistricting map and plan have been scheduled. All of these hearings will be on the Iowa Communications Network (ICN), with additional ICN locations for each meeting in Council Bluffs, Dubuque, Waterloo, Mason City, Ottumwa, Spencer, and Davenport.

**Tuesday, April 17 — Sioux City**
7:00 – 9:00 p.m.

**Wednesday, April 18 — Iowa City**
6:30 – 9:00 p.m.

**Thursday, April 19 — Des Moines**
7:00 – 9:00 p.m.

For more information on the hearings or to sign up to testify, contact the Legislative Information Office, 515/281-5129. You can go to listen – you do not have to speak or give testimony. Here are some additional things to know:

- Remarks are limited to three minutes.
- Attendees will register at the door.
• Attendees wishing to provide remarks will sign up at the door.
• Written copies of remarks will be accepted, but are not necessary.
• After everyone has spoken, the Commission may hear additional remarks from those who have already spoken and from those who did not sign up to speak.
• The commission will accept written documents through April 18, but will not accept e-mail documents.
• Written documents may be sent to the Legislative Service Bureau, State Capitol, Des Moines, Iowa 50319.
• All written documents must include your name and address.
• All ICN sites will be staffed, so there will be someone there to answer your questions.

Election Tally
The numbers are piling up, and probably will expand once the districts are announced and confirmed. So far, here is the list of who has announced they are running for statewide or congressional offices:

- **Governor** – Governor Tom Vilsack (Democrat); State Senator Steve King (Republican); State Representative Steve Sukup (Republican); and Bob Vanderplaats (Republican).

- **U.S. Senate** – U.S. Senator Tom Harkin (Democrat); U.S. Representative Greg Ganske (Republican); Bill Salier (Republican); and U.S. Representative Tom Latham (Republican, still considering).

- **1st District Congress** (Eastern Iowa) – U.S. Representative Jim Leach (Republican); State Representative Todd Taylor (Democrat); and State Senator Pat Deluhery (Democrat).

- **2nd District Congress** (Northeast Iowa) – U.S. Representative Jim Nussle (Republican).

- **3rd District Congress** (Southern Iowa) – U.S. Representative Leonard Boswell (Democrat).

- **4th District Congress** (Central Iowa, vacated by U.S. Rep. Ganske) – John Norris (Democrat, Governor’s Chief of Staff); State Senator Matt McCoy (Democrat); State Auditor Richard Johnson (Republican); and Stan Thompson (Republican).

- **5th District Congress** (Northwest Iowa) – U.S. Representative Tom Latham (Republican, also considering a run for U.S. Senate).

Iowans’ Ideas on Electronic Government Solicited
Do you want to see more government services available on-line? Governor Tom Vilsack and Information Technology Department Director Richard Varn are asking Iowans what services they want to access online. In a press conference earlier this week, Governor Vilsack and Director Varn asked Iowans to fill out an on-line survey and give them ideas about how to deliver information and other government services online or through other digital media.
You can give your advice to the state at: www.info.state.ia.us/Infopoll/surveys/s3.htm

Director Varn said participants are invited to submit multiple surveys before the deadline on May 12, 2001. You can get a printed or Braille version of the survey by calling 515/491-2418.

It should be noted that Director Varn emphasized the need for the state’s online services to be accessible to all Iowans, particularly those with disabilities. Varn said that he encourages his web developers to turn off their monitors, disconnect their computer mouse, and see how they are able to navigate the service before launching it. Varn emphasized this as a top priority in the development of online services.

Imagine Iowa 2010 Statewide Meetings

The Iowa Department of Cultural Affairs wants your input in determining the role that culture will play in Iowa in 2010, how it will affect the people who live here, and how to help the state become more culturally diverse. This is a part of the department’s Imagine Iowa 2010: A Cultural Vision, a statewide cultural planning process for the arts, history, sciences and humanities.

Come to one of seven meetings this spring and let the Department of Cultural Affairs know how you think Iowa’s cultural scene should look in 2010. For more information, contact Patricia Ohlerking (515/281-8824; patricia.ohlerking@dca.state.ia.us)

Meeting Schedule
6:30 – 7:00 p.m. Reception & Registration
7:00 – 9:00 p.m. Imagine Iowa Public Forum

Meeting Dates & Sites

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<th>April 26 – Des Moines</th>
<th>May 24 – Quad Cities</th>
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<td>State Historical Building Auditorium</td>
<td>Family Museum of Arts and Sciences</td>
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<tr>
<td>600 E. Locust</td>
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<th>May 3 – Le Mars</th>
<th>May 31 – Waterloo/Cedar Falls</th>
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<td>Le Mars Convention Center</td>
<td>Gallagher-Bluedorn Performing Arts Center</td>
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<td>UNI (University Avenue entrance), Cedar Falls</td>
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<td>Western Heritage Trails Center</td>
<td>State Historical Building Auditorium</td>
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<th>May 17 – Mason City</th>
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Final Thoughts

Not surprisingly, Rep. Christopher Rants, the House Majority Leader, has officially announced the House will limit itself to policy bills and will not address those that create new costs. However, there are several tax bills floating around and many members with a desire to pass them. The Governor, however, previously has said no to more tax cuts.
With only two weeks left of session, legislators will find themselves consumed with budgets and redistricting, leaving very little time for policy bills and other items of business. Look for many of the bills on the following list to die this year, not for lack of merit, but for lack of time.

**If you see something you want to make sure the legislature acts on this year, contact your legislators now and let them know.**

The following bill list has again been divided into two sections. The first section lists all the bills that made it through the second funnel and remain eligible for debate. The second section lists all bills that are “dead” for the rest of session because they failed to be voted out of committee in time to beat the clock. This will be the last update that contains the second section. The bills that are dead can be considered again next year, but not this year. The list of dead bills will be dropped from subsequent updates, so save this list if you want to use it again.

All bills that died in the first funnel have been removed from the list.

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**Bills Introduced This Week**

**HF 643**  
**Special Education Enrollments**  
Changes the date of the enrollment count for students needing special education and the date the Department of Education (DOE) director reports special education costs to the school budget review committee to November 1st instead of December 1st. The bill also allows school patrons or school boards to appeal AEA transportation decisions to the DOE Director. Successor to HSB 216.  
*Sponsor: Committee on Education; Status: Passed House, 55-42; Senate Calendar*

**HF 655**  
**Adult Day Services**  
Directs the Department of Elder Affairs to develop a system of oversight for adult day care facilities, including operations, assessment of compliance, a system for formal investigation of consumer complaints, and coordination requirements and funding sources available. Effective July 1, 2002, or when the General Assembly appropriates funding for implementation.  
*Sponsor: Committee on Human Resources; Status: Passed House, 97-0; Senate Calendar*

**HF 662**  
**Community Empowerment Areas**  
Allows an Area Education Agency (AEA) to serve as a fiscal agent for a local Community Empowerment Area board. The bill permits local Community Empowerment Area boards that received grants in FY01 to receive them again, as long as there is at least $17.9 million appropriated for the School Ready Children Grant program. However, boards must submit an amendment to the area’s plan in order to receive this additional grant funding. The amendment would need to
account for changes in the programs and services because of the additional funds. The bill also states that the legislature intends to convene a summit meeting during the 2001 interim to assess the status of efforts to achieve full cooperation between programs and community empowerment area boards to avoid duplication, enhance efforts, combine planning and take other step in best utilizing public funding to meet the needs of families; make recommendations on removing barriers to more full integration; implement an approach to move toward statewide equalization of public funding for community empowerment initiative programs; and identify other age groups or result areas to be incorporated in the community empowerment initiative. Effective upon enactment.

_Sponsor: Committee on Local Government; Status: Passed House, 98-0; Senate Calendar_

**HF 664**  
**Homestead Credit**

Expands the definition of those eligible to receive the homestead property tax credit to include persons living in a retirement community or facility for low-income, disabled or elderly persons, as long as the person occupied the unit during the previous year and was legally obligated to pay property taxes on it. The bill applies to claims filed on or after January 1, 2002.

_Sponsor: Rep. O'Brien; Status: House Ways & Means Committee_

**HF 671**  
**MH/MR/DD Fund**

Every year, the Legislature appropriates funds for its share of the costs for mental health services. The counties make up the remainder of these costs. The Legislature actually appropriates mental health funds, but requires counties to pass this off to their citizens as property tax relief. The theory is the county does not have to tax its citizens more for mental health services, so the replacement dollars fund both mental health services and reduce property taxes at the same time. This bill makes changes in that appropriation to counties. The bill changes how these funds are distributed, how counties can access various pools of funding under the mental health relief umbrella, eliminates the little-used incentive and efficiency pool of funding which was originally intended to help counties become more efficient (but the funding was never enough to really do this), and creates disincentives for carrying over large sums of money at the end of the year (thereby giving counties the incentives to spend all or most of their MH/DD funds on services each year).

Specifically, this bill changes the statutory provisions for funding pools in the property tax relief fund used to make payments to counties for MH/MR/DD service expenditures and in the allocations to those funding pools for FY02. Effective FY02, the bill takes the statewide per capita expenditure target amount for MH/MR/DD services from the 75th percentile of all county per capita expenditures in FY98 to the 100th percentile. This target amount is used to calculate the distribution of moneys to counties that have a per capita expenditure amount for MH/MR/DD services that is equal to or less than the target amount. The moneys are distributed from the per capita expenditure target pool created within the property tax relief fund for this purpose. The bill strikes and rewrites the eligibility requirements for the per capita expenditure target pool, codifying two new eligibility requirements that were in session law for FY02 — the county must have an ending fund balance in the previous fiscal year that is equal to or less than 35% of the county's projected expenditures for the fiscal year and the county must submit its financial report for the previous fiscal year by December 1 and meet other financial reporting
requirements. The bill rewrites but retains other existing eligibility requirements except that the bill would allow eligibility for those counties whose per capita expenditures are equal to or less than the statewide per capita expenditure target. Current law requires the per capita expenditures to be less than the statewide target. The bill also repeals the incentive and efficiency pool in the property tax relief fund. The bill defines the term "net expenditure amount" for use in calculating a county's eligibility status and amount of assistance the county is eligible to receive from the risk pool. The bill also authorizes risk pool eligibility for a county that carried forward a low percentage ending balance amount from the prior fiscal year and has projected that net expenditures for the current fiscal year will be in excess of 101% of the net amount budgeted. Under current law, a county accessing risk pool assistance that did not levy the maximum amount authorized by law is required to repay the assistance over the next two fiscal years. The bill requires at least 50% to be repaid during the first succeeding fiscal year and the remainder to be repaid in the second succeeding fiscal year. The bill also requires DHS to report financial information annually by March 1 and September 1 to the risk pool board. The bill also changes the MH/MR/DD allowable growth factor allocations among the funding pools for FY02. With the bill's elimination of the incentive and efficiency pool, the bill also eliminates the FY02 allocation to that pool and reallocates the moneys to the statewide per capita expenditure target pool or for distribution with the general allowed growth moneys. In the event the bill is enacted after March 1, 2001, if a county projects that the changes in the funding pools will result in a significant shortfall in the county's MH/MR/DD services fund, the county board of supervisors may request that the state appeals board make a modification in the county's certified budget. The request must be submitted within 30 days of the bill provision's effective date and the board may accept or reject the request in whole or in part. If a modification is approved, the budget is to be changed by the department of management and the budget is to be certified by the county board and auditor. The review and decision are to be completed within 60 days of the bill provision's effective date. The bill also repeals language passed last year that restricted capital expenditures from the county MH/MR/DD services fund (and makes the repeal retroactive to April 13, 2000).

Sponsor: Committee on Local Government; Status: House Ways & Means Committee

HF 686  **State-Private Sector Competition**
Requires the Administrative Rules Coordinator to review all proposed state administrative rules to determine if it will place the state in competition with private business in the development or delivery of products and services. Likewise, the Legislative Service Bureau is required to review all proposed legislative resolutions and bills to determine if they will place the state in competition with the private sector. If the Administrative Rules Coordinator determines that competition between the state and private business exists, this must be noted in the Notice of Intended Action on the rule. If the Legislative Service Bureau determines that competition exists, it must be noted in the explanation of the bill or resolution.

Sponsor: Committee on State Government; Status: Passed House, 95-1; Senate Calendar

HF 687  **Accountable Government Act**
Requires a review of state government agency performance and operations, and
establishes a system for planning, performance measurement, investment, and oversight. Budgeting: Requires budgets to include an explanation that correlates each expenditure item to the state’s enterprise strategic plan and identify any goals that require legislation. This legislation requires all budgets to explain how appropriations will help the agency achieve enterprise goals and what results can be expected and measured. Strategic Planning: Makes the Department of Management (DOM) responsible for developing a state enterprise strategic plan, and makes each agency responsible for developing its own agency strategic plans. These agency plans are to be based on the enterprise strategic plan. The bill requires broad public participation in formulating these plans. DOM is to oversee and review agency planning. The bill states that agencies are expected to carry out their plans and achieve the goals outlined using performance targets and measures. Agencies are required to prepare reports outlining their progress in achieving goals. Investment Decisions: Requires agencies to incorporate methodologies in decisions to make major investments, which may be based on return on investment and cost-benefit analysis. Contracts for Services: Requires the Department of General Services (in cooperation with the Attorney General, DOM, Department of Personnel, Department of Revenue & Finance, and other state agencies) to set uniform terms and conditions for state contracts. Contracts must now be performance-based and outline a way to measure a contractor’s compliance (including itemized invoices of work performed) and performance. Successor to HSB 219. Companion to SSB 1178. Sponsor: Committee on State Government; Status: Passed House, 80-15; Senate Calendar

HR 21  Nick Ackerman Recognition
Honors Nick Ackerman, the Colfax-Mingo high school wrestler who compiled a record 71 wins and 38 losses, including 32 wins and 8 losses his senior year. Ackerman placed sixth in the Division 1A State Wrestling Tournament, despite fracturing his wrist in a first round victory over a previously undefeated opponent. Ackerman is being honored for his athletic achievements and overcoming his disability (as a child, both of his legs were amputated after having bacterial meningitis). Sponsor: Reps. Richardson & Bell; Status: Adopted by House

SF 514  Property Tax Limitation & State Mandates
Establishes a 13-member Commission on State and Local Taxation to review local government revenue sources, state revenue sources, and local government services (including those mandated by state and federal governments). The Commission is to evaluate these items from a position of equity, neutrality, competitiveness, simplicity, and stability. The Commission is comprised of legislators and representatives of the Iowa State Association of Counties, Iowa League of Cities, Iowa Association of School Boards, Iowa Farm Bureau, associations representing business taxpayers, and a small business owner. The bill requires the Commission to hold public hearings and develop an initial status report by March 15, 2002, and a final report by January 15, 2006. This final report is to include a statement of goals necessary to achieve the principals of taxation outlined by the committee, and strategies and recommendations on methods of state and local taxation, specific structural changes, and any modifications to the current tax system. The Commission is repealed on July 1, 2006. Limits property
taxes for counties by removing all current property tax rate limitations and substituting a limitation on local government spending. The bill establishes a base rate using a complicated formula using historical information from FY 1998, 1999, and 2000. The bill creates a rolling five-year growth factor (called an average annual inflation factor) to be used in FY 2003 and beyond, allowing for up to 6% growth. The bill also allows a county that has not levied at its maximum for a year to carry forward the unused taxing authority from year to year, in an amount not to exceed 25% of its budget for the year. Taxes from new valuations are added separately. A county may exceed its maximum tax authority and secondary road fund levy limit for up to two years at a time, if approved in a special election. The bill continues to prohibit ending fund balances in the county general and rural funds of more than 25% of the budget for the fiscal year. Through fiscal year 2008, counties are authorized to levy unused taxing authority based on the amount of the ending fund balance for fiscal year 2001. The bill also repeals the county supplemental levy and gives counties the authority to establish a cemetery fund and a trust and agency fund. Under this legislation, in order to file a written protest on a local government budget, at least one of the persons filing this protest must have attended a public budget hearing, unless the item being protested has changed or been amended since the hearing. The bill requires all state mandates imposed after July 1, 2001, to be fully funded or compliance is not required, and prohibits the imposition of any fines or penalties for failure to comply with such a mandate. The bill allows counties to create an unfunded mandates fund, at a rate of 27 cents per $1,000 taxable value, that is outside of the limitations imposed by this bill, as long as the unfunded mandate is designated by the Legislature. The bill also requires the ISU Department of Economics to review revenue sources available to local governments and analyze historical trends in property tax collections. The report is due no later than January 15, 2002, and is to include recommendations on changes to the property tax system. Finally, the bill adds language from SF 129, which allows only livestock facilities eligible for the family farm property tax credit to receive the pollution control property tax exemption, but the exemption is limited to $100,000 of assessed value. Successor to SF 226. Similar to HF 537.

Sponsor: Committee on Ways & Means; Status: Senate Unfinished Business Calendar

SSB 1251 Federal Block Grant
Appropriates the $153.8 million in federal block grant funds received by the state for federal fiscal year 2002 (FFY02, which begins on October 1, 2001, and ends September 30, 2002). The bill appropriates funds from the following block grants: substance abuse ($12.7 million, a $156,171 increase); community mental health services ($2.7 million, a decrease of $355,074); maternal and child health services ($7 million, a $54,803 increase); preventive health and health services ($1.9 million, a decrease of $3,363); drug control and system improvement grant program ($5.7 million, a decrease of $175,639); stop violence against women grant program ($1.6 million, a $78,000 decrease); local law enforcement block grant program ($300,000, a $20,233 decrease); residential substance abuse treatment for state prisoners formula grant program ($502,000, a decrease of $18,271); community services ($6.5 million, an increase of $778,449); community development block grant ($31.3 million, an increase of $1,268,000); low-income home energy assistance ($25.5 million, a $17.3 million decrease); social services block grant ($18.5 million, a $281,027 decrease); and child care and development
fund ($39.5 million, an increase of $9,088,771). Community Mental Health Services Block Grant cuts will be absorbed in administration ($17,754 cut, leaving $137,038) and in funding for eligible community mental health services providers ($337,320 cut, leaving $2.6 million). The bill allows up to $1.2 million of the Social Services Block Grant (SSBG) to be used for DHS administration ($17,870 decrease). SSBG funds are also appropriated for DHS field operations ($7,047,791, a decrease of $106,882), child and family services ($1,054,155, a decrease of $15,985), local administrative costs and services ($747,438, a decrease of $11,335), volunteers ($81,688, a decrease of $1,239), community-based services ($93,940, a decrease of $1,425), and MH/MR/DD/BI community services ($8,327,647, a decrease of $126,291). Because the legislature must appropriate these funds before congress takes final action on these allocations, this bill also provides a mechanism for increases or decreases in block grant funds. Cuts are made across-the-board in the block grant, as are increases. However, a cut in CDBG does not result in an across-the-board cut to SSBG and other block grants. CDBG cuts occur only in CDBG line items, not the other block grant categories. In addition, it is important to note that the total amount funded for each block grant is a congressional (federal) decision, state legislators have no control over the total amount appropriated, only how it is appropriated.

Sponsor: Committee on Appropriations; Status: Senate Appropriations Committee

Signed by the Governor

HF 192  Background Checks for DIA Applicants
Allows the Department of Inspections and Appeals to conduct background checks on applicants by accessing criminal history records and child and domestic abuse registries.
Effective 7-1-01

SF 146  Tobacco Settlement Act – Extension
Changes the original tobacco settlement agreement to comply with the Model Act provisions adopted by all states in the agreement. Effective upon enactment. Companion to HF 185. Similar to SF 258 and HF 365.
Effective 3-1-01

SF 258  Tobacco Settlement Act – Extension
Effective 3-1-01

SF 267  Deappropriations Bill
Cuts $25.5 million in funds to state agencies for the current (FY01) fiscal year. The bill specifically cuts $590,518 in the DED and Iowa Workforce Development; $6.6 million from the Department of Human Services; and $36,532 from the Department of Human Rights. The bill reduces the appropriation for the New Employment Fund by $5,000. The program provides flexible funding sources to assist underutilized segments of Iowa’s population (particularly persons with disabilities) obtain and
retain work. This includes funding for insurance, on-the-job training, short-term basic education, assisting businesses with ADA compliance, mentoring, internships, and reducing perceived risks that cause these populations to be underutilized. The bill also cuts $1.9 million (93%) from the DHS reimbursement rate increases to providers of certain MH/MR/DD services; $1.1 (5.3%) to MH/MR/DD service reimbursements to counties; $826,000 from state cases, which pay for MH/MR/DD services to persons with no county of legal settlement; $1.3 million (26.1%) from the Healthy And Well Kids of Iowa (HAWK-I) insurance program for low- and medium-income kids; $18,570 from the Department of the Blind; $58,825 from DHS regional offices and $154,091 from DHS general administration; prohibits DHS from laying off workers in these offices and requires any direct layoffs occur in supervisory positions and at the DHS Des Moines headquarters. Line Item Veto: The Governor vetoed sections making the 1% across-the-board cut to all departments and reducing the state’s contribution to the judicial retirement system during the current and future fiscal years. All other components of the bill were signed into law.

Effective 3-13-01

Sent to the Governor

HF 256 Nursing Facility Inspections
Gives nursing homes and care facilities notice of violation before receiving citation for the problem. Under this legislation, the State Fire Marshal would give notice first, instead of immediately issuing a citation for the violation. The notice is to describe the nature of the deficiency, identify the rule violated, provide corrective options, and specify the time allowed for the correction (at the end of which time the Fire Marshal is to perform a follow-up inspection). The bill requires the State Fire Marshal and the Department of Inspections and Appeals consult with the Fire Marshal to make sure rules for health care facilities are consistent.
Sponsor: Rep. Grundberg; Status: Passed House, 98-0; Passed Senate, 45-0; Sent to Governor

HF 462 IDEA Administrative Costs
Allows AEAs to use more than 25% of the funds received under the federal Infants and Toddlers with Disabilities Program of the Individuals with Disabilities Education Act for administration. There is currently a 25% cap on administrative costs.
Sponsor: Committee on Education; Status: Passed House, 97-0; Passed Senate, 45-0; Sent to Governor

Vetoed by the Governor

SF 66 99% Spending Limitation
Requires the Governor to submit and the Legislature to pass a budget that does not exceed the 99% spending limitation. The bill also prohibits the use of reversions.
Sponsor: Committee on Appropriations; Status: Vetoed by Governor
House Resolutions

HR 7  Nancy Coover Andreasen Recognition
Recognizes award-winning, internationally acknowledged psychiatrist, educator, researcher and author Nancy Coover Andreasen, currently the Andrew Woods Chair of Psychiatry at The University of Iowa College of Medicine and editor of the American Journal of Psychiatry, for her genuine compassion and understanding for persons with mental illnesses and their families. Companion to SR 7.
Sponsor: Rep. Grundberg et al; Status: Adopted by House

HR 16  Theresa Uchytil Recognition
See companion bill, SR 12.
Sponsor: Reps. Metcalf & Raecker; Status: Adopted by House

Senate Resolutions

SR 7  Nancy Coover Andreasen Recognition
See companion bill, HR 7.
Sponsor: Sen. Dvorsky et al; Status: Adopted by Senate

SR 12  Theresa Uchytil Recognition
Recognizes talents and achievements of Theresa Uchytil, Miss Iowa 2000 and the first Miss Iowa with a disability. The resolution applauds Ms. Uchytil for her refusal to be defined by her disability, her efforts to encourage people, regardless of their challenge, to overcome the obstacles in their lives, and using her pageant platform “Facing the Challenge” and her position as a national ADA advocate to educate the public about Americans with disabilities. Companion to HR 16.
Sponsor: Sen. Maddox; Status: Adopted by Senate

House Files

HF 11  Social Security Benefits — Tax Elimination
Eliminates the individual income tax on social security income beginning tax year 2001. Similar to HF 2, SF 40, and SF 59.
Sponsor: Rep. Tyrrell; Status: House Ways & Means Committee

HF 26  Personal Needs Allowance
Directs DHS to raise the personal needs allowance nursing home residents participating in Medicaid receive from $30 to $50 per month, unless a greater amount is allowed under state or federal law. The bill appropriates $1.5 million is made to DHS to implement this directive.
Sponsor: Rep. Wise; Status: House Appropriations Committee

HF 45  Medicaid Buy-In Age Clarification
This bill is now HF 591.
Sponsor: Rep. Grundberg; Status: House Calendar
HF 138  **RIIF Expenditures**
Requires 25% of all Rebuild Iowa Infrastructure Fund (RIIF) monies each fiscal year be used for major renovation and repair projects that correct life, safety or fire hazards. This provision does not apply to projects costing less than 25% of the fund total.
_Sponsor: Rep. Warnstadt; Status: House Appropriations Committee_

HF 170  **Resident Advocate Committee Appropriation**
See companion bill, SF 275.
_Sponsor: Rep. Atteberry et al; Status: House Appropriations Committee_

HF 181  **Personal Needs Allowance**
Directs DHS to raise the personal needs allowance nursing home residents participating in Medicaid receive from $30 to $40 per month, unless a greater amount is allowed under state or federal law. No appropriation is made in this bill. There are currently 15,091 persons living in nursing facilities, 540 of which have no outside income. Changes in the personal needs allowance for those with no outside income are 100% state funded, while changes to the allowance for those with an outside income are 37.2% state funded. The total cost is estimated at $1.9 million annually, of which the state portion is $761,000. This bill includes residents living in intermediate care facilities, skilled nursing facilities, nursing facilities for the mentally ill, Woodward and Glenwood State Resource Centers, and some residents of the state’s mental health institutes. Similar to HF 26.
_Sponsor: Committee on Human Resources; Status: House Appropriations Committee_

HF 185  **Tobacco Settlement Act – Extension**
See companion bill, SF 146. Similar to HF 365 and SF 258.
_Sponsor: Rep. Heaton; Status: House Appropriations Committee_

HF 296  **Prescription Drug Cooperative**
Appropriates $5 million to the Department of Public Health to operate a prescription drug cooperative. These funds will pay for consumer education efforts for seniors; subsidize the cost of pharmaceuticals for coop members; and subsidize membership fees for low-income members.
_Sponsor: Rep. Tremmel et al; Status: House Appropriations Committee_

HF 304  **Voter Registration and Elections**
The bill changes the deadline for voter registration from 5 p.m. 10 days before an election to 20 days before an election and requires mail-in voter registration forms to be postmarked no later than 26 days before an election (instead of the current 15 days before an election). The bill shortens voting hours by an hour, closing polling places at 8 p.m. instead of 9 p.m. The bill orders the state commissioner of elections to prepare summaries of constitutional amendments and public measures in plain language for voters.
_Sponsor: Rep. Jacobs; Status: Passed House, 56-43; Senate Calendar_

HF 312  **Community Development Program Act**
Creates a Community Development Program in DED to give tax incentives to
businesses that contribute to various neighborhood or community projects. These projects can involve physical revitalization, economic development, job training or education, crime prevention, and community services (defined as group and family counseling, mental health services and centers, child and adult care, senior citizen centers, recreation programs, sheltered workshops, and substance abuse counseling). The bill gives an individual or corporate income tax credit equal to 75% of the investment in cities of less than 15,000 and 50% in cities with a population greater than 15,000. The bill caps the total tax credit for a project at $150,000 per project and caps the per-business credit at $100,000 for each business involved in the project. The bill limits the entire pool of credits to $3 million. Effective January 1, 2002.

Sponsor: Rep. Richardson; Status: House Ways & Means Committee

HF 365 Tobacco Settlement Authority Act Extension
Extends the existence of the Tobacco Settlement Authority Act until June 30, 2002. Effective upon enactment. Similar to SF 146 (which extends the existence until December 1, 2001). Also similar to HF 185 and SF 258.

Sponsor: Rep. Heaton; Status: House Appropriations Committee

HF 388 Nursing Home Insurance Tax Credit
Same as SF 4, except it refers to the tax credit as a “Nursing Home Tax Credit” instead of a “Long Term Care Insurance Tax Credit.” Also similar to SF 182 and SF 255.

Sponsor: Rep. Hoffman et al; Status: House Ways & Means Committee

HF 403 Election Law Revisions
Clarifies that a person who holds the power of attorney for another does not have authority to sign a voter registration form unless the person registering to vote is disabled and requests the help. This bill requires a person to sign all voting documents his/herself. If a person is unable to write, s/he can use a rubber stamp of their signature or they may request another person to sign the document for him/her. However, if someone else signs the voter’s name or affixes the voter’s signature, the voter must be present when this occurs. The bill also requires voters to show identification at the polling place to prove their identities.

Sponsor: House State Government Committee; Status: Passed House, 96-1; Senate Calendar

HF 423 Governor’s Abuse & Parity Bill
See companion bill, SF 177.

Sponsor: Rep. Smith et al; Status: House Appropriations Committee

HF 501 Magistrate - Involuntary Hospitalization & Commitments
This bill is now HF 587.

Sponsor: Rep. Horbach; Status: House Judiciary Committee

HF 537 Property Tax Limitation & State Mandates
Removes the city and county property tax rate limitations and replaces them with limitations on the amount of property tax dollars certified. This new limitation will begin with a maximum property tax dollar base, calculated by multiplying the
three-year average of tax asking by a growth factor (a price index, adjusted for each of the three years). Adjustments are made for ending fund balance differentials, property tax replacements received, and local options sales taxes collected. This base year becomes the maximum property tax base for FY 2003. Cities and counties that do not levy at their maximum rate may carry forward their unused taxing authority from year to year, as long as it makes up no more than 25% of their budget. The bill allows cities, counties, and the secondary road fund levy to exceed limitations for up to two years at a time if approved by voters in a special election. The bill also prohibits ending fund balances in excess of 25% in the city general and the county general and rural services funds with a 10% flexibility for designated or reserved funds. The county supplemental levy and sections which currently allow cities and counties to exceed their levy rate limitations are repealed – but counties are given the authority to establish a cemetery fund and trust and agency funds. The bill also requires the state to fully fund any new mandates imposed after July 1, 2001, and exempts local governments from new unfunded or underfunded mandates. Creates a thirteen member Commission on State and Local Taxation that will conduct a review of revenue resources available to local and state governments including taxes, fees, and federal money received. The commission report is to be submitted to the legislature no later than March 15, 2002. Effective beginning fiscal year 2003. Similar to SF 514.

**Sponsor:** Committee on Local Government; **Status:** House Ways & Means Committee

**HF 548 Increased Community Spouse Allowance**

Doubles the minimum Medicaid community spouse resource allowance retained by an institutionalized person’s spouse from $24,000 to $48,000. The increased cost to Medicaid is expected to be $202,000, of which $75,000 is state funding.

**Sponsor:** Committee on Human Resources; **Status:** House Appropriations Committee

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**Senate Files**

**SF 2 Child and Dependent Care Tax Credit**

Raises the Child and Dependent Care Tax Credit to the federal amount. Retroactive to January 1, 2001.

**Sponsor:** Sen. Miller; **Status:** Senate Ways & Means Committee

**SF 4 Long-Term Care Insurance Tax Credit**

Creates a Long-Term Care Insurance Tax Credit under the individual income tax. The tax is equal to 50% of the premiums paid by a taxpayer on each qualified long-term care insurance contract. The contract can cover oneself, one’s spouse, dependents, or a parent or grandparent of the taxpayer or the taxpayer’s spouse. Retroactive to January 1, 2001. Companion to SF 182. Similar to SF 255 & HF 388.

**Sponsor:** Sen. Miller; **Status:** Senate Ways & Means Committee

**SF 40 Social Security Income Tax Exemption**

Exempts all SSI benefits from individual income taxation. Retroactive to January 1, 2001. Similar to HF 2, HF 11, and SF 59.
FLOW 44
Birth Injury Prevention
Appropriates $300,000 for a birth injury prevention program at The University of
Iowa Hospital and Clinics.
Sponsor: Sen. Rehberg; Status: Senate Appropriations Committee

SF 46
Military Property Tax Credit — Full Funding
Fully reimburses counties for the military property tax credit. Effective upon
enactment.
Sponsor: Sen. Rehberg; Status: Senate Ways & Means Committee

SF 52
Dependent Income Tax Credit
Increases the dependent income tax credit from $40 to $100 per dependent.
Retroactive to January 1, 2001.
Sponsor: Sen. King; Status: Senate Ways & Means Committee

SF 99
MHI & State Resource Center Billings
Transfers accounting responsibility for processing county billings for persons
receiving services at the state’s mental health institutes and state resource centers
(previously known as hospital-schools) from the Department of Revenue & Finance
to DHS. This bill is expected to address historical problems with these county
billings and allow DHS to more accurately track and reconcile billings.
Sponsor: Committee on Human Resources; Status: Passed Senate, 45-0; House
Calendar

SF 162
Appropriation from Senior Living Trust Fund
Appropriates funds to the Department of Elder Affairs to assist with Certified Nurse
Aides recruitment and retention strategies and the comprehensive senior living
program. The bill also appropriates funds to DHS to funding of its
long-term care alternatives, reimbursement for nursing facility providers, and
subsidize medical and rent expenses to persons through the home and
community-based services waiver and the state supplementary assistance
program.
Sponsor: Sen. Hammond et al; Status: Senate Appropriations Committee

SF 165
English Language Reaffirmation Act of 2001
Declares English as the official language of the state and requires all state and
local official government business be conducted in English. Exceptions to this
include language classes; requirements under the Individuals with Disabilities
Education Act; tourism, trade, or commerce documents; public health and safety
documents; census documents; victim protection documents; use of proper names,
terms of art, or phrases from languages other than English; and any language
usage required by or necessary to secure the rights guaranteed under the
Constitution. House Committee Amendment: Eliminates all language from the bill.
The House Amendment only recognizes that English is the common language of
Iowa and states the importance of English to the state and nation.
Sponsor: Sen. King et al; Status: Passed Senate, 27-23; House Calendar
Governor’s Abuse & Parity Bill
This bill implements the Governor’s plan to address abuse, mental health parity, and substance abuse. Mental Health Parity: Requires all group health insurance policies to cover the costs of treatment for mental health disorders, including schizophrenia, schizo-affective disorders, bipolar disorder, major depressive disorder, obsessive-compulsive disorder, autism, pervasive developmental disorders, anxiety disorders, paranoia and other psychotic disorders, eating disorders (including but not limited to bulimia nervosa and anorexia nervosa) and substance abuse. The bill allows insurers to manage benefits through common practices, but prohibits plans from imposing aggregate annual or lifetime limits on this coverage unless they are also imposed on all medical and surgical coverage benefits. The bill also raises the lifetime limit from $50,000 to $100,000 and requires plans to cover at least 30 inpatient days and 60 outpatient visits annually. Policies can include deductibles, coinsurance or co-payments, as long as they are the same as those established for medical and surgical coverage. Under this legislation, the policies may exclude marital, family, educational, developmental, or training services; care that is substantially custodial in nature; services and supplies that are not medically necessary or clinically appropriate; and experimental treatments. An employer may petition the Insurance Commissioner if there is evidence demonstrating a premium increase of 3% or more as a result of the requirements of this bill. Applicable to plans issued or renewed after January 1, 2002. The bill is repealed July 1, 2004. Appropriations: Appropriates funds for FY02 for abuse prevention and response programs. The bill appropriates a total of $317,800 to the Department of Elder Affairs for enhancing detection of dependent adult abuse ($217,800), providing services for dependent adult abuse victims ($60,000) and long-term care residents, and the retired service volunteer program expansion ($40,000). The bill also appropriates a total of $4.9 million to DHS to hire additional social workers and supervisors to reduce caseloads and increase training, $335,867 to implement a quality assurance team for child protection services, and $282,442 for mandatory reporter training. The bill gives the Department of Public Health $1 million for substance abuse treatment services and $91,152 to expand the child death review team. The Department of Corrections is appropriated $503,628 to expand sex offender supervision and the Department of Justice receives $75,000 for victim assistance grants to continue efforts in domestic abuse prevention. Child Protection: Makes the manufacturing of a controlled substance in front of a child in the child’s home by his/her parent, guardian, or custodian cause to remove the child by declaring him/her a Child in Need of Assistance (CINA). The bill expands the definition of “child abuse” to include a person exposing a child to drugs, whether watching the use of drugs or the manufacturing of the drug. The bill also changes the frequency of training required for mandatory child abuse reporters from five years to every two years. Under this bill, DHS is given 20 business days after a child abuse report to complete a written child abuse assessment. The bill allows this time period to be extended if the county attorney requests withholding of information because the county attorney is considering filing charges against the child’s parent, guardian, or custodian, or if critical information needed to make a determination regarding the child’s safety is not available. Gives the child victim, guardian ad litem, other advocates for the child, siblings of the victim and the child’s parent, guardian, or custodian the right to counsel in the legal public disclosure of information proceeding. Dependent Adult Abuse: Changes the frequency of training required for mandatory reporters of
dependent adult abuse from every five years to every two years. Companion to HF 423.

Sponsor: Sen. Hammond et al; Status: Senate Appropriations Committee

SF 181 Governor’s County Mental Health Growth Factor
Appropriates $33.7 million to DHS for fiscal year 2003 for mental health, mental retardation and developmental disabilities service growth. Every year, the Legislature sets an “allowable growth” figure for mental health services funding. This does not effect the overall amount of money spent on mental health and developmental disability services – but it does impact the amount of money the state contributes. The county makes up the difference. Of this appropriation, $12 million is distributed to counties using a formula and $17.7 million is given to counties on a per capita basis (to be eligible, a county must have less than 35% ending balance and be in compliance with filing requirements). The bill requires that any additional funds remaining in the per capita expenditure target pool be placed in the formula and sent out to counties. The bill also deposits $2 million of these funds to the Incentive and Efficiency Pool and $2 million for the risk pool.
Sponsor: Sen. Dvorsky et al; Status: Senate Appropriations Committee

SF 182 Individual Tax Credit-Long Term Care Insurance Purchase
See companion bill, SF 4. Similar to SF 255 and HF 388.
Sponsor: Sen. Johnson; Status: Senate Ways & Means Committee

SF 226 Property Tax Limitation & State Mandates
This bill is now SF 514.
Sponsor: Committee on Local Government; Status: Senate Ways & Means Committee

SF 255 Senior Living Insurance Tax Credit
This bill is the same as SF 4, except it refers to the tax credit as a "Senior Living Insurance Tax Credit" instead of a "Long Term Care Insurance Tax Credit." Also similar to SF 182 and HF 388.
Sponsor: Sen. Tinsman; Status: Senate Ways & Means Committee

SF 271 Judicial Hospitalization Referees
Appropriates $160,000 to pay for judicial hospitalization referees. These referees hear applications for involuntary hospitalizations for persons with mental illnesses or chronic substance abuse problems.
Sponsor: Sen. Fiegen; Status: Senate Appropriations Committee

SF 275 Resident Advocate Training
Appropriates $90,000 to the Department of Elder Affairs to assist resident advocate coordinators in training volunteers on the resident advocate committee. Companion to HF 170.
Sponsor: Sen. Bolkcom; Status: Senate Appropriations Committee

SF 280 State Employment Opportunities Program
Establishes within the Iowa Department of Personnel a Disabled Employment Opportunities Program and appropriates $500,000 to the program. State agencies
are awarded grants of up to $5,000 per employee with disabilities to accommodate new employees with disabilities and existing employees who become disabled and provide continuing accommodations so that those persons with disabilities can continue to be employed.

*Sponsor: Sen. Lamberti; Status: Senate Appropriations Committee*

**SF 298 TSB Guarantee Fee Tax Credit**
Permits a woman, minority, or disabled small business owner to take a tax credit equal to the fee paid to the U.S. Small Business Administration for a guaranteed loan. The credit is applicable to the tax year the fee was paid. Excess credits are nonrefundable, but may be carried forward for up to four years. Retroactive to January 1, 2001.

*Sponsor: Sen. Lamberti; Status: Senate Ways & Means Committee*

**SF 348 Charter School Pilot Program**
Similar to HF 133, except it establishes charter schools as a pilot program within the Department of Education. It also adds Area Education Agencies as a possible sponsor along with accredited private postsecondary institutions, community colleges, and private and public colleges. Successor to SSB 1186. Similar to HF 133.

*Sponsor: Committee on Education; Status: Passed Senate, 33-16; House Calendar*

**SF 433 Substance Abuse Facility**
Makes changes to the administration of programs under the Department of Public Health. The bill changes the designation of gamma-hydroxybutyric acid as a controlled substance. It also states that the director of IDPH may give a per diem to public members serving on ad hoc advisory boards. The bill also gives the department the ability to collect fees relating to the governing of swimming pools and spas. The bill also adds registered nurses and licensed practical nurses to the list of protected titles. The bill will eliminate some continuing education requirements and changes the preexpiration notice deadline for optometry. The bill also changes the regulation on potable water purification systems. The bill eliminates regulations for barber assistance licensure. House Committee Amendment: Removes the section of the bill that grants the department the ability to collect fees relating to the governing of swimming pools and spas. Companion to HF 649.

*Sponsor: Committee on Human Resources; Status: Passed House, 96-0; Senate Calendar with House Amendment*

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**House Study Bills**

**HSB 108 Sales Tax Exemption — Non-Profit Nursing Homes**
Exempts sales taxes on services and personal property of a licensed non-profit nursing facility. This does not apply to facilities for persons with mental illness or retardation. Companion to SSB 1095.

*Sponsor: Committee on Ways & Means; Status: House Ways & Means Committee*
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>HSB 216</td>
<td>Special Education Enrollments</td>
<td>This bill is now HF 643.</td>
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<td>Sponsor: Committee on Education; Status: House Education Committee</td>
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<tr>
<td>HSB 219</td>
<td>Accountable Government Act</td>
<td>This bill is now HF 687.</td>
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<td>Sponsor: Committee on State Government; Status: House State Government Committee</td>
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<tr>
<td>HSB 235</td>
<td>General Fund Growth Rate Limitation</td>
<td>Limits the growth of state general fund spending. Under this legislation, the allowable growth for state general fund spending will be the annual price index.</td>
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<td>Sponsor: Committee on Appropriations; Status: House Appropriations Committee</td>
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**Senate Study Bills**

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<tr>
<th>Bill Number</th>
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<tr>
<td>SSB 1012</td>
<td>Dentist Income Tax Deduction</td>
<td>Under this legislation, dentists who provide dental services to Medicaid patients and are reimbursed for less than their usual and customary charges may deduct the difference from their individual income taxes. Retroactive to January 1, 2001.</td>
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<td>Sponsor: Committee on Ways &amp; Means; Status: Senate Ways &amp; Means Committee</td>
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<tr>
<td>SSB 1095</td>
<td>Sales Tax Exemption — Non-Profit Nursing Homes</td>
<td>See companion bill, HSB 108.</td>
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<td>Sponsor: Committee on Ways &amp; Means; Status: Senate Ways &amp; Means Committee</td>
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<tr>
<td>SSB 1178</td>
<td>Accountable Government Act</td>
<td>See companion bill, HF 687.</td>
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<td>Sponsor: Committee on State Government; Status: Senate State Government Committee</td>
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**Dead Bills**

These bills are dead for the remainder of session. They will be dropped off the InfoNet bill list after this week.

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<th>Bill Number</th>
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<tr>
<td>HF 2</td>
<td>Social Security Benefits — Tax Phase-Out</td>
<td>Phases out the individual income tax on social security income beginning tax year 2001, with the full elimination in tax year 2003. Under current law, Iowa receives $47 million in income tax revenues due to the tax on Social Security benefits and income tax receipts raised by the taxes are expected to increase by 7.5% each</td>
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year. The actual cost is $11.8 million (FY02); $25.3 million (FY03); $40.7 million (FY04); and $58.4 million (FY05 & beyond). Companion to SF 59. Similar to HF 11 & SF 40.

*Sponsor: Rep. Rants et al; Status: House Calendar*

**HF 450 Nursing Homes – Accounting Procedures**
Requires nursing homes receiving Medicaid reimbursements to use generally accepted accounting principles in maintaining financial records. The bill makes DHS cost limitations and allowances applicable to nursing homes and gives DHS emergency rule-making authority to implement these changes immediately.

*Sponsor: Committee on Human Resources; Status: House Calendar*

**HF 457 Community Empowerment Boards – Fiscal Agent**
Authorizes Area Education Agencies to serve as fiscal agents for Community Empowerment Boards. Effective upon enactment.

*Sponsor: Committee on Local Government; Status: House Calendar*

**HF 587 Magistrate - Involuntary Hospitalization & Commitments**
Permits magistrates who are not licensed to practice law in Iowa to review commitment applications for involuntary hospitalization. The bill also requests a legislative interim committee to review issues related to involuntary hospitalizations. The committee is to include legislators and representatives of the judicial branch, the Department of Corrections, the Department of Public Health, law enforcement (including police officers and sheriffs), mental health consumers, mental health advocacy groups (including the Alliance for the Mentally Ill), mental health advocates, and the psychiatric and psychological services community. Successor to HF 501.

*Sponsor: Committee on Judiciary; Status: Passed House, 56-41; Senate Judiciary Committee*

**HF 591 Medicaid Buy-In Age Clarification**
Eliminates the age limitations for participation in the Medicaid Buy-In program, which allows persons with disabilities earning up to 250% of the federal poverty level to buy-in to the Medicaid program. Currently, eligibility is limited to persons who are under age 65. This program allows persons with disabilities to work and earn a moderate income without fear of losing their Medicaid coverage. This legislation is expected to cost Medicaid $1.6 million (of which $600,000 is state dollars) if 10% of the eligible population of age 64 participates; $3.2 million ($1.2 million state) if 20% participate; and $5.7 million ($2.1 million state) if 30% participate. Successor to HF 45.

*Sponsor: Committee on Human Resources; Status: House Calendar*

**HF 645 Mental Health Court Study**
Directs the Judicial Branch to study the possibility of creating a Mental Health Court, similar to drug courts. This is an excellent way to get judges that are more understanding of mental health issues, because they hear only mental health issues in mental health court. This has been very successful in other states, including Florida. Iowa has experienced success with a similar court for drug cases, in a pilot drug court project. The Judicial Branch is to report back to the Legislature by
Peer Review Committee
Requires each nursing home facility to have a quality assessment and assurance committee to identify issues that may adversely impact the quality of care and services provided to residents and develop corrective actions. The bill clarifies "peer review activities" to include monitoring, evaluating and recommendation actionos to improve and ensure the delivery of quality services. The bill also adds nursing facility administrators and nursing facilities to the list of those that can be sued to recover damages for personal injury.
Sponsor: Committee on Human Resources; Status: House Calendar

Medical Use of Marijuana
Allows a person with a debilitating condition to use marijuana for medical purposes, as long as it's need is certified by a physician and the amount of marijuana possessed does not exceed the definition of “adequate supply” found in the bill. A person’s primary caregiver may administer the marijuana if necessary under this bill.
Sponsor: Reps. Fallon & Mascher; Status: House Human Resources Committee

State Agency New Products & Services
Prohibits state agencies from providing new products or services prior to giving notice in the Iowa Administrative Bulletin. This notice must describe the proposed program in detail; include a statement of expected costs and expenses; include a request for proposal (RFP) to have the program performed by a private enterprise (or tell how a request for proposals may be obtained); and certify that the program will not compete with private enterprise. Finally, an agency must also publish a notice in the Iowa Administrative Bulletin prior to a program’s beginning to explain the agency’s evaluations of RFPs, reasons for proceeding with the program, and making available to the public any documentation supporting the agency’s decision. Companion to SSB 1064.
Sponsor: Committee on State Government; Status: House State Government Committee

Autism Records
Urges the Iowa Department of Public Health to track the incidents of autism and related disorders in Iowa. It also urges Iowa’s delegation in the United States House of Representatives to join the bipartisan Congressional Coalition for Autism Research and Education (CARE). Companion to SR 33.
Sponsor: Rep. T. Taylor; Status: House Calendar

Social Security Benefits — Tax Phase-Out
See companion bill, HF 2. Similar to SF 40 and HF 11.
Sponsor: Committee on Ways & Means; Status: Senate Calendar

Child Labor Provision
Prohibits fourteen- and fifteen-year-olds from being employed as a health care provider if there is routine exposure to or handling of blood borne pathogens. The
bill clarifies that persons under the age of 18 may work as health care aides in hospitals, hospices, health care facilities, and assisted living facilities, if they have been trained about potential exposure and applicable precautions, dealing with biological materials and biohazards. Allows children who are at least 18 years of age to enroll in Nursing and Certified Nursing Assistant Programs and to be employed once training is complete. Effective upon enactment.

*Sponsor: Committee on Business & Labor Relations; Status: Passed Senate, 27-20; House Labor & Industrial Relations Committee*

**SF 210 Prescription Drug Program**
Directs the Department of Human Services and the Department of Public Health to draft a proposal for a prescription drug assistance program for low-income elderly and persons with disabilities. The Department of Public Health is to submit the proposal to the legislature no later than September 1, 2001.

*Sponsor: Committee on Human Resources; Status: Senate Human Resources Committee*

**SF 321 Bike Helmets**
Allows local governments to pass laws requiring a child under the age of 14 to wear a bicycle helmet while riding on a bicycle or in a restraining seat connected to a bicycle. Persons who rent bicycles to the public must also provide helmets and may charge a reasonable fee for use of the helmet. The bill requires the Department of Public Health to work with the Iowa Safe Kids Coalition to provide bicycle safety information to the public.

*Sponsor: Committee on Judiciary; Status: Senate Judiciary Committee*

**SF 406 Property Tax Study**
Requires Iowa State University’s Department of Economics to study the sources of revenue available to local government. The bill asks the department to study recent and historical trends of property tax collection and to make recommendations concerning how Iowa’s property tax system could be changed. The study is dependent on funds being appropriated.

*Sponsor: Committee on Ways & Means; Status: Passed Senate, 48-1; House Local Government Committee*

**SR 33 Autism Records**
See companion bill, HR 31.

*Sponsor: Sen. Horn; Status: Senate Rules & Administration Committee*

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**Reference Information**

During session, all Senators and Representatives can be reached in writing at:
State Capitol, Des Moines, Iowa 50319

State Senators can be reached by phone through the Senate Switchboard at:
515/281-3371

State Representatives may be reached through the House Switchboard at:
State legislators may be reached at home when they are not in session – or on weekends when they are in session. If you have trouble with an email or you would like to see the committees your legislator serves on, contact the Legislative Information Office at 515/281-5129 or look on the legislative web site at www.legis.state.ia.us to make sure the information is correct.

Remember, you can hear floor debate, get the actual text of bills and review daily schedules from the legislative web site at www.legis.state.ia.us. If you don’t have web access, you can hear the daily schedules by calling 515/281-5869 and obtain bills by calling the Legislative Information Office at 515/281-5129.

There is only one more issue of InfoNet planned for this session. It will come out next Friday, April 20. After that, an end-of-session report will be sent out during the week following adjournment. A Final Session Report will be sent out after the Governor’s 30-day veto period ends, so you can see what bills were signed into law and what bills were vetoed. No “special session” updates are planned, should the Legislature need to declare a special session to complete its work for the year.