

IOWA POLICE JOURNAL

OFFICIAL PUBLICATION FOR THE IOWA STATE POLICE ASSOCIATION



LEGISLATIVE UPDATE

By Paula Feltner, ISPA Lobbyist



The 86th Iowa General Assembly gavelled in on Monday, January 11, 2016. There were historic changes in House leadership. Representative Linda Upmeyer (R-Clear Lake) was selected to be first female Speaker in state history when former Speaker Kraig Paulsen stepped down from the post. Chris Hagenow (R-Windsor Heights) was elected the new Majority Leader.

Two changes also occurred in House membership. Two special elections were both won by republicans, so the House split remains 57 republicans to 43 democrats. (Remember that the Iowa Legislature has “split” control — the democrats control the Senate with 26 democrats, 24 republicans). In House District 5, Representative Charles Holz replaced Representative

Chuck Soderberg. The district includes most of Plymouth County and parts of west central Woodbury County. In House District 21, Representative Tom Moore from Griswold filled the seat vacated by the death of long-term and much beloved Representative Jack Drake. That district includes parts of Adams, Cass, Pottawattamie and Union counties.

These House membership changes also caused some shifts in committee make up, which can be found online at legis.iowa.gov/committees. The most significant committee change is that Representative Pat Grassley (R- New Hartford) became the new House Chairperson of the all-important Appropriations Committee.

As is true for the first week of every new legislative session, much of the activity was ceremonial with speeches from leaders and organizational committee meetings. On Tuesday, Governor Terry Branstad gave his State of the Union Address to introduce his general fund budget, which provides for operations of state government ranging from prisons to state universities, as well as money for local schools, public health, public safety and other critical governmental services. Branstad proposed a \$7.41 billion budget, an increase of about 2.3 percent.

Most of the increase goes to Medicaid (\$41 million) and to K–12 education (\$147 million). He also discussed plans for improving water quality and said that the state needs to make sure more Iowans have training beyond high school in order to close the job skills gap. Branstad vowed to continue to move forward with efforts to increase the use of renewable energy by proposing enactment of a state bio-renewable energy tax credit, which would be revenue-neutral. He also said all three branches of government must work together to end the racial disparities in the Iowa criminal justice system. His budget package also seeks \$79.6 million in a

public-private partnership to rebuild the Iowa State Historical Building in downtown Des Moines over the next five years.

Legislators wrapped up the second legislative funnel so that only Senate files passed out of House standing committees and House files passed out of Senate standing committees remain eligible for the 2016 session (joining tax, spending and leadership bills). Now most of the focus will be turned to the budget and tax bills.

Both chambers were eagerly awaiting the Revenue Estimating Conference (REC) Wednesday, March 16, to negotiate an overall spending agreement. An increased estimate by the REC has no effect on the 99 percent spending limit, but if the REC lowers its estimate, then the statutory spending limit for the session will be lowered.

If things go well, the two chambers should agree to specific budget targets in the next two weeks. They need to agree on total amount of money to be spent, and then how it should be divided among the 10 budget subcommittees. Each budget part is negotiated separately between the chambers and ranges from roughly \$43.1 million (agriculture and natural resources) to \$1.9 billion (health and human services). They also need to reach an agreement on state supplemental aid (SSA) for schools.

If the governor's budget is adopted, there will be a budget increase of approximately \$237 million. This is about a 3.3 percent increase over last year. The biggest increases come from school aid for PreK–12 schools (\$147 million), property tax reform (\$25 million) and Medicaid costs (\$41 million).

Besides the funnel activity, the big news of the week was an agreement between the House and the Senate on tax coupling and sales tax exemptions for manufacturing parts. The Ways and Means Committees in both chambers advanced bills ([SF 2303](#), [HF 2433](#)). Under the agreement, the state will couple with federal tax changes for the 2015 tax, and administrative rules on the exemption of consumables used in the manufacturing process will be rescinded.

Your first newsletter of this session explained that session adjournment could be slowed down by several tough fiscal issues, including (1) the March fiscal forecast on Wednesday, March 16, (2) the issue of education funding, (3) money needed to cover the delay in Medicaid modernization and its oversight, (4) money needed to clean up the state's drinking water, (5) federal coupling and (6) the revenue needed to cover the administrative proposal that reduced the tax burden for Iowa's manufacturers.

Three of those issues ([1], [5] and [6] above) will hopefully lead to larger agreement on the overall budget (including Medicaid modernization costs and any plan on cleaning up the water) and education spending. Resolution could bring the legislature closer to a timely adjournment. We are now about 60 days into the 2016 session. By law, the session is supposed to last 100 days this year. After 100 days, they can still stay in session to finish their work, but legislators are no longer given per diem. The last five years the legislature has failed to adjourn on time, going over the stated time by several weeks every year. Hope springs eternal!

This report details the bills we are involved in on your behalf that remain alive after the second funnel — all dead bills are listed at the end of the report but will be removed from the list. We fared very well with the exception of the peace officer privacy bill, which was opposed by the county and city officials who maintained the information was on the internet in many places.

Funneled (dead) bills we opposed include forfeiture, profiling, cocaine penalties, pre-arrest diversion programs, ATE regulations, modifying the penalties for controlled substances, DNR search warrants and one license plate.

- [Senate File 2293](#) — A bill for an act creating an exemption from the computation of the individual income tax of certain amounts of retirement income and including applicability provisions.
- [Senate File 2288](#) — A bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.
- [Senate File 2241](#) — A bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the name of the surcharge fund.
- [Senate File 2231](#) — A bill for an act relating to disaster aid payment authorization requirements under specified circumstances.
- [Senate File 2218](#) — A bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.
- [Senate File 2191](#) — A bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.
- [Senate File 2164](#) — A bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.
- [Senate File 2116](#) — A bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.
- [Senate File 2115](#) — A bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.
- [Senate File 2111](#) — A bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

This is a sampling of the many bills of interest to our members. Sign up for email notification and newsletters [here](#). If you have any questions about the current legislative session or the newsletters, please contact us or a board member. We will be posting a thorough status of files at the end of session. Thank you for the opportunity to represent you in another legislative session!