



The Capitol Report

League of Women Voters of Iowa Legislative News

Session Nearing End.

There is a light at the end of the tunnel. Legislators are on track to shut down the legislative session sometime before March 31, their 80-day deadline. In fact, they are so confident of their progress to date they are now shooting to adjourn on Friday, March 26. While that seems quite possible, the end of session always hits a snag that delays things a few days. By shooting for March 26, legislators have a little wiggle room. We do know this - legislators do not want to end session on April 1 for obvious reasons.

To keep up on things at the Capitol in these final weeks you can [listen to House & Senate debate](#) from your computer and check on the status of bills in the [LWVIA Bill Tracker](#) (which is updated at least daily).



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Publication Notice

This will be the last report until the end of session. Expect to see it some time in the days following sine die adjournment.

Budget News: No Change in Revenues



Depending on whether you are a "glass half full" or a "glass half empty" person, the findings of the state's economic advisors may be good or bad news. The Revenue Estimating Conference (REC) met last week and concluded that their December estimate for this fiscal year (FY 2010) did not change, and next fiscal year (FY 2011) estimates only go up very slightly (less than 1%). It basically

means Iowa's economy has stopped its decline and is leveling out - but it is a far cry from the recovery everyone hoped to see.

You half full types (that's me) see this as good news. Legislators will not be forced to make additional cuts that would inevitably hurt Iowans who depend on state-funded services. It does mean we'll have to tighten our belts for the next couple years, but we won't end up with a California, Arizona or Illinois type of budget crisis (these states are spending billions more than they have - Illinois must cut \$13 billion out of their budget and Arizona just ended its children's health insurance program, leaving more than 50,000 kids without insurance coverage).

Those of you that see the glass half empty will be disappointed with these findings. This means that there are no additional dollars to fill the growing holes in the education system, in the mental health/disability services system, and corrections reform. It means more people on waiting lists, more people dropped from services, and fewer alternatives to costly institutional (or prison) care. Good news or bad news, no change means a very challenging session will be ending soon.

Budget News: HHS Budget Passes House

The House passed the Health and Human Services Budget bill ([HF 2526](#)) on Thursday, March 18. Rep. Lisa Heddens of Ames, the floor manager of the bill, "found" an unspent \$7 million pot of money in the Underground Storage Tank Fund and was able to give several programs an unexpected boost in dollars. These lucky programs include MH/DS state cases (\$1 million), PKU funding (\$20,000), child health specialty clinics (\$15,000), day care for exceptional children in Polk County (\$200,000), Four Oaks autism pilot in Linn County (\$25,000), Family Support Subsidy (\$100,000), and MHIs (\$350,000),

Here are some areas of interest for the LWVIA:

- Cuts **Medicaid** by \$191.2 million but backfills it with additional one-time funds (\$418.9 million in general fund appropriations). The Legislature uses another \$187 million from the state's Cash Reserve Fund and assumes Congress will extend the enhanced Federal Medical Assistance Percentage (FMAP) under the American Recovery and Reinvestment Act (ARRA) and the federal Medicare Part D change in methodology (\$36 million). After all this backfill, Medicaid is still underfunded by \$23.1 million for FY 2011.
- Assuring Better Child Development (ABCD II) **child mental health** services (\$304,885 - no change)
- **Child Health Specialty Clinics** (\$788,303 - no change in funding, but combined with the one-time funds from the Underground Storage Tank Fund, there is an overall increase of \$15,000).
- **Mental Health Workforce Shortage** Programs (\$184,050 - no change from current year)
- **Mental Health/Disability Services (MH/DS) Allowed Growth** (\$48.7 million) - no change in formula and funding, and continues the \$13.5 million across the board cut from the current fiscal year. MH/DS Community Services is level funded (\$14.2 million).
- **MH/DS State Cases** (\$10.3 million - no change, but another \$1 million is appropriated from the underground storage tank fund in order to reduce waiting times for services).
- Adds language that directs DHS to collaborate with other agencies, county central points of coordination, service providers, and others to review and make recommendations to **streamline regulations on MH/DS providers**, and increase public access to costs, quality, and outcomes in the current system. The report is due by 12/15/2010.

- Requires DHS to consult with stakeholders to review and make recommendations on the development of **subacute mental health care options** at the state's mental health institutes (MHIs) and **16-bed community based alternatives** as were developed in Minnesota.
- If you want more detail, you can view the bill [here](#). You can view an excellent analysis of the bill prepared by the Legislative Service Bureau [here](#).

All other budgets are making their way through the process quickly. The only two bills not yet introduced are the Infrastructure Budget (gambling \$) and Standings Budget (built-in appropriations - the ones required by law). Here is where all the budget bills are as of Friday, March 19:

- **Administration/Regulation** - [SF 2367](#) (House Floor)
- **Agriculture/Natural Resources** - [HF 2525](#) (Senate Floor)
- **Economic Development** - [HF2522](#) (Senate Floor)
- **Education** - [SF 2376](#) (House Floor)
- **Federal Block Grants** - [HF 2519](#) (Done - to Governor)
- **Health/Human Services** - [HF 2526](#) (Senate Appropriations)
- **Judicial Branch** - [HF 2521](#) (Done - to Governor)
- **Justice Systems** - [SF 2378](#) (Senate Floor w/ House Amendment)
- **Transportation** - [SF 2481](#) (House Appropriations)

Status of League Priorities

The League of Women Voters of Iowa's top priorities this year are implementing the recommendations of the Criminal Code Restructuring Study Committee, mental health, and predatory lending. Here are some of those, and a few others of interest.

Mental Health Parity ([HF 234](#)). The mental health parity bill is dead and legislators doubt they can find the needed votes to amend another bill. There is still a chance - but time is running out.

Predatory Lending. This year's bill to curb the tide of predatory "pay day" lenders is [HF 2127](#), but it died in the first legislative funnel deadline. It too is dead, but it could be revived as an amendment.

Corporate Campaign Reform ([SF 2354](#)). The bill is still waiting for House floor debate - the final step before making its way to the Governor's office.

Open Meetings/Public Records ([HF 777](#)). The Administration/Regulation budget included the needed \$6,000 for the first year of funding for the Open Meetings/Public Records board created in the Senate amendment to this bill. This might mean the bill is going to pass, regardless of a ballooning \$600,000 fiscal impact in FY 2012. The amendment strikes the changes that clarify Iowa's current laws, and replaces it with a Governor-appointed board charged with interpreting and enforcing Iowa's open meetings and public records laws.

A bill ([SF 2235](#)) that would prohibit liquid propane dealers from shutting off a family's fuel source during the cold winter months continues to struggle for votes in the Iowa House. Despite an amendment offered to limit the bill to only persons qualifying for LIHEAP (Low Income Heating and Energy Assistance Program), supporters are missing 5-6 votes. The bill had originally also covered persons willing and able to pay for 250 gallons of fuel. A company

would be required to fill tanks under these circumstances and could not refuse delivery. Of course, the propane people oppose the bill, but groups like AARP, community action agencies, interfaith groups, and community groups all support the bill.

This week, legislators gave final approval to the "**Ed Thomas bill**" - named after the Aplington-Parkersburg coach who was killed by a former student who had been recently released from a mental health facility. The bill ([SF 2352](#)) requires hospitals to notify law enforcement when a suspect who is hospitalized for mental illness is released (using a form) if charges have been filed or are pending.

"The goal of this bill is to make sure that law enforcement is aware of potentially dangerous individuals," said Rep. Dolores Mertz, D-Ottosen. "This bill will address gaps in the current system of notifying law enforcement about the release of individuals with mental health issues that are subject to arrest. Closing these gaps will help ensure that another tragedy like the one that occurred in Parkersburg does not happen again."

Under the bill, a hospital could be required to notify law enforcement about the discharge of a person who's under emergency hospitalization for a serious mental impairment, if an arrest warrant has been issued and charges are pending (or face a \$500 fine). This bill is on its way to the Governor.

The National Rifle Association (NRA) has managed to get a late leadership bill filed that **takes away a county sheriff's discretion in issuing gun permits**. These bills would require permits to be issued to anyone that applies, as long as they are not on the FBI list that denies them the ability to own a gun (this list includes people who have been involuntarily committed for treatment for substance abuse or mental illness). These bills ([SF 2379](#) & [HF 2528](#)) were filed by House Majority Leader Kevin McCarthy and Senate Majority Leader Mike Gronstal.

On the other hand, the Senate gave final approval this week to a bill **prohibiting domestic abusers from having firearms**. The bill ([SF 2357](#)) is on its way to the Governor. "It's been about 10 years that we've been trying to get something on this front done," said Senate Majority Leader Mike Gronstal, D-Council Bluffs. "I think that's really a major accomplishment in terms of protecting people from domestic violence and protecting people from ending up getting murdered." Senate File 2357, a priority for Iowa Attorney General Tom Miller, would apply to people convicted of domestic abuse assault or persons under a domestic abuse restraining order.

The bill on **texting while driving** ([HF 2456](#)) was sent to conference committee this week, and legislators are trying to see if they can find a compromise. The House passed a limited bill that prohibited 16-18 year olds from sending texts while driving. The Senate version prohibited all drivers from reading, writing, or sending texts while driving. This too will be a decision made in the last days of session.

Finally, the Iowa House thinks that the **Maid Rite** - an Iowa institution - is made wrong. The Department of Inspections and Appeals asked Maid Rite to change its decades old way of cooking meat in order to insure the safety of the product; Maid Rite says it will change the flavor of the food. The Senate passed a bill allowing them to keep doing it the way they always have; the House passed a bill requiring them to meet public health standards. Word is Maid Rite lovers are calling in their support by the dozens.

You can view a complete list of these bills on the [LWVIA website](#) or the [LWVIA](#)

Political News: Candidate Filing Deadline

Anyone wanting to run for state, congressional, or legislative office must file candidate forms by 5:00 p.m. today (Friday, March 19). Those running for county office this year have until March 31.

Seventeen legislators have decided to step down this year, including all of the Sioux City legislators. Here is a quick run down:

State Senate

- **Three State Senators will step down** - two Democrats (Sen. Steve Warnstadt of Sioux City and Sen. Roger Stewart of Preston) and one Republican (Sen. Ron Wieck of Sioux City)
- Democrats have 19 seats to defend this year, two of which are open. Republicans will defend 6 seats, one of which is open.
- Former state representative Bill Dix will challenge Sen. Bill Heckroth of Waverly.
- Former state representative Sandy Greiner will challenge Sen. Becky Schmitz of Fairfield.

State House of Representatives

- **Eight Democratic Representatives will not seek re-election** - Rep. Polly Bukta of Clinton, Rep. Marcella Frevert of Emmetsburg, Rep. Wayne Ford of Des Moines, Rep. Elesha Gayman of Davenport, Rep. Mark Kuhn of Charles City, Rep. Dolores Mertz of Algona, Rep. Roger Wendt of Sioux City, and Rep. Wes Whitehead of Sioux City.
- **Six Republican Representatives will not seek re-election** - Rep. Mike May of Arnolds Park, Rep. Christopher Rants of Sioux City, Rep. Rod Roberts of Carroll (who is running for Governor), Rep. Kent Sorenson of Indianola (he is running for Senate against Sen. Staci Appel), Rep. Doug Struyk of Council Bluffs, and Rep. Jodi Tymeson of Winterset.
- Former state senator Stewart Iverson will challenge Rep. McKinley Bailey of Webster City.
- David Thede, the husband of Democratic Rep. Phyllis Thede of Bettendorf, announced he will run for the Senate seat currently held by Republican Sen. David Hartsuch.

You can see the entire candidate list [here](#) or on the [Secretary of State's website](#).

LWVIA Bill Tracker

Click here to access our [LWVIA Bill Tracker](#). This system allows you to keep up to date on the most recent status of the bills we are tracking for you - so you can keep updated between our monthly reports.

You can keep up on their status and watch for new additions at any time by going to our website at www.ialobby.com or directly to the [Bill Tracker](http://www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=LWVIA) at <http://www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=LWVIA>.

We update this list every day - sometimes many times a day. So you can see what's going on according to your schedule - not ours!

Quick Links

[LWVIA Bill Tracker](#) *(status of tracked bills, updated daily)*

[State Legislative Website](#) *(schedules, legislators, committees)*

[Governor's Website](#) *(executive orders, press releases)*

Your Capitol Team

Amy Campbell

amy@ialobby.com | 515/554-5838

Craig Patterson

craig@ialobby.com | 515/554-7920