



MINUTES

Studies Committee of the Legislative Council

August 16, 2011 First Meeting of the 2011-2012 Biennium

MEMBERS PRESENT:

Senator Amanda Ragan,
Chairperson
Senator Michael E. Gronstal
Senator David Johnson
Senator Steve Kettering
Senator John P. (Jack) Kibbie

Speaker Kraig Paulsen,
Vice Chairperson
Representative Peter Cownie
Representative Kevin M. McCarthy
Representative Linda L. Upmeyer

MEETING IN BRIEF

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Organizational staffing provided
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- I. **Procedural Business**
- II. **Consideration of Proposed Interim Studies**
- III. **Report of the Studies Committee**
- IV. **Materials Filed With the Legislative Services Agency**



Studies Committee of the Legislative Council

I. Procedural Business

Convening. Temporary Chairperson Ragan called the meeting to order at 11:30 a.m. on Tuesday, August 16, 2011, in Room 22 of the State Capitol in Des Moines, Iowa.

Election of Chairperson and Vice Chairperson. Senator Gronstal moved that Senator Ragan be elected permanent chairperson and Speaker Paulsen be elected permanent vice chairperson of the Studies Committee. The motion was adopted by voice vote.

Approval of the Minutes. Senator Kibbie moved that the minutes from the June 9, 2010, meeting of the Studies Committee be approved. The motion was adopted by voice vote.

Adjournment. The Studies Committee adjourned at 11:33 a.m.

II. Consideration of Proposed Interim Studies

A. Studies Proposals. Vice Chairperson Paulsen offered a Proposal for 2011 Legislative Interim Studies, a copy of which is on file with the Legislative Services Agency, that addressed seven statutory and other interim committees. Vice Chairperson Paulsen moved that the proposed list of interim studies be approved. The motion was adopted by voice vote.

B. Interim Study Guidelines. Vice Chairperson Paulsen offered proposed guidelines for interim study committees that addressed procedural guidelines for interim study committees during the 2011 interim. Vice Chairperson Paulsen moved that the proposed guidelines for interim study committees be approved. The motion was adopted by voice vote.

III. Report of the Studies Committee

The study proposals recommended by the Studies Committee were compiled into one report to be presented to the Legislative Council for approval. A copy of the Report for 2011 Legislative Interim Studies by the Studies Committee to the Legislative Council is attached to these minutes.

IV. Materials Filed With the Legislative Services Agency

A. Studies Compilation: 2011 Legislative Interim Study Information, prepared by the Legislative Services Agency.

B. Proposal for 2011 Legislative Interim Studies, distributed by Vice Chairperson Paulsen.

C. Proposed Guidelines for Interim Study Committees: 2011 - 2012 Interims.

D. Minutes of the June 9, 2010, meeting of the Studies Committee.

REPORT OF THE STUDIES COMMITTEE TO THE LEGISLATIVE COUNCIL

August 16, 2011

The Studies Committee of the Legislative Council met on August 16, 2011, and makes the following report for approval by the Legislative Council:

A. Guidelines. That the attached guidelines for 2011 and 2012 interim studies be adopted by the Legislative Council.

2011 Studies. That the attached proposal for studies for the 2011 Interim be adopted by the Legislative Council.

Respectfully submitted,

Senator Amanda Ragan
Chairperson

PROPOSED GUIDELINES FOR INTERIM STUDY COMMITTEES

2009-2010-2011-2012 INTERIMS
Submitted August 16, 2011

ADOPTION OF RULES

Interim study committees must have a majority of the members representing each house voting affirmatively in order to adopt rules.

COMPENSATION OF PUBLIC MEMBERS

Persons serving as public members of study committees are eligible to receive actual expenses only, if they are not eligible for expense reimbursement by an organization that they represent. In order for a public member representing an organization to be eligible to receive actual expenses, the organization must submit a letter to the Legislative Council indicating that the public member is not eligible for the reimbursement from the organization. Payment of the expenses is subject to the approval of the Chairperson and Vice Chairperson of the Legislative Council.

STAFF WORK FOR PUBLIC MEMBERS

After consultation with, as appropriate, the Legislative Services Agency (LSA) Director and legislative leadership, a study committee chair may authorize research or legislative drafting work by the LSA for public members of study committees.

APPROVAL OF NOMINEES

Public members of study committees may be nominated by designated organizations, subject to Legislative Council approval or subject to the approval of the Chairperson and Vice Chairperson of the Legislative Council in consultation with the Minority Leaders of the Senate and House of Representatives.

MEMBERSHIP CHANGES

Any change in membership numbers and voting status of the members of a legislative interim study body approved by the Legislative Council requires the approval of the Studies Committee and Legislative Council or legislative leadership.

GENDER BALANCE

Appointment of public members to study committees shall be gender balanced.

APPROVAL OF ACTIONS

A majority vote of a study committee's voting members present is necessary to carry any action; however, recommendations to the Legislative Council or General Assembly must be adopted with the affirmative votes of a majority of the committee's members of each house.

VOTING BY PUBLIC MEMBERS

Unless otherwise provided by the General Assembly or the Legislative Council, public members of study committees are nonvoting.

APPROVAL OF ADDITIONAL MEETINGS AND MEETINGS OUTSIDE DES MOINES

Any additional meeting or a meeting or public hearing by a legislative committee held outside of Des Moines requires the prior approval of the Studies Committee or legislative leadership.

PUBLIC HEARINGS

When authorization is given for a study committee to hold a public hearing, the committee may hold one hearing as a body or individual members may each hold a public hearing or groups of two or more members may hold public hearings. However, for each authorized public hearing, no members of the study committee may receive compensation for attendance at more than one session.

APPROVAL OF EXPENSES FOR SPEAKERS AND CONSULTING WORK

Any expenditure by a study committee for a speaker or presentation or for any other purpose either requires the prior approval of the Studies Committee and Legislative Council, or legislative leadership, or requires inclusion of the expenditure in a budget proposed by the study committee and approved by the Studies Committee and the Legislative Council, or legislative leadership. Contractual consulting work for a study committee requires the prior approval of the Studies Committee and the Legislative Council. Expenditures shall only be made in accordance with legislative expenditure policies and procedures.

SCHEDULING GUIDELINES

For the ~~2009-2011~~ interim, the deadline for completion of interim study committee meetings is November ~~30~~ 28, ~~2009~~ 2011, and for the ~~2010-2012~~ interim the deadline is December ~~17~~ 16, ~~2010~~ 2012. An interim study committee must meet the deadline or receive an exemption or a revised deadline date from the Legislative Council or legislative leadership.

Proposal for 2011 Legislative Interim Studies

A. Statutory Committees

1. **Legislative Tax Expenditure Committee** (Iowa Code §§2.45(5) and 2.48)

Charge: The Committee is a permanent body under the Legislative Council. Duties include approving annual estimates of the cost of tax expenditures by December 15 each year, and performing a scheduled review of specified tax credits so that each credit is reviewed at least every five years. The first scheduled review is in 2011.

Members: 5 Senate / 5 House

Meeting Days: 1

2. **State Government Efficiency Review Committee** (Iowa Code §2.69)

Charge: The Committee is a permanent legislative committee with five Senate and five House members appointed by legislative leaders at the beginning of a new General Assembly. The Committee is required to meet as directed by the Legislative Council, at least every two years, to review state government organization and efficiency options and receive state government efficiency suggestions offered by the public and public employees. The first report is due January 2013.

Members: 5 Senate / 5 House

Meeting Days: 1

3. **Public Retirement Systems Committee** (Iowa Code §97D.4)

Charge: The Committee is a permanent legislative committee that is required to review and evaluate all public retirement systems in place in Iowa, including the Iowa Public Employees' Retirement System (IPERS), the Municipal Fire and Police Retirement System of Iowa (Code Chapter 411), the Department of Public Safety Peace Officers' Retirement System (PORS), and the Judicial Retirement System. The Committee typically meets during the legislative interim of odd-numbered years.

Members: 5 Senate / 5 House

Meeting Days: 2

4. **State Fish and Game Protection Fund Study Committee** (2011 Iowa Acts, S.F. 509, §18)

Charge: Review the expenditures from the State Fish and Game Protection Fund by the Department of Natural Resources.

Members: 3 Senate / 3 House

Meeting Days: 1

B. Other Interim Studies

1. **Inmate Geriatric and Psychiatric Patients Study Committee** (2011 Iowa Acts, S.F. 510, §24)

Charge: Examine treatment and placement options for inmate geriatric and psychiatric patients who are under the care, custody, and control of the state, or for patients who are otherwise housed at the Iowa Medical and Classification Center at Oakdale or other correctional facilities for geriatric or psychiatric treatment. A related study by departments of Corrections, Human Services, Inspections and Appeals, and Public Health required by 2011 Iowa Acts, S.F. 510, §25, is to be submitted to the Study Committee by November 15, 2011.

Members: 5 Senate / 5 House

Meeting Days: 2

2. Mental Health And Disability Services Study Committee (2011 Iowa Acts, S.F. 525, §1)

Charge: Review publicly supported mental health and disability services. The Study Committee shall closely engage with, monitor, and propose legislation concerning the recommendations and proposals developed by the workgroups implemented by the Department of Human Services and other bodies addressed by 2011 Iowa Acts, S.F. 525. The legislators serving on the interim committee and other interested legislators are authorized to participate in the meetings of the workgroups and subcommittees addressed by the legislation. In addition to the workgroup recommendations, the Study Committee shall address property tax issues, devise a means of ensuring the state maintains its funding commitments for the redesigned services system, recommend revisions in the requirements for mental health professionals who are engaged in the involuntary commitment and examination processes under Code Chapter 229, recommend revisions to the Code Chapter 230A amendments contained in S.F. 525 as necessary to conform with the system redesign proposed by the Study Committee, develop proposed legislation for amending Code references to mental retardation to instead refer to intellectual disabilities, and consider issues posed by the July 1, 2013, repeals of county disability services administration and funding provisions in 2011 Iowa Acts, S.F. 209. In addressing the repeal provisions, the Study Committee shall consider all funding sources for replacing the county authority to levy for adult disability services.

Members: 6 Senate / 6 House

Meeting Days: 3

3. Lake Macbride Study Committee

Charge: Review requirements and make recommendations pertaining to the use of motorboats on Lake Macbride.

Members: 3 Senate / 3 House

Meeting Days: 1