



MINUTES

Iowa Legislative Council

August 10, 2015 First Meeting of the 2015-2016 Biennium

MEMBERS PRESENT:

Senator Michael E. Gronstal,
Vice Chairperson
Senator Jeff Danielson
Senator Bill Dix
Senator Robert E. Dvorsky
Senator Pam Jochum
Senator Amanda Ragan
Senator Charles Schneider
Senator Steven J. Soddors
Senator Mary Jo Wilhelm

Speaker Kraig Paulsen,
Chairperson
Representative Ako Abdul-Samad
Representative Chris Hagenow
Representative Chris Hall
Representative Thomas R. Sands
Representative Mark D. Smith
Representative Sally Stutsman
Representative Linda L. Upmeyer

MEETING IN BRIEF

.....

Glen Dickinson, Secretary to the
Legislative Council
(515) 281-3566
glen.dickinson@legis.iowa.gov

Organizational staffing provided
by: Richard Johnson, Legal
Services Division Director
(515) 281-3894
richard.johnson@legis.iowa.gov

Minutes prepared by: Susan
Crowley, Legal Editor
(515) 281-3430
susan.crowley@legis.iowa.gov

- I. Procedural Business
- II. Consideration of the Report of the Fiscal Committee
- III. Consideration of the Report of the Legislative Tax Expenditure Committee
- IV. Consideration of the Report of the Service Committee
- V. Consideration of the Report of the Studies Committee
- VI. Additional Business
- VII. Attachments



I. Procedural Business

Call to Order. The first meeting of the 2015-2016 Legislative Council was called to order by Temporary Chairperson Paulsen at 3:30 p.m., Monday, August 10, 2015, in Room 22, State Capitol, Des Moines, Iowa. Senators Danielson, Dix, Soddors, and Wilhelm and Representatives Hall, Sands, and Stutsman attended the meeting via a telecommunications connection. Copies of the membership of the Legislative Council and the Legislative Council committees are attached to these minutes as Attachment A.

Election of Chairperson and Vice Chairperson. Temporary Chairperson Paulsen entertained a motion that Temporary Chairperson Paulsen and Temporary Vice Chairperson Gronstal be elected chairperson and vice chairperson, respectively. The motion was approved by a voice vote.

Adoption of Rules. Representative Smith moved adoption of the proposed Rules for the Legislative Council, and the motion was approved by a voice vote. The rules, as adopted, are attached to these minutes as Attachment B.

Minutes of Prior Meeting. Vice Chairperson Gronstal moved that the minutes of the meeting of June 25, 2014, be approved without additions or corrections. The motion was approved by a voice vote.

Consideration of Reports. Legislative Council actions are summarized in these minutes.

Adjournment. The meeting was adjourned at 3:40 p.m.

II. Consideration of the Report of the Fiscal Committee

There being no objection, the Report of the Fiscal Committee was received and filed. A copy of the report is attached to these minutes as Attachment C.

III. Consideration of the Report of the Legislative Tax Expenditure Committee

There being no objection, the Report of the Legislative Tax Expenditure Committee was received and filed. A copy of the report is attached to these minutes as Attachment D.

IV. Consideration of the Report of the Service Committee

Chairperson Paulsen recognized Vice Chairperson Gronstal for the Report of the Service Committee. Vice Chairperson Gronstal explained that the report contains annual personnel reports from the Legislative Services Agency and the Office of Ombudsman, including recommended promotions. The report recommends that the Legislative Council approve the proposed promotions and budgets for FY 2015-2016 for the Legislative Services Agency and the Office of Ombudsman.

Vice Chairperson Gronstal moved adoption of the report. The motion was adopted by a voice vote. A copy of the report is attached to these minutes as Attachment E.



V. Consideration of the Report of the Studies Committee

Chairperson Paulsen recognized Vice Chairperson Gronstal for the Report of the Studies Committee. The report recommends that the Legislative Council approve the proposed Guidelines for Interim Study Committees for 2015 and 2016 interim studies. The report also recommends that the Legislative Council approve the enumerated studies mandated by law, permanent committees, and the establishment of other committees and their charges. Vice Chairperson Gronstal stated that the report also contains a request for the Legislative Council to approve the Resolution contained in the Studies Report relating to the appointment of members and the duties of the Iowa Commission on Interstate Cooperation in accordance with Iowa Code section 28B.1.

Representative Smith noted that the Legislative Council must also make appointments to the newly created Legislative Health Policy Oversight Committee of the Legislative Council, which is to be comprised of five members of the Senate and five members of the House of Representatives.

Vice Chairperson Gronstal moved adoption of the report. The motion was adopted by a voice vote. A copy of the report is attached to these minutes as Attachment F.

VI. Additional Business

Chairperson Paulsen recognized Vice Chairperson Gronstal for consideration of the proposed Legislative Council Resolution regarding the Iowa Statehouse food services and the authority of the Legislative Council to assign the use of certain areas in the State Capitol and to prepare physical facilities for the use of the General Assembly. The Resolution states that the Legislative Council shall control the cafeteria and food service areas of the State Capitol and shall make arrangements for the operation of a Statehouse Cafeteria and for the maintenance of a food vending machine area, and, if requested, the Department of Administrative Services shall assist the Legislative Council and officers of the Senate and House of Representatives in the preparation of a contract between the General Assembly and a vendor or vendors for the operation of a Statehouse Cafeteria and the provision of food vending machines. Vice Chairperson Gronstal said this includes not only food preparation and dining areas, but also the nutritional quality of items provided by the food vending machines in the State Capitol.

Senator Jochum thanked Secretary of the Senate Mike Marshall and Chief Clerk of the House Carmine Boal for their efforts in working with the Department of Administrative Services in resolving the issue of food service at the State Capitol. Senator Dvorsky concurred, stating that this is a good Resolution in regards to Legislative Council control of certain areas of the State Capitol building.

Representative Hagenow moved adoption of the Resolution. The motion was adopted by a voice vote. A copy of the Resolution is attached to these minutes as Attachment G.

VII. Attachments

- A. Legislative Council Membership and Legislative Council Committee Memberships.
- B. Rules of the Legislative Council.
- C. Report of the Fiscal Committee.
- D. Report of the Legislative Tax Expenditure Committee.



Iowa Legislative Council

- E. Report of the Service Committee.
- F. Report of the Studies Committee.
- G. Legislative Council Resolution.

4003LC

LEGISLATIVE COUNCIL COMMITTEES 2015

IOWA LEGISLATIVE COUNCIL

Senator Michael E. Gronstal, Vice Chairperson
 Senator Jake Chapman
 Senator Jeff Danielson
 Senator Bill Dix
 Senator Robert E. Dvorsky
 Senator Randy Feenstra
 Senator Pam Jochum
 Senator Amanda Ragan
 Senator Charles Schneider
 Senator Steven J. Soddors
 Senator Jack Whitver
 Senator Mary Jo Wilhelm

Speaker Kraig Paulsen, Chairperson
 Representative Ako Abdul-Samad
 Representative Peter Cownie
 Representative Mary Gaskill
 Representative Chris Hagenow
 Representative Chris Hall
 Representative Thomas R. Sands
 Representative Mark D. Smith
 Representative Chuck Soderberg
 Representative Sally Stutsman
 Representative Linda L. Upmeyer
 Representative Matt W. Windschitl

ADMINISTRATION COMMITTEE

Representative Chris Hagenow, Chairperson
 Senator Pam Jochum, Vice Chairperson
 Senator Rick Bertrand
 Senator Mary Jo Wilhelm
 Representative Peter Cownie
 Representative Mary Gaskill

SERVICE COMMITTEE

Senator Michael E. Gronstal, Chairperson
 Speaker Kraig Paulsen, Vice Chairperson
 Senator Bill Dix
 Senator Pam Jochum
 Representative Mark D. Smith
 Representative Linda L. Upmeyer

CAPITAL PROJECTS COMMITTEE

Representative Chuck Soderberg, Chairperson
 Senator Matt McCoy, Vice Chairperson
 Senator Robert E. Dvorsky
 Senator Randy Feenstra
 Senator Pam Jochum
 Senator Jack Whitver
 Representative Ako Abdul-Samad
 Representative Mary Gaskill
 Representative Chris Hagenow
 Representative Thomas R. Sands

STUDIES COMMITTEE

Senator Michael E. Gronstal, Chairperson
 Speaker Kraig Paulsen, Vice Chairperson
 Senator Pam Jochum
 Senator David Johnson
 Senator Amanda Ragan
 Senator Charles Schneider
 Representative Peter Cownie
 Representative Mark D. Smith
 Representative Sally Stutsman
 Representative Linda L. Upmeyer

FISCAL COMMITTEE

Senator Robert E. Dvorsky, Co-chairperson
 Representative Chuck Soderberg, Co-chairperson
 Senator Joe Bolcom
 Senator Jake Chapman
 Senator Jeff Danielson
 Senator Randy Feenstra
 Representative Peter Cownie
 Representative Chris Hall
 Representative Dave Jacoby
 Representative Thomas R. Sands

INTERNATIONAL RELATIONS COMMITTEE

Senator Rita Hart, Chairperson
 Representative Jake Highfill, Vice Chairperson
 Senator William A. Dotzler, Jr.
 Senator Tim L. Kapucian
 Senator Charles Schneider
 Senator Steven J. Soddors
 Representative Ako Abdul-Samad
 Representative Deborah L. Berry
 Representative Josh Byrnes
 Representative Jack Drake
 Representative Stan Gustafson
 Representative Daniel Kelley

LEGISLATIVE COUNCIL COMMITTEES 2015

TAX EXPENDITURE COMMITTEE

Senator Joe Bolkcom, Co-chairperson
Representative Thomas R. Sands, Co-chairperson
Senator William A. Dotzler, Jr.
Senator Randy Feenstra
Senator Herman C. Quirnbach
Senator Roby Smith
Representative Chris Hagenow
Representative Dave Jacoby
Representative Jerry A. Kearns
Representative Matt W. Windschitl

HEALTH POLICY OVERSIGHT COMMITTEE

To be appointed by the Legislative Council in accordance with 2015 Iowa Acts, Chapter 137 (SF 505), §64

RULES**IOWA LEGISLATIVE COUNCIL**

2015-2016

1. Thirteen members shall constitute a quorum.
2. At least thirteen affirmative votes are required for final action on any motion except a motion to recess or adjourn.
3. A substitute motion may be offered in lieu of a pending motion at any time unless the question has been called on the pending motion. A substitute motion takes precedence over any pending amendment to the original motion and, if adopted, disposes of the original motion and any pending amendments to the original motion.
4. Whenever Mason's Manual of Legislative Procedure does not conflict with the rules specifically adopted by the Council, Mason's Manual of Legislative Procedure shall govern the deliberations of the Council.
5. Meetings shall be set by motion before adjournment, or by call of the Council Chairperson with the approval of the Vice Chairperson if meetings are necessary before the date set in the motion.
6. Rules may be changed by a majority vote of the Council as provided in Rule 2.
7. The Council upon its motion may create committees in addition to those provided by statute to carry out its duties and shall designate the members of those committees. The committees shall include members of both political parties. The actions of the committees shall be reported to the Council at each meeting.
8. Legislative Council committees shall be organized so that a majority of all members of a committee shall constitute a quorum and an affirmative vote of at least a majority of all members of a committee shall be required for final action on any motion except a motion to recess or adjourn. However, for the International Relations Committee, a majority of the committee members of each house shall constitute a quorum and a majority of the committee members of each house shall be required for final action on any motion except a motion to recess or adjourn.
9. The Speaker of the House, Majority Leader of the Senate, and Minority Leaders of the Senate and House of Representatives shall appoint the members of their respective caucuses to interim study committees created by the Legislative Council or by statute or resolution.
10. If the appointing authority for members of permanent legislative committees, committees created under Rule 7, statutory bodies, and other bodies is the Legislative Council, the Speaker of the House, Majority Leader of the Senate, and the Minority Leaders of the Senate and House of Representatives, shall make the appointment or appointments.

Adopted: August 10, 2015

Report of the Fiscal Committee to the Legislative Council August 10, 2015

The Legislative Fiscal Committee held two meetings during the 2014 Interim on the following dates: October 20, 2014, and December 19, 2014.

The October 20 meeting was held at the University of Iowa, Center for the Advancement of Laboratory Science. The Committee heard presentations from representatives of the Board of Regents, the Auditor of State, and LSA staff. The presentations included:

- The Board of Regents reviewed the initial findings of the Board of Regents TIER Report and provided an update on the proposed funding formula for Regents institutions.
- The Auditor of State reviewed the State Audit Report on Reporting of Cash and Cash Equivalents by Regents' universities.
- Legislative Services Agency (LSA) staff presented overviews on the status of the Iowa economy, the General Fund budget, built-in and anticipated expenditures for FY 2016, Medicaid, and funding of the Poison Control Center.

At the conclusion of the presentations, the Committee was provided a tour of the University of Iowa Research Park, including new construction of a collaborative STEM (Science, Technology, Education, and Math) facility and the National Advance Driving Simulator.

The December 19 meeting was held at the State Capitol Building. The presentations included:

- The Department of Administrative Services reviewed the rate changes for the State of Iowa's health insurance plans.
- The Board of Regents provided an update on the TIER Transformation Project and the tuition freeze proposal.
- Legislative Services Agency (LSA) staff presented updates on a variety of issues that included:
 - General Fund balance sheet
 - Revenue Estimating Conference December estimates
 - The LSA's five-year budget forecast
 - The collective bargaining process
 - Commercial Property Tax Replacement and the Business Tax Credit Programs
 - Status of the Medicaid Program

Materials distributed to the Committee are maintained by the Fiscal Services Division and are available upon request. These documents can also be found on the LSA website at:

<https://www.legis.iowa.gov/committees/meetings/documents?committee=704&qa=85>

Respectfully Submitted,

Senator Bob Dvorsky
Co-chairperson

Representative Chuck Soderberg
Co-chairperson

REPORT OF THE LEGISLATIVE TAX EXPENDITURE COMMITTEE TO THE LEGISLATIVE COUNCIL

August 10, 2015

Meeting. Members of the Legislative Tax Expenditure Committee of the Legislative Council met on December 3, 2014.

Tax Expenditure Review. The committee received presentations and conducted a review of the following:

I. **Qualifying Business and Community-Based Seed Capital Fund Tax Credits**

Ms. Kristin Hanks-Bents, Iowa Economic Development Authority (IEDA), presented a report on the qualifying business and community-based seed capital fund tax credits, colloquially referred to as the “angel investor tax credits”. The angel investor tax credit is equal to 20 percent of an investor’s equity investment in a qualifying business or community-based seed capital fund. The credits are limited to a total aggregate amount of \$2 million per fiscal year. The credits are also limited per taxpayer to \$50,000 per investment in a qualifying business, and cannot be granted for more than five investments. Taxpayers are generally required to wait three years after making a qualifying investment to claim a credit, unless the investment was made in a qualifying business in calendar year 2014 or later, in which case the credit may be redeemed any time after December 31, 2015. The definitions of “qualifying business” and “community-based seed capital fund” were explained. Ms. Hanks-Bents reviewed IEDA’s proposed changes to the angel investor tax credits for 2015, including increasing the credit to 25 percent from 20 percent, making the credits refundable but not transferable, focusing the credits on individual angel investors and not institutions, streamlining eligibility, eliminating community-based seed capital funds, capping the individual credit level at \$100,000 per taxpayer per year, and reducing the carryforward period from five years to three years.

Ms. Angela Gullickson, Iowa Department of Revenue (IDR), provided background information and statistical analysis of the angel investor tax credits. Ms. Gullickson also provided information on similar programs in other states. The data provided by Ms. Gullickson included the total number and amount of investments made and tax credits issued and claimed. Ms. Gullickson also provided data on the residency status of tax credit award recipients, the timing of the tax credit claims, the number and amount of unclaimed tax credits, and the investment amounts by business type. Finally, Ms. Gullickson provided data on differences in firm survival between venture capital firms that received qualifying investments and those that did not receive qualifying investments.

II. Historic Preservation and Cultural and Entertainment District Tax Credits

Mr. Steve King, Iowa Department of Cultural Affairs (IDCA), discussed the environmental, cultural, and economic benefits of preservation; and provided an update on the historic preservation and cultural and entertainment district tax credit program that was substantially modified during the 2014 Legislative Session. Mr. King stated that administrative rules are being created and are targeted for release in April 2015. Regarding the program's transition away from the practice of reserving tax credits up to three years in advance, Mr. King stated that approximately \$28 to \$32 million of previously reserved, but unclaimed tax credits have been voluntarily declined by taxpayers. These declined tax credits are now eligible to be awarded to projects by IDCA through the new registration process scheduled to begin on January 26, 2015. To date, IDCA has held 51 pre-application meetings with prospective owners and developers in anticipation of this new registration process. A handful of these prospective applicants have been able to begin rehabilitation work prior to formal registration. Applications under the new registration process will be accepted electronically, which, according to Mr. King, will improve the efficiency and transparency of the program.

Mr. Zhong Jin, IDR, provided background information and statistical analysis of the historic preservation and cultural and entertainment district tax credit and similar tax credits offered by other states and the federal government. The Iowa tax credit equals 25 percent of the qualified rehabilitation expenditures for the preservation of historic properties located in Iowa. The tax credit awards are limited to a total aggregate amount of \$45 million per fiscal year. Mr. Jin detailed the tax credit awards by reservation year and county, the tax credit claims and transfers by tax type, and the tax credit claims and refunds by tax year. Mr. Jin provided results from a tax credit survey that gathered information on project types, funding, size, and expenditures. Mr. Jin used those results and other data to analyze the impact of the credit in terms of employment, average wages, and sales tax revenues at project properties.

III. Data Center and Web Search Portal Business Tax Incentives

Mr. Tim Whipple, IEDA, provided background information on the various tax incentives available to data centers and web search portal businesses through IEDA's programs. There is no particular IEDA program dedicated to data centers and web search portal businesses, so these projects have been financed through IEDA's High Quality Jobs Program. The High Quality Jobs Program provides income tax credits, sales and use tax refunds on construction materials, and value-added property tax exemptions to eligible businesses that create jobs and make substantial capital investments in Iowa. The property tax exemptions must be granted by the local communities where the project is located. Mr. Whipple provided data on the relevant data center and web search portal businesses that have participated in the High Quality Jobs Program, including company name, location, project cost, capital investment, tax benefits awarded, qualifying wage, total jobs, and duration.

Ms. Victoria Daniels, IDR, provided background information on various tax incentives administered by IDR that are specifically targeted at data centers and web search portal

businesses. These include a sales and use tax exemption for the sale or rental of computers, equipment, backup power generation fuel, and electricity; a limited sales and use tax refund for tax paid upon the purchase of electricity and fuel used to create power; and a property tax exemption for data center and web search portal business property other than land, buildings or other improvements. These three tax incentives are not awarded by IDR. Instead, a data center or web search portal business is automatically eligible for the tax incentives if it meets the statutory requirements. IDR estimated the value of several recent property tax exemptions using data obtained from county assessors, but stated that due to confidentiality rules and the manner in which the tax incentives are claimed, IDR cannot release or reliably quantify the value of the other tax exemptions and refunds.

IV. Wind Energy Production Tax Credits and Renewable Energy Tax Credits

Ms. Ellen Shaw, Iowa Utilities Board (IUB), presented a report on the wind energy production and renewable energy tax credits jointly administered by IUB and IDR. The wind energy production tax credit is available for 10 years to wind facilities and is equal to \$0.01 per kilowatt-hour. The renewable energy tax credit is available for 10 years to wind, biogas, biomass, methane, solar, refuse conversion, and cogeneration facilities and is equal to \$0.015 per kilowatt-hour of electricity, \$4.50 per million British thermal units of heat for a commercial purpose or of methane gas or other gas used to generate electricity, or \$1.44 per one thousand standard cubic feet of hydrogen fuel. Both credits have separate restrictions on a facility's placed-in-service date, and on the megawatt nameplate capacity of each facility and for all facilities. Ms. Shaw explained IUB's application process to establish eligibility for the tax credits.

Mr. Anthony Girardi, IDR, provided background information and statistical analysis of the wind energy production and renewable energy tax credits and of similar programs offered by other states and the federal government. The data provided by Mr. Girardi included the number of operational projects approved for tax credits, the amount of generating capacity and share of wind energy capacity by energy sector, the total megawatt production from wind compared to the amount credited, and the median wind project generation efficiency. Mr. Girardi also analyzed tax credit awards by year according to amount, average award, residency of the recipient, percentage transferred, and tax type. Finally, Mr. Girardi provided data on the estimated property tax impact of tax credit projects.

V. Biofuel Retailers' Tax Credits

Mr. John Good and Ms. Mandy Jia, IDR, presented a report on the ethanol promotion tax credit, E-85 gasoline promotion tax credit, E-15 plus gasoline promotion tax credit, and the biodiesel blended fuel tax credit. The report also included information on similar tax credits offered by other states. The ethanol promotion tax credit amount ranges from \$0.04 to \$0.08 per gallon of pure ethanol sold through December 31, 2020, depending on how close a retailer's biofuel distribution percentage is to the credit's biofuel threshold percentage. For both percentages, Mr. Good explained the formulas and provided data. A retailer that varies from the threshold percentage by 4 percentage

points or more is not eligible for the ethanol promotion tax credit. The E-85 gasoline promotion tax credit is equal to \$0.16 per gallon of E-85 gasoline (ethanol blends of E-70 to E-85) sold through December 31, 2017. The E-15 plus gasoline promotion tax credit is equal to \$0.03 per gallon of E-15 gasoline (ethanol blends of E-15 to E-69) sold through December 31, 2017. The E-15 gasoline promotion tax credit rate increases to \$0.10 per gallon during the summer months (June 1 through September 15) to account for special blending requirements of the federal Environmental Protection Agency. The biodiesel blended fuel tax credit is equal to \$0.045 per gallon of fuel rated B-5 (5 percent ethanol) or higher sold through December 31, 2017. Mr. Good analyzed credit claims by year according to number, amount, and recipient, including the percentage of claims refunded. Mr. Good also provided data on the number of stations reporting E-85 sales by county, the registered flex fuel vehicles compared to end-of-year target goals, the number of registered vehicles compatible with E-15 fuel, and the percentage of stations reporting zero biofuel sales. Finally, Ms. Jia provided a forecast of future Iowa biofuel sales, tax credit claims, and distribution percentages.

Respectfully submitted,

Senator Joe Bolkcom, Co-chairperson

Representative Thomas R. Sands,
Co-chairperson

REPORT OF THE SERVICE COMMITTEE TO THE LEGISLATIVE COUNCIL

August 10, 2015

The Service Committee of the Legislative Council met on August 10, 2015, and makes the following report and recommendations to the Legislative Council for approval:

I. PERSONNEL REPORTS

A. The Service Committee received and filed the annual personnel report from the Legislative Services Agency and recommends that the following employees be promoted, subject to performance review with approval of and effective date set by the director of the agency:

- Ms. Sharon Walsh, from Administrative Services Assistant, grade 20, step 3, to Administrative Services Officer, grade 23, step 1.
- Mr. Bob Lamberti, from Legislative Information Officer 2, grade 27, step 8, to Legislative Information Officer 3, grade 30, step 6.
- Mr. Mitch Rykhoek, from Computer Systems Analyst 2, grade 29, step 4, to Computer Systems Analyst 3, grade 32, step 2.
- Ms. Abby Birkett, from Computer Systems Analyst 1, grade 27, step 2, to Computer Systems Analyst 2, grade 29, step 1.
- Mr. Adam Broich, from Legislative Analyst 1, grade 29, step 3, to Legislative Analyst 2, grade 32, step 1.
- Mr. Mike Mertens, from Legal Counsel 1, grade 32, step 3, to Legal Counsel 2, grade 35, step 1.
- Ms. Amber DeSmet, from Legal Counsel 1, grade 32, step 3, to Legal Counsel 2, grade 35, step 1.

B. The Service Committee received and filed the annual personnel report from the Office of Ombudsman.

II. CENTRAL STAFF AGENCY FY 2016 BUDGETS

The Service Committee recommends that the Legislative Council approve the proposed budgets for the fiscal year beginning July 1, 2015, pursuant to Code section 2.12, as submitted by the following agencies:

- Legislative Services Agency
- Office of Ombudsman

Respectfully submitted,

Senator Michael E. Gronstal
Chairperson

**REPORT OF THE STUDIES COMMITTEE
TO THE LEGISLATIVE COUNCIL
August 10, 2015**

The Studies Committee of the Legislative Council met on August 10, 2015, and makes the following report for approval by the Legislative Council:

Guidelines. That the attached guidelines for 2015 and 2016 interim studies be adopted by the Legislative Council.

2015 Studies. That the attached proposal for studies for the 2015 Interim be adopted by the Legislative Council.

Commission on Interstate Cooperation Resolution. That the attached resolution be adopted by the Legislative Council.

Respectfully submitted,

Senator Michael E. Gronstal
Chairperson

GUIDELINES FOR INTERIM STUDY COMMITTEES

2015-2016 INTERIMS Submitted August 10, 2015

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 2015 Interim, the deadline for completion of interim study committee meetings is November 27, 2015, and for the 2016 Interim, the deadline is December 16, 2016. An interim study committee must meet the deadline or receive an exemption or a revised deadline date from the Legislative Council or legislative leadership.

2015 Legislative Interim Studies

A. Statutory Committees

1. Legislative Fiscal Committee (Iowa Code §§2.45(2) and 2.46)

Charge: The committee is a permanent legislative committee under the Legislative Council. Duties include directing the administration of performance audits and visitations, studying the operation of state government and making recommendations regarding reorganization to the General Assembly, and conducting studies as assigned by the Legislative Council.

Members: 5 Senate/5 House

Meeting Days: 2

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

Charge: The committee is a permanent legislative committee 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 fifth scheduled review is in 2015.

Members: 5 Senate/5 House

Meeting Days: 2

3. 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 second report was submitted in 2015 and the third report is due in January 2017.

Members: 5 Senate/5 House

Meeting Days: 1

4. 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

5. Iowa Commission on Interstate Cooperation (Iowa Code §§28B.1 and 28B.2)

Charge: Carry forward Iowa's participation as a member of the Council of State Governments; encourage and assist the friendly contact between officials and employees of this state and officials and employees of other states, the federal government, and local governments, and encourage cooperation in the adoption of compacts and uniform laws. The Commission is required to be appointed in accordance with a resolution of the Legislative Council.

Members: 5 Senate/5 House

Meeting Days: As approved by Legislative Leadership.

6. Telecommunications Company Property Tax Review Committee (2013 Iowa Acts, chapter 123, §36)

Charge: Review the information and recommendations included in a report required to be submitted by the Department of Revenue by August 1, 2015, detailing recommendations for changes to the current system of assessing telecommunications company property and levying property tax against telecommunications services companies.

Members: 3 Senate/3 House

Meeting Days: 1

B. Other Interim Studies**1. Recycling Policy Study Committee (SR 20 and letter D-3)**

Charge: Evaluate the effectiveness of the implementation of recycling policies in Iowa, including but not limited to bottle deposits, handling fees, government oversight and involvement, and the incidence of unreturned containers. The committee shall consult with distributors, retailers, customers, recyclers, and other interested stakeholders to obtain their input, and shall submit recommendations, if deemed appropriate, to the General Assembly by January 1, 2016.

Members: 3 Senate/3 House

Meeting Days: 1

2. School Finance Inequities Study Committee

Charge: Review current provisions of the school finance formula and consider alternatives for achieving a more equitable application across all public school districts in the state. Aspects of the study shall include transportation funding with a particular emphasis on small and rural school district transportation funding levels, school district property taxation levels, at-risk student funding challenges, and other school finance formula provisions which may result in funding disparities between school districts. Based on stakeholder input from the Department of Education, school districts, education-related organizations and associations, and other interested stakeholders, the committee shall submit recommendations, if deemed appropriate, to the General Assembly by January 1, 2016.

Members: 5 Senate/5 House

Meeting Days: 2

3. Gambling Casino Restricted License Study Committee

Charge: Conduct a study regarding licensing of a non-smoking casino in Cedar Rapids, and submit recommendations, if deemed appropriate, to the General Assembly, by January 1, 2016.

Members: 3 Senate/3 House

Meeting Days: 1

C. Other Studies-Related Items

The Committee recommends adoption by the Legislative Council of the Resolution establishing the Iowa Commission on Interstate Cooperation.

SENATE/HOUSE RESOLUTION NO. ____

BY LEGISLATIVE COUNCIL RESOLUTION

1 A Resolution relating to the appointment and duties of
2 the Iowa Commission on Interstate Cooperation.

3 WHEREAS, an Iowa Commission on Interstate
4 Cooperation (Commission) is required to be appointed in
5 accordance with a resolution of the Legislative Council
6 pursuant to Iowa Code section 28B.1; and

7 WHEREAS, the stated functions of the Commission
8 include, in part, carrying forward Iowa's participation
9 as a member of the Council of State Governments and
10 assisting legislative officials and employees of this
11 state in developing and maintaining friendly contact
12 by correspondence, by conference, and otherwise,
13 with officials and employees of the other states; NOW
14 THEREFORE,

15 BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That
16 the following persons be appointed no later than
17 September 1, 2015, as members of the Iowa Commission
18 on Interstate Cooperation by the following appointing
19 authorities:

20 1. Three members of the Senate to be appointed by
21 the Majority Leader of the Senate, who shall include
22 among such appointees the Second Vice Chair of the
23 Midwestern Legislative Conference of the Council of
24 State Governments;

25 2. Two members of the Senate to be appointed by the
26 Minority Leader of the Senate;

27 3. Three members of the House of Representatives
28 to be appointed by the Speaker of the House of

S.R. _____ H.R. _____

1 Representatives;

2 4. Two members of the House of Representatives to
3 be appointed by the Minority Leader of the House of
4 Representatives;

5 5. Three administrative officers to be appointed by
6 the Governor; and

7 BE IT FURTHER RESOLVED, That the Commission shall be
8 tasked with organizing and hosting the 2017 Midwestern
9 Legislative Conference Annual Meeting to be held in
10 Des Moines, Iowa in July 2017, as well as hosting an
11 Iowa 2017 Reception at the 2016 Midwestern Legislative
12 Conference Annual Meeting in Milwaukee, Wisconsin in
13 July 2016; and

14 BE IT FURTHER RESOLVED, That the Director of the
15 Legislative Services Agency, serving as the Secretary
16 of the Commission, shall transmit a copy of this
17 resolution to the Governor, in recognition of the
18 Governor's capacities as an ex officio honorary
19 nonvoting member of the Commission and as the
20 appointing authority for the three administrative
21 officer members of the Commission.

LEGISLATIVE COUNCIL RESOLUTION

August 10, 2015

A Legislative Council Resolution relating to Iowa Statehouse food services and the authority of the Legislative Council to assign the use of certain areas in the State Capitol and to prepare physical facilities for the use of the General Assembly.

WHEREAS, the Legislative Council, in cooperation with the officers of the Senate and House of Representatives, pursuant to Iowa Code section 2.43, is vested with the duty to assign the use of certain areas in the State Capitol, and is given the authority to prepare, prior to each session, the physical facilities used or to be used by the General Assembly and to award contracts pursuant to such authority; and

WHEREAS, the provision of food services, including the operation of a cafeteria serving breakfast and noon meals and the provision of food vending machines, is essential to the efficient performance of the General Assembly's lawmaking functions by its members and employees during the legislative session, and also serves the needs of the many citizens and tourists who visit the State Capitol during the legislative session and throughout the rest of the year; and

WHEREAS, the Department of Administrative Services, pursuant to Code section 8A.302, is responsible for providing for the proper maintenance of the State Capitol, grounds, and equipment at the seat of government, and, pursuant to Code section 2.43, is required to carry out the directives of the Legislative Council with regard to the physical facilities of the General Assembly; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the Legislative Council and the officers of the Senate and House of Representatives shall control the cafeteria and food service areas of the State Capitol and shall make arrangements for the operation of a Statehouse Cafeteria and for the maintenance of a food vending machine area, thus assisting the General Assembly in efficiently performing its lawmaking duties and serving the needs of the many citizens and tourists who visit the State Capitol during the legislative session and throughout the rest of the year; and

BE IT FURTHER RESOLVED, That the Department of Administrative Services, if requested by the Legislative Council or the officers of the Senate and House of Representatives, shall assist the Legislative Council and the officers of the Senate and House of Representatives in the preparation of a contract between the General Assembly and a vendor or vendors for the operation of a Statehouse Cafeteria and the provision of food vending machines and shall carry out the directives of the Legislative Council and the officers of the Senate and House of Representatives in regard to the operation of a Statehouse Cafeteria and the maintenance of a food vending area in a manner that will meet the needs of the General Assembly.