

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2020 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

February 24, 2020

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
SF 2347	S-5008	Filed	COMMITTEE ON JUDICIARY, et al

Fiscal Notes

[SJR 2003](#) — [Line of Succession, Constitutional Amendment](#) (LSB5526SV)

[SF 2319](#) — [Medicaid, Breast Pumps](#) (LSB5980SV)

[SF 2330](#) — [College Athletes, Compensation](#) (LSB5146SV)

SENATE FILE 2347

S-5008

- 1 Amend Senate File 2347 as follows:
- 2 1. By striking page 102, line 23, through page 103, line 2.
- 3 2. Page 136, line 22, by striking <section> and inserting
- 4 <sections>
- 5 3. By renumbering as necessary.

By COMMITTEE ON JUDICIARY

BRAD ZAUN, CHAIRPERSON

S-5008 FILED FEBRUARY 20, 2020



[SJR 2003](#) – Line of Succession, Constitutional Amendment (LSB5526SV)
Analyst: Christopher Ubben (515.725.0134) chris.ubben@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate Joint Resolution 2003](#) proposes an amendment to the Iowa Constitution relating to the consequences of a Governor becoming temporarily or permanently unable to perform the duties of the Governor.

Gubernatorial Line of Succession. In cases where the Governor's inability to fulfill the role of Governor is temporary, the Lieutenant Governor would have the powers of the Governor until the Governor is able to resume the office. In cases where the inability is permanent, the Lieutenant Governor shall become the Governor, and in that capacity, shall appoint a new Lieutenant Governor. The newly appointed Lieutenant Governor shall have all the powers and duties of an elected Lieutenant Governor, including the duty to act as Governor, or to assume the office of the Governor and appoint a new Lieutenant Governor.

Background

Currently, Article IV of the Iowa Constitution describes the order of succession for the office of the Governor. If the Governor is temporarily or permanently unable to perform the role of the office, the Lieutenant Governor shall assume the role of Governor. If, after assuming the role of Governor, the Lieutenant Governor becomes unable to perform the role, the President of the Senate shall assume the role of Governor, followed similarly by the Speaker of the House of Representatives.

On May 1, 2017, Attorney General Thomas Miller issued an [advisory opinion](#) arguing that the Iowa Constitution does not allow a Lieutenant Governor who has assumed the office of Governor to appoint a new Lieutenant Governor.

Assumptions

- The average cost to publish a proposed constitutional amendment in a single newspaper is \$600.
- Publication of the initial amendment would occur monthly in eight newspapers (two in each congressional district) for a three-month period.
- Subsequent publication of the amendment would occur monthly in 99 newspapers (one in each county) for a three-month period.

Fiscal Impact

Constitutional Amendment Publication Cost. The estimated cost to publish a proposed constitutional amendment passed by the General Assembly during the 2020 Legislative Session would be \$14,400 (8 newspapers x 3 months x \$600). The costs would be incurred in fall 2020 (FY 2021).

Assuming the proposed amendment is passed a second time during the 2021 Legislative Session, the estimated cost would be \$178,200 (99 newspapers x 3 months x \$600). The costs would be incurred in fall 2022 (FY 2023).

These publication costs would be incurred by the Secretary of the Senate's Office and the Chief Clerk's Office in the House of Representatives and reimbursed by the Iowa Secretary of State's Office.

Sources

Office of the Secretary of State
Office of the Attorney General

/s/ Holly M. Lyons

February 20, 2020

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[SF 2319](#) – Medicaid, Breast Pumps (LSB5980SV)
Staff Contact: Jess Benson (515.281.4611) jess.benson@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2319](#) requires the Department of Human Services (DHS) to adopt rules to provide reimbursement for breast pumps, including electric breast pumps and associated breast pump supplies, as prescribed by a Medicaid member's health care provider based on a determination of medical necessity under both Medicaid fee-for-service and managed care.

Background

Breast pumps are currently considered a nonmedical convenience item and are not covered under the Medicaid durable medical equipment benefit.

A February 2019 [study](#) by the United States Department of Agriculture (USDA) Economic Research Service concluded that breastfeeding provides substantial health benefits to both the mother and the child, and could result in significant Medicaid savings if the prevalence of breastfeeding were increased.

Assumptions

- Iowa Medicaid covers 16,327 live births per year.
- 81.5% of women in Iowa breastfeed their child.
- 85.0% of women breastfeeding will use a breast pump.
- The average cost of an electronic breast pump and supplies is \$152.38, based on a DHS survey of other state Medicaid programs.
- The Medicaid match rate is 61.61% federal and 38.39% State.

Fiscal Impact

[Senate File 2319](#) is estimated to increase DHS operating costs by \$662,000 in FY 2021 and subsequent fiscal years. In addition, if providing breast pumps results in an increase in women who breastfeed, it could result in Medicaid cost avoidance in both the short- and long-term, due to fewer pediatric and maternal diseases. Due to the uncertainty about whether there will be an increase in breastfeeding, no Medicaid savings have been included in this estimate.

Sources

Department of Human Services
2018 Center for Disease Control Breastfeeding Report Card
American Academy of Pediatrics Journal
USDA Economic Research Service

/s/ Holly M. Lyons

February 20, 2020

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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[SF 2330](#) – College Athletes, Compensation (LSB5146SV)
Staff Contact: Robin Madison (515.281.5270) robin.madison@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2330](#) permits college athletes to earn compensation from the use of the athlete's name, image or likeness rights, or athletic reputation. The Bill prohibits postsecondary education institutions from preventing such compensation or otherwise penalizing the athlete. The institutions are prohibited from interfering with or preventing athletes from obtaining professional representation in relation to contracts or legal matters, and provides that such representation shall only be provided by persons licensed in the State of Iowa. The Bill addresses conflicts with the athlete's team contract, disclosure of compensation contracts to the postsecondary educational institution, and the confidentiality required of the institution.

The Bill specifies that official mandatory team activities shall not exceed 20 hours per week during the athletic season and 8 hours per week during the off-season.

The Bill authorizes a postsecondary education institution's athletic program to require that a college athlete deposit some or all funds received as compensation into a trust fund, with State taxation deferred, until the athlete is no longer eligible to participate in the athletic program.

If enacted, the Bill would take effect July 1, 2023.

Assumptions

If [SF 2330](#) is enacted, it is assumed that each of the State universities would need to hire one additional compliance staff member to oversee the institution's compliance with the Bill's provisions, as well as any National Collegiate Athletic Association (NCAA) eligibility rules related to name, image, and likeness. The annual salary and benefits for each position is assumed to be \$87,500 in the first year of implementation.

Fiscal Impact

The annual statewide fiscal impact to the three State universities is estimated to be at least \$262,500 beginning in FY 2024 for the cost of compliance staff. There are likely to be additional costs that cannot be estimated at this time, given the complexity of the issues involved, the variety of possible scenarios for how institutions would manage and administer the matter, and the uncertainty of the outcomes of ongoing discussions in the NCAA and in Congress.

Source

Board of Regents

/s/ Holly M. Lyons

February 20, 2020

Doc ID 1131191

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