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May 14, 1997

MEMORANDUM

TO: Chairperson Gipp and Members of the Studies Committee

FROM: John Pollak and Mike Goedert, Committee Staff
John
MG

RE: Study Information

Enclosed is a compilation of study information contained in bills, resolutions, and memoranda. If you are aware of any other requests for studies, please notify the Legislative Service Bureau.

Studies Compilation

1997 Legislative Interim Study Information

Issued by the Legislative Service Bureau on May 14, 1997

This compilation provides a description of studies and studies-related information for consideration by the Studies Committee of the Legislative Council. Attached to the compilation is the original legislation or memorandum that caused the item to be included. Each attachment item is marked to correspond with the listing number; for example, item 1 under part A is marked as A-1.

A. Mandated Studies and Meetings Involving Legislators, and Permanent Bodies Involving Legislators in Enrolled Bills

1. North American Superhighway Corridor Coalition (SF 391)*
Note: 4 legislator members to be appointed by legislative leaders
2. Value-added Production Assistance Task Force (SF 542)*
Note: 4 legislator members to be appointed by legislative leaders
3. County Issuance of Motor Vehicle Licenses (HF 372)
Notes: legislative staffing but no legislator members - 2-year study
4. Renovation and Repair of Vertical Infrastructure - Committee Designated to Consult with the Department of General Services Concerning a Private Contractor (HF 733)
Note: The legislation requires the Department of General Services to consult with an appropriate committee designated by the Legislative Council in contracting for a survey of the condition of state-owned property.
5. Special Commission on Urban Planning, Growth Management of Cities, and Protection of Farmland Established (HCR 21, passed House and Senate)
Notes: 4 legislator members appointed by leaders - Legislative Council may allocate funding for studies, consultants, surveys, and reimbursement of staffing costs - Interim report due 1/1/98; Final report due 12/1/98

B. Statement of Legislative Intent to Create a Standing Legislative Committee

1. Legislative Oversight Committee (HF 730)*

C. Study Requests in Enrolled Bills and in Resolutions Passed by Both Chambers

1. Juvenile Justice and Juvenile Crime (SF 515)
2. Juvenile Justice Issues Oversight Task Force (HF 715)*
3. Criminal Penalty and Sentencing Practices (SF 533)
4. Legal Representation of Indigents (SF 533)
5. Housing Assistance (HF 655)
6. Youth Services Department (HF 715)*
7. Human Services Restructuring Task Force Continuation (HF 715)*
8. Privatizing Management of the Iowa Communications Network (HF 730)*
9. Task Force to Study Iowa's System of State and Local Taxation (HCR 22, passed House and Senate)

*As of May 14, 1997, the Governor had not yet acted upon this bill.

D. Study Requests in Resolutions

1. Anatomical Gift Referral (SCR 15, as amended and passed by Senate)
2. Anatomical Gift Referral (HCR 25, passed House)
3. Economic Development Programs (HCR 14, referred to committee)
4. School Finance and School Aid Formula (HCR 15, passed House)
5. Create Bipartisan Commission on Reform of Campaign Financing (HCR 16, referred to committee)
6. Establish Special Commission on Urban planning, Growth Management of Cities, and Protection of Farmland and Natural Resources (HCR 17, referred to committee)
Note: See A-5, HCR 21
7. Evaluate the Creation of a Caregiver Recruitment and Retention Pilot Program (HCR 26, laid over)
8. Use of Community Service in Iowa's Criminal and Juvenile Justice System (HR 7, voted out of Judiciary Committee)
9. Review of Arizona's Proposition 200 for Alternative Medical Treatment of Drug Offenders (HR 10, referred to committee)
10. Use of Transcendental Meditation as a Rehabilitative Technique in Correctional Institutions (HR 11, referred to committee)
11. Consider Creation of a Separate State Department for Youth Services (HR 14, laid over)
Note: See C-6, HF 715

E. Executive Branch Studies Which May Require Appointment of Legislators

1. Review of Certificate of Need Program (SF 236)
2. Information Technology Services Consolidation (SF 529)*
3. First in the Nation in Education Foundation (SF 549)*

F. Other Provisions in Law Which May Require Legislative Involvement During the Interim

1. Ozone Transport Assessment Group - Request to Legislative Council for Public Hearing if General Assembly is not in session (HF 309)
2. Health Profession Scope of Practice Pilot Projects - Requires consultation with members of the General Assembly (HF 710)

G. Other Study Requests in Memoranda and Letters

1. Industrial Hemp
2. Contested Workers' Compensation Claims
3. Solid Waste Fees and Incentives

***As of May 14, 1997, the Governor had not yet acted upon this bill.**

9. For up to the following amount for membership in the North America's superhighway corridor coalition:

..... \$ 150,000

In accordance with the rights granted the state for membership in the North America's superhighway coalition, six individuals shall be appointed to represent the state as follows:

a. The director of transportation or the director's designee.

b. The director of the Iowa department of economic development or the director's designee.

c. Four persons appointed in coordination between the speaker of the house of representatives and the president of the senate in consultation with the minority leader in each house to represent the state's interest in interstate highways 29, 35, and 80, and the business and labor community of the state.

Of these, the director of transportation or the director's designee and one of the other individuals, as determined by the speaker of the house of representatives and the president of the senate, shall be designated to serve on the executive committee of the coalition.

Sec. 16. VALUE-ADDED PRODUCTION ASSISTANCE.

1. It is the intent of the general assembly to support the creation of an ag-initiative 2000 subaccount in the community economic betterment program account as provided in and for the purposes stated in the Senate amendment, H-1975, to House File 731. As evidence of this support, the general assembly directs the department of economic development to use resources under existing financial assistance programs to support the organization of innovative ownership and management entities involving valued-added agricultural processes. The department shall explore all capital assistance opportunities and may consider proposals from and negotiate with potential entities.

2. The legislative council shall create a four-member task force consisting of one senator of each party and one representative of each party designated by their respective leadership which shall assist the department of economic development and the office of the governor in any negotiations.

3. Proposals developed in conjunction with the department, the governor, and the task force for providing capital incentives or capital assistance presently not available shall be presented to the general assembly for its approval.

4. The department of economic development shall report to the task force and the office of the governor on its activities pursuant to this section.

Section 1. There is established a county issuance of motor vehicle licenses study committee to study, make recommendations regarding, and oversee the implementation of a uniform system for the issuance of motor vehicle licenses by county treasurers if a system is implemented. The committee shall consist of thirteen members as follows:

1. Five county treasurers chosen by the Iowa association of county treasurers.

2. The director of the department of transportation or the director's designee.

3. The director of the office of driver services of the state department of transportation or the director's designee.

4. The director of audits for the state department of transportation.

5. The executive director of the Iowa motor truck association or the executive director's designee.

6. The executive director of the American automobile association of Minnesota/Iowa or the executive director's designee.

7. The auditor of state or the auditor's designee.

8. The certified public accountant and the operations research analyst who are members of the county finance committee established under section 333A.2.

The committee shall be staffed by the legislative service bureau.

Sec. 2. The committee shall study the experience of the six counties currently authorized to issue motor vehicle licenses under section 321.179 and take testimony from the department of transportation, customers in the six counties, and other interested parties regarding the implementation of an expanded system of county issuance of motor vehicle licenses, including commercial driver's licenses.

The committee shall also do the following:

1. Make a comparison of the costs related to the issuance of driver's licenses by the department and the six counties and methods for tracking costs of issuance of driver's licenses on a statewide basis, including the length of time necessary to track the costs to ensure the results provide an accurate representation of the costs incurred by the counties and the department. The committee shall also provide an analysis of transition and future costs of operation if statewide county issuance of driver's licenses is recommended.

2. Consider the need for and recommend comprehensive and consistent guidelines for all driver's license activities.

3. Conduct a customer survey in the six counties currently issuing driver's licenses and at selected driver's license stations operated by the department.

4. Make a recommendation on whether the issuance of driver's licenses by county treasurers should be expanded, whether the department should provide more hours of operation at some or all driver's license stations, whether the current law should remain unchanged, or whether other changes should be made. The recommendations shall include an analysis of the potential impact

upon the continued quality, consistency, effectiveness, and services provided by current driver's licensing operations for commercial and noncommercial drivers.

Following delivery of its recommendations, the committee shall act in an advisory capacity regarding the implementation of a county issuance program enacted should one be enacted and signed into law. The committee shall report to the general assembly not later than January 1, 1998, and shall be dissolved December 21, 1998.

Sec. 6. The department of general services, after consulting with the appropriate committee designated by the legislative council, shall contract with a private person with experience in evaluating the renovation and repair needs of vertical infrastructure as defined in section 8.57, subsection 5, paragraph "c", to conduct the survey of the condition of state-owned property.

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HOUSE CONCURRENT RESOLUTION NO.

BY FALLON, VANDE HOEF, CONNORS, BODDICKER, MYERS,
WELTER, WITT, CARROLL, SCHRADER, GRUNDBERG,
BURNETT, and MASCHER

A Concurrent Resolution establishing a special commission to study and make recommendations concerning urban planning, growth management of cities, and protection of farmland.

WHEREAS, it is the intent of the General Assembly to provide for the orderly use and development of land in the state, to preserve private property rights, to preserve the use of prime agricultural land for agricultural production, to preserve natural, cultural, and historical areas, and to provide for the coordination of comprehensive plans for land use; and

WHEREAS, it is the intent of the General Assembly to control urban sprawl, and thereby provide for the protection and preservation of the private and public interest in the land, water, and related resources of this state for the public health, safety, and general welfare, and for the benefit of present and future generations; NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a special commission shall be established to study urban planning, growth management, and farmland protection; and

BE IT FURTHER RESOLVED, That the special commission shall consist of 21 voting members with diverse expertise in planning, development, design, zoning, annexation, agriculture, historic preservation, and conservation, including all of the following:

1. Four members of the general assembly with not more than one member from each chamber being from the same political party. The two senators shall be designated by the majority leader of the Senate after consultation with the minority leader of the Senate. The two representatives shall be designated by the Speaker of the House of Representatives after consultation with the majority and minority leaders of the House of Representatives. Of the members from each chamber, one member shall represent a district which is primarily urban, while the other member shall represent a district which is primarily rural.

2. One member appointed by the Governor.

3. The executive director of the Iowa Farm Bureau Federation or a designee of the executive director.

4. The executive director of the Iowa Farmers' Union or a designee of the executive director.

5. The executive director of the Iowa League of Cities or a designee of the executive director.

6. The executive director of the Iowa State Association of Counties or a designee of the executive director.

7. The chairperson of the Department of Community and Regional Planning in the College of Design at Iowa State University of Science and Technology.

8. The president of the Iowa Chapter of the American Planning Association or a designee of the president.

9. The executive director of the Associated Builders and Contractors of Iowa, Inc. or a designee of the executive director.

10. The executive director of the Iowa Association of Soil and Water Conservation District Commissioners or a designee of the executive director.

11. The executive director of the Iowa Historic Preservation Alliance or a designee of the executive director.

12. The president of the Iowa Chapter of the American Society of Landscape Architects or a designee of the president.

13. The executive director of the Iowa Chapter of the American Institute of Architects or a designee of the executive director.

14. The executive director of the Iowa Natural Heritage Foundation or a designee of the executive director.

15. The executive director of the Iowa Public Transit Association or a designee of the executive director.

16. The executive director of the Iowa Sportsmen's Federation or a designee of the executive director.

17. The president of the Iowa Audubon Council or a designee of the president.

18. One member appointed jointly by the farm commodity organizations of the state; and

BE IT FURTHER RESOLVED, That the co-chairpersons of the special commission shall be the General Assembly members of the majority party from each chamber; and

BE IT FURTHER RESOLVED, That the special commission shall do all of the following:

1. Review the county land-use inventories compiled pursuant to chapter 352 and survey the status of Iowa farmland and natural areas since the compilation of the county land-use inventories to determine the extent to which these areas have been converted to residential, commercial, or industrial use. The survey shall also report on the agricultural quality of the farmland converted to residential, commercial, or industrial use.

2. Survey the problems facing the state's cities including, but not limited to, problems involving crime, poverty, infrastructure, housing, and taxation.

3. Evaluate the effectiveness of current state, regional, and local planning and zoning laws and assess their impact on the farmland, natural areas, and cities of the state.

4. Review model legislation and studies on farmland protection and urban planning and collect information on states that have undertaken reform efforts and have effective programs.

5. During 1997, hold public hearings throughout the state to share the initial findings of the special commission and solicit public comment and input on steps that might be taken to address the charge of the special commission.

6. Propose innovative and cooperative planning and land-use approaches that will protect farmland, accommodate and guide growth and development, ensure the planning and construction of adequate supporting services and infrastructure including utilities, storm water management systems, and transportation,

provide opportunities for or eliminate barriers to affordable housing, protect the environment, minimize exposure to natural hazards, and generally address the concerns outlined in this resolution.

7. At the discretion of the special commission, hold a second series of public hearings in the fall of 1998; and

BE IT FURTHER RESOLVED, That the special commission shall convene each month; and

BE IT FURTHER RESOLVED, That the special commission shall submit an interim report to the General Assembly no later than January 1, 1998, which shall include, but not be limited to, a status report of the commission's actions and an explanation of future plans; and

BE IT FURTHER RESOLVED, That the special commission shall submit a final report to the General Assembly no later than December 1, 1998, which shall include, but not be limited to, findings, analysis, and recommendations by the special commission; and

BE IT FURTHER RESOLVED, That the Legislative Council pursuant to its authority in section 2.43 may allocate funding from moneys available to it in section 2.12, to the special commission created in this resolution for studies, consultants, surveys, and reimbursement of any public or private department or agency that provides staffing services for the commission.

Sec. 12. LEGISLATIVE OVERSIGHT COMMITTEE.

1. **COMMITTEE ESTABLISHED.** It is the intent of the general assembly that the legislative council establish a legislative oversight committee which shall be composed of ten members, consisting of three members of the majority party in the senate appointed by the majority leader and two members of the minority party in the senate appointed by the minority leader, and three members of the majority party and two members of the minority party in the house of representatives appointed by the speaker of the house in consultation with the minority leader. The majority leader of the senate and the speaker of the house of representatives shall each designate a co-chairperson and co-vice chairperson, and the minority leader of the senate and of the house of representatives shall each designate a co-ranking member.

2. POWERS AND DUTIES OF COMMITTEE.

a. The purpose of the legislative oversight committee is to review and analyze the structure and operations of state government and the use of information technology in providing services and enhancing the ability of the public to interact with government.

b. The legislative oversight committee shall be staffed by the legislative fiscal bureau and the legislative service bureau.

c. The legislative oversight committee may, subject to the approval of the legislative council, conduct a review of one or more programs or regulations administered or enforced by state government.

d. The legislative oversight committee shall prepare a final report and a summary of the report for submission to the general assembly not later than the first day of each regular session of the general assembly as provided in section 2.1. The report shall contain findings and recommendations of the legislative oversight committee, which may include proposed bills or resolutions.

3. **COMPENSATION AND EXPENSES.** Members of the legislative oversight committee who are not members of the legislative council shall be entitled to receive the same expenses and compensation provided for the members of the legislative council.

Sec. 13. EFFECTIVE DATE. Section 12, as enacted in this division of this Act, being deemed of immediate importance, take effective upon enactment.

Sec. 55. JUVENILE JUSTICE INTERIM STUDY. The legislative council is requested to establish an interim study committee consisting of members of both political parties from both houses of the general assembly to review and consider the need for improvements in the laws and programs established to reform juvenile delinquents and reduce juvenile crime. The study may include but is not limited to the review of the need for improvements in the current juvenile justice system, the youthful offender program, the programs established to combat substance abuse by juveniles, and the coordination of programs and information between the juvenile and adult criminal justice systems. The committee shall submit its findings, together with any recommendations, in a report to the general assembly which convenes in January 1998.

Sec. 31. JUVENILE JUSTICE ISSUES. The legislative council is requested to establish a juvenile justice issues oversight task force. If established, the task force should be directed to consider the impact of juvenile problems, duplication in intervention services, and gaps in service provision. The membership of the task force should include interested members of the joint appropriations subcommittees on human services, health and human rights, justice system, and education and of the standing committees for these subject areas.

Sec. 30. SENTENCING STUDY. The legislative council is requested to establish an interim study committee to review current criminal penalties and sentencing practices, including but not limited to the effects of mandatory minimum penalties on sentencing practices and the effects of sentencing practices on inmate populations at state and adult and residential community-based correctional facilities. The committee shall also conduct a comparative assessment of the relative penalties imposed for various crimes based not only on the threat posed by the prohibited criminal conduct, but also by the risk generally associated with particular criminal offenders.

Sec. 29. LEGAL REPRESENTATION OF INDIGENTS -- STUDY. The legislative council is requested to establish an interim committee to study issues concerning the provision of legal representation to indigents. The interim committee shall submit a report and recommendations to the general assembly by January 1, 1998.

Sec. 30. HOUSING ASSISTANCE INTERIM STUDY. As housing in Iowa is a critical need, the legislative council is requested to establish an interim committee to provide the opportunity to learn about housing assistance organizations. By October 30, 1997, the study committee shall submit a report to the general assembly.

Sec. 31. HOUSING ASSISTANCE INFORMATION. By October 15, 1997, all housing assistance organizations in Iowa are requested to submit a report to the secretary of the senate and the chief clerk of the house of representatives based on such information as is needed for the interim study requested in section 30.

Sec. 36. YOUTH SERVICES DEPARTMENT -- STUDY. The legislative council is requested to establish an interim study committee consisting of members of both political parties from both houses of the general assembly to consider whether a separate state department for youth services should be established. The study may include, but is not limited to, a review of existing programs and services provided to juveniles in this state and the funding mechanisms for those programs and services; identifying the various agencies currently involved in the delivery of those programs and services to juveniles; identifying areas in which programs and services overlap; reviewing the approaches used and experiences of other states in delivering juvenile services; and receiving testimony from agency staff, service providers, and youth services advocates on issues deemed relevant to the delivery of juvenile services in this state. The committee may be authorized to hire a consultant to provide the background information requested by the committee. The committee should be directed to submit its findings, together with any recommendations, in a report to the general assembly session which convenes in January 1998.

Sec. 32. SERVICES RESTRUCTURING TASK FORCE.

1. The legislative council is requested to continue the task force established for the 1996 interim of the general assembly in order to develop a comprehensive proposal to accomplish all of the following:

a. Devolution of the control of service delivery to the local level.

b. Elimination of program duplication within the department of human services and between the department of human services and other departments including but not limited to the Iowa department of public health, the department of education, and the judicial department.

c. Reduction of paperwork, red-tape, and bureaucracy to improve the quality of services delivery and consumer satisfaction.

d. Evaluation of the adherence of the department of human services to the department's mission statement.

2. In addition, the task force may address the following topics: granting local authority to deliver public services, use of public institutions and facilities, the possibility of creating an agency for disability and rehabilitation services, and development of a "seamless" system for referral of families to child day care resources and public financial assistance and collaborative programs.

Sec. 15. INTERIM STUDY. The legislative council is requested to establish an interim study committee to study issues relating to privatizing the management of the Iowa communications network, and to report its findings and recommendations to the general assembly prior to the beginning of the 1998 legislative session.

HOUSE CONCURRENT RESOLUTION NO. 22
 BY COMMITTEE ON WAYS AND MEANS
 (SUCCESSOR TO HSB 155.1)

A Concurrent Resolution requesting the Legislative Council to establish a task force to study Iowa's system of state and local taxation and requiring reporting by certain dates.

WHEREAS, taxes are necessary to pay for the important public services that citizens rely on state and local governments to provide; and

WHEREAS, a periodic review of state and local taxes is necessary to study the impact of the taxes and to ensure continued fairness and equity in Iowa's tax system; and

WHEREAS, it is in the best interests of the State to maintain Iowa's competitive tax climate, while ensuring that all individuals and businesses pay their fair share of taxes; NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislative Council is requested to establish a task force to study and make recommendations to the Governor and the General Assembly regarding the state and local tax systems in Iowa and to address the goals of tax simplification, equity, and reduction.

1. The study shall include, but not be limited to, the following:

a. The local property tax system, including the assessment and collection process, the impact of property tax credits and exemptions, and the effect of property tax abatement and tax increment financing programs.

b. The state individual income tax system, including income tax rates, income tax credits, exemptions, and deductions from income.

c. The state income tax on C-corporations, the tax on financial institutions, and taxation of the income of other businesses, including partnerships, limited liability companies, and S-corporations.

d. The sales, services, and use tax imposed by the state and local option sales and services tax, including the tax rates and exemptions from the tax and the recordkeeping burdens on retailers caused by collecting the tax.

e. All other state and local taxes determined to be an appropriate area of study by the task force.

BE IT FURTHER RESOLVED, That the task force shall consist of nineteen members.

1. Ten of the members shall be selected as follows:

a. Five members who are members of the senate, three of whom shall be appointed by the majority leader of the senate and two of whom shall be appointed by the minority leader of the senate.

b. Five members who are members of the house of representatives, three of whom shall be appointed by the speaker of the house and two of whom shall be appointed by the minority leader of the house.

2. Nine members, from the following associations and selected by the Legislative Council, may be selected as follows:

- a. One member from an association of Iowa assessors.
- b. One member from an association of Iowa counties.
- c. One member from an association of Iowa cities.
- d. One member from an association of Iowa school boards.
- e. One member from an association of Iowa farmers and other agricultural interests.
- f. One member from Iowa businesses and business interests.
- g. One member from an association of Iowa utilities.
- h. One member from an organization of Iowa taxpayers.
- i. One member from a labor organization.

The temporary co-chairpersons of the task force shall be the chairpersons of the senate and house ways and means committees. The nonlegislative members appointed to the task force shall be nonvoting members of the task force in accordance with section 2.61.

BE IT FURTHER RESOLVED, That the task force may contract with one or more tax consultants or experts familiar with the Iowa state and local tax systems. The Legislative Council may authorize the expenditure of funds from moneys available to the Legislative Council for the purpose of contracting with the consultant or expert recommended by the task force; and

BE IT FURTHER RESOLVED, That the task force seek assistance from the department of revenue and finance and the department of management, and other public and nonpublic institutions and agencies deemed appropriate. Staff assistance to the task force shall be provided by the Legislative Service Bureau and the Legislative Fiscal Bureau; and

BE IT FURTHER RESOLVED, That the task force shall present a progress report to the General Assembly meeting in 1998 upon its convening and shall present its final report along with any recommendations to the General Assembly meeting in 1999 upon its convening.

BE IT FURTHER RESOLVED, That recommendations contained in the progress report prepared by the task force or contained in the final report prepared by the task force shall be drafted as study bills by the legislative service bureau for consideration by the General Assembly.

SENATE CONCURRENT RESOLUTION NO. 15

BY NEUHAUSER

A Concurrent Resolution requesting an interim committee on anatomical gift referral.

WHEREAS, currently 242 people in this state are awaiting organ transplants including heart, lung, liver, kidney, and kidney-pancreas transplants; and

WHEREAS, the number of organ donors in this state was only 55 in 1996; and

WHEREAS, referrals from hospitals to organ procurement organizations are a necessary and important part of the anatomical gift process; and

WHEREAS, referrals from hospitals to organ procurement organizations increased only slightly from 1995 to 1996; and

WHEREAS, the need for organ transplants continues to increase at a faster rate than organ donations, NOW THEREFORE,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislative Council is requested to establish a legislative committee during the 1997 interim of the General Assembly to review the compliance of hospitals in making referrals to organ procurement organizations and to submit a report of findings and recommendations to the General Assembly to increase referrals in the state.

HOUSE CONCURRENT RESOLUTION NO. 25

BY BLODGETT

A Concurrent Resolution requesting an interim committee on anatomical gift referral.

WHEREAS, currently 242 people in this state are awaiting organ transplants including heart, lung, liver, kidney, and kidney-pancreas transplants; and

WHEREAS, the number of organ donors in this state was only 55 in 1996; and

WHEREAS, referrals from hospitals to organ procurement organizations are a necessary and important part of the anatomical gift process; and

WHEREAS, referrals from hospitals to organ procurement organizations increased only slightly from 1995 to 1996; and

WHEREAS, the need for organ transplants continues to increase at a faster rate than organ donations, NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislative Council is requested to establish a legislative committee during the 1997 interim of the General Assembly to review the compliance of hospitals in making referrals to organ procurement organizations and to submit a report of findings and recommendations to the General Assembly to increase referrals in the state.

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FEB 26 1997

ECONOMIC DEVELOPMENT

1 HOUSE CONCURRENT RESOLUTION NO. 14
2 BY WARNSTADT, WHITEAD, KINZER, FALCK,
3 DOTZLER, O'BRIEN, BUKTA, DREES, SCHERRMAN,
4 COHOON, MERTZ, REYNOLDS-KNIGHT, BELL,
5 TAYLOR, BERNAU, MASCHER, and WITT
6 A Concurrent Resolution providing for the establishment
7 of a committee by the Legislative Council to conduct
8 a study of economic development programs and recom-
9 mend future economic development actions.
10 WHEREAS, the Department of Economic Development
11 administers and operates numerous programs designed to
12 encourage and improve economic development in the
13 State of Iowa; and
14 WHEREAS, the General Assembly believes a
15 comprehensive study of current programs and a study of
16 proposed future actions are necessary and in the best
17 interests of the economic health of the citizens of
18 the State of Iowa; NOW THEREFORE,
19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
20 SENATE CONCURRING, That the Legislative Council shall
21 appoint a working committee to conduct a comprehensive
22 study of programs administered by the Department of
23 Economic Development and make recommendations for
24 future actions to be taken to improve the competitive
25 economic position of the State of Iowa. The study
26 shall include all of the following:
27 1. Develop a list of procedures for use by the
28 Department of Economic Development for the evaluation
29 of existing and future economic development programs
30 and prepare recommended guidelines for the

HCR 14

1 administration and monitoring of each economic
2 development program by the department.

3 2. Identify the best means for ensuring the growth
4 and stability of the State of Iowa. This
5 identification shall include an analysis of the state
6 taxation structure as applied to businesses operating
7 in the State of Iowa.

8 3. Conduct a program analysis of each of the
9 business assistance programs in the state including
10 loans, grants, tax incentives, training, technology
11 assistance, and all other state and local business
12 assistance programs.

13 4. Compare the economic health of the State of
14 Iowa and its economic development programs with the
15 economic health and economic development programs of
16 all neighboring states.

17 5. Prepare recommendations for actions needed to
18 strengthen the competitive economic position of the
19 State of Iowa among other states; and

20 BE IT FURTHER RESOLVED, That the working committee
21 shall be composed of members of both political parties
22 and both houses of the General Assembly who are
23 members of the Senate standing Committee on Small
24 Business, Economic Development, and Tourism and the
25 House of Representatives standing Committee on
26 Economic Development and members who represent the
27 Department of Economic Development, the Iowa
28 Federation of Labor, economic development interest
29 groups, and other organizations and associations
30 interested in economic development; and

1 BE IT FURTHER RESOLVED, That the committee shall be
2 staffed by the Legislative Service Bureau and the
3 Legislative Fiscal Bureau. The committee shall begin
4 its deliberations following the adjournment of the
5 1997 Session of the General Assembly and shall issue
6 its report of recommendations by January 1, 1998.

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FEB 28 1997
Place On Calendar

1 HOUSE CONCURRENT RESOLUTION NO. 15
2 BY COMMITTEE ON EDUCATION
3 (SUCCESSOR TO HSB 131)
4 A Concurrent Resolution providing for the formation
5 of a committee by the Legislative Council to
6 conduct a comprehensive study of school finance
7 and make recommendations for a revised school
8 aid formula.

9 WHEREAS, the school aid formula contained in Code
10 chapter 257 is subject to a sunset provision repealing
11 the chapter effective July 1, 2001; and

12 WHEREAS, inequities between school districts under
13 the present school aid formula exist, based in part on
14 escalating transportation costs, special needs
15 resulting from declining or increasing enrollments,
16 special education funding inequities, and the needs of
17 students who require special assistance to
18 successfully complete the requirements of a standard
19 school curriculum; and

20 WHEREAS, there exists interest in and support for a
21 new school foundation formula addressing existing
22 inequities, easing the property tax burden, and
23 simplifying the present formula; and

24 WHEREAS, the General Assembly believes that a
25 comprehensive review of the current school aid formula
26 and a study of proposed modifications or revisions
27 prior to that date are necessary and in the best
28 interests of the schoolchildren and citizens of the
29 state of Iowa; NOW THEREFORE,

30 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE

1 SENATE CONCURRING, That the Legislative Council shall
2 appoint a working committee to conduct a comprehensive
3 study of school finance and make recommendations for a
4 school finance program for Iowa for the year 2000 and
5 beyond. The study shall include a review of the
6 present school finance formula, the property tax
7 burden on taxpayers of the various school districts
8 including their property assessment practices, and
9 identification of potential alternative methods of
10 school finance in anticipation of the repeal of the
11 present state school foundation formula effective July
12 1, 2001.

13 The working committee shall be composed of members
14 of both political parties and both houses of the
15 General Assembly who are members of the Committees on
16 Education and the Committees on Ways and Means and
17 members who represent the Department of Education,
18 education interest groups, and other organizations and
19 associations interested in school finance.

20 The committee shall be staffed by the Legislative
21 Service Bureau and the Legislative Fiscal Bureau. The
22 committee shall begin its deliberations following the
23 adjournment of the 1997 Session of the General
24 Assembly and shall issue its report of recommendations
25 by December 1, 1998.

26 It is the intent of the General Assembly that the
27 General Assembly meeting in 1999 shall enact a school
28 aid formula to replace the formula contained in Code
29 chapter 257. The new formula shall take effect for
30 computations and procedures needed during the school

1 year beginning July 1, 2000, in order to implement the
2 new formula for the school year beginning July 1,
3 2001.

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MAR 6 1997
STATE GOVERNMENT

1 HOUSE CONCURRENT RESOLUTION NO. 16
2 BY SHOULTZ, WITT, JOCHUM, BUKTA, SCHERRMAN,
3 WARNSTADT, COHOON, BELL, HUSER, O'BRIEN, DOTZLER,
4 LARKIN, WHITEAD, MUNDIE, REYNOLDS-KNIGHT, CONNORS,
5 RICHARDSON, FORD, FREVERT, CHAPMAN, FOEGE, FALCK,
6 BERNAU, WISE, CATALDO, KREIMAN, CHIODO, MASCHER,
7 BURNETT, MURPHY, KOENIGS, BRAND, DREES, TAYLOR,
8 MAY, FALLON, KINZER, OSTERHAUS, WEIGEL, DODERER,
9 THOMAS, MERTZ, MYERS, MORELAND, SCHRADER, and HOLVECK
10 A Concurrent Resolution relating to the formation of a
11 temporary bipartisan commission to recommend reforms
12 in the laws relating to the financing of political
13 campaigns.
14 WHEREAS, an estimated record of \$2.7 billion was
15 spent on political advertising in the 1996 elections;
16 and
17 WHEREAS, recent polls reveal that a majority of
18 Americans believe that the current system of campaign
19 finance must be reformed; NOW THEREFORE,
20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
21 SENATE CONCURRING, That the General Assembly establish
22 a Campaign Finance Reform Commission (Commission) to
23 study the laws relating to the financing of elections
24 for office and to recommend reforms in those laws,
25 according to the following:
26 1. MEMBERSHIP OF THE COMMISSION.
27 a. Appointment. The Commission shall be composed
28 of 15 members, appointed as follows:
29 (1) Three members shall be appointed by the
30 speaker of the house of representatives, one of whom

HCR 16

1 shall be the chair of the house committee on state
2 government, and the other two shall be members of the
3 public.

4 (2) Three members shall be appointed by the
5 minority leader of the house of representatives, one
6 of whom shall be the ranking minority member of the
7 house committee on state government, and the other two
8 shall be members of the public.

9 (3) Three members shall be appointed by the
10 majority leader of the senate, one of whom shall be
11 the chair of the senate committee on state government,
12 and the other two shall be members of the public.

13 (4) Three members shall be appointed by the
14 minority leader of the senate, one of whom shall be
15 the ranking minority member of the senate committee on
16 state government, and the other two shall be members
17 of the public.

18 (5) Three members shall be the state chairs of
19 each of the political parties, as defined under Code
20 section 43.2.

21 b. Selection Criteria. Persons making
22 appointments shall consult with one another to ensure
23 that the Commission is balanced by gender in
24 accordance with section 69.16A.

25 c. Selection of Chair and Vice-Chair. The
26 Commission shall select a Chair and Vice-Chair from
27 among its members at the first meeting of the
28 Commission.

29 d. Terms. The members of the Commission shall
30 serve for the life of the Commission.

1 e. Vacancies. A vacancy in the Commission shall
2 be filled in the manner in which the original
3 appointment was made.

4 f. Compensation. Members of the Commission shall
5 be paid their necessary travel and actual expenses
6 incurred in attending Commission meetings.

7 2. POWERS AND DUTIES OF THE COMMISSION.

8 a. Hearings. The Commission may hold hearings
9 which shall be open and announced in advance to the
10 public, take testimony, and receive evidence as the
11 Commission considers appropriate.

12 b. Quorum. Eight members of the commission shall
13 constitute a quorum, but a lesser number may hold
14 hearings.

15 c. Report. Not later than January 1, 1998, the
16 Commission shall submit to the General Assembly a
17 report of the activities and findings of the
18 Commission, together with a draft of legislation
19 recommended by the Commission to reform the laws
20 regarding the financing of political campaigns. The
21 Commission may utilize the services of the Legislative
22 Service Bureau in formulating a draft of legislation.

23 d. Matters to Be Considered. In holding hearings
24 and preparing the report required under paragraph "c",
25 the Commission shall consider proposed reform
26 legislation before the United States Congress, reform
27 legislation passed by Maine and other states, and
28 reform proposals of public interest organizations.
29 The Commission may secure directly from any department
30 or agency such information as the Commission considers

1 necessary, and the department or agency shall promptly
2 furnish such information to the Commission.

3 e. Staff. The Commission shall retain an
4 independent consultant to provide technical assistance
5 and staffing associated with the duties of the
6 Commission.

7 Additional assistance shall be provided to the
8 Commission by the central nonpartisan legislative
9 staff bureaus.

10 f. Funding. The Legislative Council may expend up
11 to \$50,000 from the appropriation in Code section 2.12
12 to be used for the duties of the Commission.

13 3. TERMINATION.

14 The Commission shall cease to exist two months
15 after the submission of its report.

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1997

LOCAL GOVERNMENT

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1 HOUSE CONCURRENT RESOLUTION NO.

2 BY FALLON

3 A Concurrent Resolution establishing a special commis-
4 sion to study and make recommendations concerning
5 urban planning, growth management of cities, and
6 protection of farmland and natural resources.

7 WHEREAS, it is the intent of the General Assembly
8 to provide for the orderly use and development of land
9 and related natural resources in the state, to
10 preserve private property rights, to preserve the use
11 of prime agricultural land for agricultural
12 production, to preserve natural, cultural, and
13 historical areas, and to provide for the coordination
14 of comprehensive plans for land use; and

15 WHEREAS, it is the intent of the General Assembly
16 to control urban sprawl, and thereby provide for the
17 protection and preservation of the private and public
18 interest in the land, water, and related resources of
19 this state for the public health, safety, and general
20 welfare, and for the benefit of present and future
21 generations; NOW THEREFORE,

22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
23 SENATE CONCURRING, That a special commission shall be
24 established within two weeks of the passing of this
25 resolution to study urban planning, growth management,
26 and farmland protection; and

27 BE IT FURTHER RESOLVED, That the special commission
28 shall consist of 17 voting members with diverse
29 expertise in planning, development, design, zoning,
30 annexation, agriculture, housing, taxation, historic

HCR 17

1 preservation, environmental protection, conservation,
2 and transit, including all of the following:

- 3 1. Four members of the general assembly with not
4 more than one member from each chamber being from the
5 same political party. The two senators shall be
6 designated by the majority leader of the Senate after
7 consultation with the minority leader of the Senate.
8 The two representatives shall be designated by the
9 Speaker of the House of Representatives after
10 consultation with the majority and minority leaders of
11 the House of Representatives. Of the members from
12 each chamber, one member shall represent a district
13 which is primarily urban, while the other member shall
14 represent a district which is primarily rural.
- 15 2. One member appointed by the Governor.
- 16 3. The executive director of the Iowa Farm Bureau
17 Federation or a designee of the executive director.
- 18 4. The executive director of the Iowa Farmers'
19 Union or a designee of the executive director.
- 20 5. The executive director of the Iowa League of
21 Cities or a designee of the executive director.
- 22 6. The executive director of the Iowa State
23 Association of Counties or a designee of the executive
24 director.
- 25 7. The chairperson of the Department of Community
26 and Regional Planning in the College of Design at Iowa
27 State University of Science and Technology.
- 28 8. The president of the Iowa Chapter of the
29 American Planning Association or a designee of the
30 president.

1 9. The executive director of the Associated
2 Builders and Contractors of Iowa or a designee of the
3 executive director.

4 10. The executive director of the Iowa
5 Environmental Council or a designee of the executive
6 director.

7 11. The executive director of the Iowa Historic
8 Preservation Alliance or a designee of the executive
9 director.

10 12. The executive director of the Iowa Public
11 Transit Association or a designee of the executive
12 director.

13 13. The executive director of the Iowa Chapter of
14 the American Institute of Architects or a designee of
15 the executive director.

16 14. The executive director of the Iowa Natural
17 Heritage Foundation or a designee of the executive
18 director; and

19 BE IT FURTHER RESOLVED, That the co-chairpersons of
20 the special commission shall be the General Assembly
21 members of the majority party from each chamber; and

22 BE IT FURTHER RESOLVED, That the special commission
23 shall do all of the following:

24 1. Survey the status of Iowa farmland and natural
25 areas over the past 20 years to determine how much of
26 these areas has been converted to residential,
27 commercial, or industrial use. The survey shall also
28 report on the agricultural quality of the farmland
29 converted to residential, commercial, or industrial
30 use.

1 2. Conduct a survey of the problems facing the
2 state's cities including, but not limited to, problems
3 involving crime, poverty, infrastructure, housing, and
4 taxes.

5 3. Evaluate the effectiveness of current state,
6 regional, and local planning and zoning laws and
7 assess their impact on the farmland, natural areas,
8 and cities of the state.

9 4. Survey property developers, builders,
10 contractors, planners, engineers, surveyors,
11 environmentalists, attorneys, citizen groups, and
12 state and local government agencies about problems
13 associated with the current planning system and seek
14 their advice on solutions to those problems.

15 5. Review model legislation and studies on
16 planning and land-use systems and collect information
17 on states that have undertaken reform efforts and have
18 working systems.

19 6. Identify incentives or techniques for sharing
20 the benefits of economic growth and eliminating or
21 reducing fiscal competition among local governments.

22 7. During October and November 1997, hold public
23 hearings in Cedar Rapids, Des Moines, Waterloo/Cedar
24 Falls, Mason City, Burlington, Bettendorf/Davenport,
25 Iowa City, Dubuque, Sioux City, and Council Bluffs to
26 share the initial findings of the special commission
27 and solicit public comment and input on steps that
28 might be taken to address the charge of the special
29 commission.

30 8. Propose innovative and cooperative planning and

1 land-use approaches that will protect farmland,
2 accommodate and guide growth and development, ensure
3 the planning and construction of adequate supporting
4 services and infrastructure including utilities, storm
5 water management systems, and transportation, provide
6 opportunities for or eliminate barriers to affordable
7 housing, protect the environment, minimize exposure to
8 natural hazards, and generally address the concerns
9 outlined in this resolution.

10 9. At the discretion of the special commission,
11 hold a second series of public hearings in the fall of
12 1998; and

13 BE IT FURTHER RESOLVED, That the special commission
14 shall convene each month beginning no more than one
15 month after this resolution is passed; and

16 BE IT FURTHER RESOLVED, That the special commission
17 shall submit an interim report to the General Assembly
18 no later than January 1, 1998, which shall include,
19 but not be limited to, a status report of the
20 commission's actions and an explanation of future
21 plans; and

22 BE IT FURTHER RESOLVED, That the special commission
23 shall submit a final report to the General Assembly no
24 later than December 1, 1998, which shall include, but
25 not be limited to, findings, analysis, and
26 recommendations by the special commission; and

27 BE IT FURTHER RESOLVED, That the special commission
28 shall be staffed by the Department of Agriculture and
29 Land Stewardship; and

30 BE IT FURTHER RESOLVED, That the Legislative

1 Council pursuant to its authority in section 2.43 may
2 allocate from moneys available to it in section 2.12,
3 to the special commission created in this resolution
4 for studies, consultants, surveys, and reimbursement
5 of the Department of Agriculture and Land Stewardship.

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Laid Over Under Rule 25

1 HOUSE CONCURRENT RESOLUTION NO. 26
2 BY KINZER, BELL, BRAND, and MYERS
3 A Concurrent Resolution providing for the formation of a
4 committee by the Legislative Council to evaluate the
5 creation of a caregiver recruitment and retention pilot
6 program.

7 WHEREAS, a significant number of citizens of the
8 state of Iowa require some form of nursing assistance,
9 home care assistance, or some other form of direct
10 patient care; and

11 WHEREAS, it is in the best interest of citizens
12 requiring such assistance, and all the citizens of the
13 state of Iowa, that a caregiver workforce of the
14 highest possible quality is maintained; and

15 WHEREAS, the prospect of achieving and retaining a
16 high quality caregiver workforce will be substantially
17 increased through efforts to provide training,
18 establish and maintain educational standards of
19 excellence, and facilitate enhanced career
20 opportunities; NOW THEREFORE,

21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
22 SENATE CONCURRING, That the Legislative Council shall
23 appoint a working committee to evaluate the creation
24 of a caregiver recruitment and retention pilot program
25 to establish and streamline educational standards of
26 excellence for nursing assistants, home care aides,
27 patient care technicians, and other caregivers who
28 provide direct care for elders, and to develop the
29 appropriate educational programming to ensure that
30 these standards are met and a quality caregiver

HCR 26

1 workforce is available. The program shall involve the
2 development of career opportunities for caregivers,
3 the establishment of educational standards of
4 excellence for direct caregivers in all disciplines to
5 replace the minimal educational standards currently
6 relied on in each discipline, and the streamlining of
7 the educational standards to facilitate cross-
8 training. Goals of the program shall be to:

- 9 1. Increase accessibility of educational
10 programming for direct caregivers, and offer
11 educational programming to family and other informal
12 caregivers.
- 13 2. Develop or modify specialization certification
14 program curriculum.
- 15 3. Examine the feasibility of educational
16 programming for volunteers and care review committee
17 members.
- 18 4. Focus recruitment efforts relating to family
19 investment plan recipients on a career of caregiving.
- 20 5. Serve as a means of abuse prevention and
21 intervention by providing ongoing comprehensive
22 training on abuse and how to care for abused patients
23 and residents.

24 The working committee shall be composed of members
25 of both political parties and both houses of the
26 General Assembly, and shall also include
27 representatives from the department of elder affairs,
28 including the nursing home ombudsman, and nursing
29 assistants, home care aides, patient care technicians,
30 and other caregivers. The committee shall assemble a

1 consortium of educators to establish and streamline
2 educational standards, consider which county or
3 counties in which to launch a pilot program, survey
4 direct caregivers to determine educational needs, and
5 evaluate the development of an educational programming
6 pilot project to be delivered through the fiber optics
7 network in a designated location.

8 The committee shall be staffed by the Legislative
9 Service Bureau and the Legislative Fiscal Bureau. The
10 committee shall begin its deliberations following the
11 adjournment of the 1997 Session of the General
12 Assembly and shall issue its report of recommendations
13 for establishment of a pilot program by January 1,
14 1998.

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JUDICIARY

1 HOUSE RESOLUTION NO. 7
2 BY LAMBERTI
3 A Resolution to request an interim study regarding the
4 use of community service in Iowa's criminal and
5 juvenile justice system.

6 WHEREAS, the Iowa General Assembly has made
7 community service available as part of, in addition
8 to, or in lieu of various traditional sentencing or
9 dispositional alternatives for criminal acts; and

10 WHEREAS, community service is being used by the
11 court and the various agencies in Iowa's juvenile and
12 adult correctional system in a wide variety of cases
13 and for diverse purposes and populations; and

14 WHEREAS, other than when community services are
15 ordered in lieu of a fine, relatively few specific
16 standards exist regarding the purpose, amount, or
17 appropriateness of community service work.

18 NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF
19 REPRESENTATIVES, That the Legislative Council is
20 requested to establish an interim study committee
21 consisting of members of both political parties from
22 both houses of the general assembly to review the use
23 of community service in the Iowa juvenile and criminal
24 justice system. The study may include, but is not
25 limited to, a review of the underlying public policy
26 and purposes for permitting the use of community
27 service, the various forms of community services in
28 use in this state, the frequency of use of community
29 services as an alternative or addition to other forms
30 of punishment, the supervision of individuals required

1 to perform community services, the uniformity of
2 practices relating to any community services
3 requirement, and any rules or regulations which have
4 been adopted by the state or any political subdivision
5 of the state regarding the use or supervision of
6 persons performing community services. The committee
7 shall submit its findings, together with any
8 recommendations, in a report to the General Assembly
9 which convenes in January 1998.

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JUDICIARY

1 HOUSE RESOLUTION NO. 10
2 BY GRUNDBERG
3 A Resolution requesting a legislative study of the
4 impact of Arizona's proposition 200 alternative
5 medical treatment of drug offenders program.
6 WHEREAS, while drug abuse violations have nearly
7 doubled for all populations since 1985, drug abuse
8 violations for persons under the age of 18 increased
9 by 66 percent during the same period; and
10 WHEREAS, in some cities, half the murders that take
11 place are drug-related; and
12 WHEREAS, a national study of jail inmates revealed
13 that more than half of them were under the influence
14 of drugs and alcohol at the time of committing their
15 current offense; and
16 WHEREAS, between 1970 and 1994, the number of
17 prisoners in America increased from 200,000 to over 1
18 million and over the past generation, the likelihood
19 that a narcotics arrestee will end up in prison has
20 increased by over five times; and
21 WHEREAS, a recent study conducted through the
22 Center on Addiction and Substance Abuse at Columbia
23 University found that at least 2 of the 3 million
24 persons on parole or probation in the United States
25 have drug or alcohol abuse addiction problems; and
26 WHEREAS, given the apparent connection between
27 crime and substance abuse and the apparent failures in
28 the current system to effectively stem both rising
29 drug abuse and the prevalence of drug abuse among
30 criminal offenders, it would seem that a different

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1 approach may be in order; and

2 WHEREAS, a major study showed that, on a dollar-
3 for-dollar-spent basis, police and military action to
4 seize cocaine shipments and arrest dealers, smugglers,
5 and couriers is far less effective than spending money
6 for treating hard-core users and abusers; and

7 WHEREAS, the state of Arizona recently adopted
8 Proposition 200, which requires persons who commit a
9 violent crime while under the influence of drugs to
10 serve 100 percent of their sentence but provides
11 probation and court-supervised treatment programs for
12 nonviolent drug offenders; NOW THEREFORE,

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
14 That the Legislative Council is requested to establish
15 an interim study committee consisting of members of
16 both political parties from both houses of the General
17 Assembly to review the costs and benefits associated
18 with implementing in Iowa's correctional system a
19 system similar to that utilized under Arizona's
20 Proposition 200 for substance abusers and drug law
21 violators. The study may include but is not limited
22 to a review of the elements of Proposition 200, the
23 implementation of the proposition in Arizona's
24 correctional system, a comparison of Arizona's inmate
25 and probation and parole populations, and any
26 documented successes or failures related to
27 implementation of the program. The committee shall
28 submit its findings, together with any
29 recommendations, in a report to the General Assembly
30 which convenes in January 1998.

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JUDICIARY

1 HOUSE RESOLUTION NO. 11
2 BY REYNOLDS-KNIGHT

3 A Resolution requesting an interim study of the use
4 of transcendental meditation as a rehabilitative
5 technique in correctional institutions.

6 WHEREAS, transcendental meditation is a simple,
7 cost-effective technique that has been used
8 successfully over the last twenty-five years; and

9 WHEREAS, transcendental meditation is being used in
10 many prison and juvenile correctional systems
11 throughout the world, including institutions in the
12 United States, Spain, India, Sri Lanka, Brazil,
13 Mexico, Chile, Paraguay, the Philippines, and Senegal;
14 and

15 WHEREAS, the transcendental meditation program has
16 been learned by more than four million people around
17 the world, including tens of thousands of prison
18 inmates and correctional officers; and

19 WHEREAS, in more than five hundred studies carried
20 out in over two hundred universities and research
21 institutions in twenty-seven countries, the research
22 has shown that the program helps to dissolve stress,
23 promotes health, develops mental potential, promotes
24 personal growth and social harmony, and reduces
25 dependency on alcohol and other drugs; and

26 WHEREAS, research in California and Massachusetts
27 on the use of transcendental meditation in corrections
28 facilities demonstrated a thirty-five percent
29 reduction in offender recidivism after release; and

30 WHEREAS, a transcendental meditation program only

1 requires that a person sit comfortably with eyes
2 closed for two fifteen to twenty minute daily sessions
3 making it easy and cost-effective to implement; and
4 WHEREAS, based upon recent figures in the Iowa
5 department of correction's budget and the
6 scientifically quantified effects of the
7 transcendental meditation program, it is estimated
8 that the department could recover more than seven
9 dollars for every dollar invested in the program; NOW
10 THEREFORE,

11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
12 That the Legislative Council is requested to establish
13 an interim study committee consisting of members of
14 both political parties from both houses of the General
15 Assembly to review the costs and benefits associated
16 with initiating a transcendental meditation program
17 within the Iowa adult and juvenile correctional
18 systems. The study may include but is not limited to
19 a review of existing research on the benefits and
20 costs of a transcendental meditation program and an
21 examination of correctional systems which currently
22 utilize transcendental meditation as part of their
23 program. The committee shall submit its findings,
24 together with any recommendations, in a report to the
25 General Assembly which convenes in January 1998.

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Laid Over Under Rule 25

1 HOUSE RESOLUTION NO. 14
2 BY LAMBERTI AND FORD
3 A Resolution requesting that the Legislative Council
4 establish an interim study committee to consider
5 creation of a separate state department for youth
6 services.
7 WHEREAS, youth services for the youth of this state
8 may be improved by consolidating youth services into a
9 separate department; and
10 WHEREAS, there may be overlap and duplication in
11 the funding sources and administration of youth
12 services; and
13 WHEREAS, other states have consolidated youth
14 services into a separate department for the purposes
15 of improving services; NOW THEREFORE,
16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
17 the Legislative Council is requested to establish an
18 interim committee for the 1997 Interim to consider
19 whether a separate state department for youth services
20 should be created and to conduct a comprehensive
21 review of the existing services and programs for youth
22 in this state. The committee should include members
23 of both political caucuses of both houses of the
24 General Assembly. The study may also consider the
25 funding mechanisms for the services and programs,
26 agencies involved in delivery of the services and
27 programs, areas in which services and programs
28 overlap, and approaches used and experiences of other
29 states in providing youth services. In addition, the
30 study may receive testimony from agency staff, service

HK 17

1 providers, and youth services advocates on issues
2 deemed relevant to the delivery of youth services in
3 this state. The interim committee may be authorized
4 to retain a consultant to provide background
5 information for the committee. If established, the
6 committee should be directed to submit a report with
7 recommendations and findings to the Seventy-seventh
8 General Assembly, 1998 Session.

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Sec. 11. REVIEW OF CERTIFICATE OF NEED PROGRAM.

1. a. The Iowa department of public health shall complete a comprehensive review of the certificate of need program and shall submit a written report of the findings and recommendations as to the continued relevance of the program to the general assembly by January 15, 2000.

b. Four members of the general assembly shall be appointed to assist the Iowa department of public health in completing the review. The terms of the legislative members shall be for one year beginning and ending as provided in section 69.19 or until their successors are appointed. Appointments shall comply with sections 69.16 and 69.16A. Vacancies shall be filled in the same manner as the original appointment. Each legislative member shall receive compensation pursuant to section 2.10. The legislative members shall be appointed as follows:

(1) Two members of the senate appointed by the majority leader of the senate after consultation with the minority leader of the senate.

(2) Two members of the house of representatives appointed by the speaker of the house after consultation with the majority leader and the minority leader of the house.

2. The Iowa department of public health, the department of human services, and the department of inspections and appeals shall conduct a review of the regulation of psychiatric medical institutions for children and intermediate care facilities for persons with mental retardation. The review shall include a review of the moratorium language in section 135.63, subsection 4, relating to intermediate care facilities for persons with mental retardation. The departments shall submit jointly to the general assembly by January 15, 1998, a written report with recommendations to eliminate duplicative regulation of these institutional programs.

It is the intent of the general assembly that any consolidation of the information technology services of this state, including year 2000 corrections, will use a cooperative enterprise model in which the legislative, judicial, and executive branches of state government have input along with all other public entities. The budgetary responsibilities of the general assembly mandate legislative oversight of information technology services consolidation to ensure responsible allocation of the human and fiscal resources of this state.

The director of the department of education shall convene a study committee during the 1997 legislative interim consisting of the co-chairpersons of the joint appropriations subcommittee on education; two members of the governing board of the first in the nation in education foundation, who shall be appointed by the chairperson of the governing board; and the director of the department of education. The study committee shall do the following:

- a. Study how to maintain the autonomy of the foundation.
- b. Develop strategies that allow the foundation's funds to be invested in such a way as to increase the interest earned.
- c. Explore ways to enhance the research and dissemination functions of the foundation.
- d. Determine methods for reporting foundation activities that impact Iowa education. The study committee shall report its findings and recommendations in a report to the general assembly by October 1, 1997.

Sec. 2. OZONE TRANSPORT ASSESSMENT GROUP DECISION MAKING.

1. The director of the department of natural resources shall provide periodic reports on progress in the ozone transport assessment group decision-making process to the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection if the general assembly is in session, and to the legislative council if the general assembly is not in session. The director shall also submit any ozone transport assessment group decisions or recommendations, together with an explanation thereof, as expeditiously as is practicable to the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection for review if the general assembly is in session, and to the legislative council if the general assembly is not in session.

2. If the general assembly is in session, within a reasonable amount of time following receipt of the ozone transport assessment group decisions or recommendations, the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection may convene public hearings to receive comments from agencies of government and other interested parties on the prospective impact of the decisions or recommendations on this state's economy and the environment, including the impact on energy use, environment, economic development, utility costs and rates, transportation fuel costs, and industrial competitiveness. If the general assembly is not in session, the legislative council may convene public hearings for the same purposes.

Sec. 3. STATE IMPLEMENTATION PLAN.

1. Upon publication by the United States environmental protection agency of a notice of proposed rulemaking to require states to submit state implementation plan revisions or upon the issuance of a request by the United States environmental protection agency for submission of a state implementation plan for Iowa related to ozone attainment, the director of the department of natural resources shall notify the senate standing committee on natural resources and environment, the house of representatives standing committee on environmental protection, and the administrative rules review committee of the request or notice if the general assembly is in session. If the general assembly is not in session, the director shall notify the legislative council and the administrative rules review committee. The director shall also provide the committees or the legislative council and the administrative rules review committee with copies of any state implementation plan prepared by the department pursuant to such a request or notice not less than sixty days prior to the submission of the state implementation plan to the United States environmental protection agency.

2. Within a reasonable amount of time following receipt of the state implementation plan, if the general assembly is in session, the senate standing committee on natural resources and environment and the house of representatives standing committee on environmental protection shall convene public hearings to

receive comments from agencies of government and other interested parties on the prospective impact of the state implementation plan on this state's economy and environment, including impacts on energy use, the environment, economic development, utility costs and rates, transportation fuel costs, and industrial competitiveness. If the general assembly is not in session, the legislative council may convene public hearings for the same purposes.

3. The department shall not implement the state implementation plan through the use of emergency rules adopted under section 17A.4, subsection 2, or made effective under section 17A.5, subsection 2.

4. In the absence of a recommendation or other act of the general assembly, or of the legislative council if the general assembly is not in session, endorsing the state implementation plan, the director shall not submit to the United States environmental protection agency any state implementation plan related to ozone transport which would impose emission controls in Iowa more stringent than necessary for Iowa to demonstrate attainment with any national ambient air quality standard for ozone, unless all of the following can be shown:

a. Emissions from other than natural sources located within the state of Iowa contribute significantly to nonattainment of an ozone standard in another state.

b. Technically feasible emission reductions in such other nonattaining state would not permit the nonattaining state to demonstrate attainment and maintenance of an ozone standard.

c. Technically and economically feasible emission reductions in the state of Iowa will significantly benefit or enable a nonattaining state to achieve the ozone standard.

Sec. 6. PILOT PROJECT -- SCOPE OF PRACTICE REVIEW COMMITTEES.

1. The Iowa department of public health shall, to the extent possible with moneys made available in the appropriations in this health Act for professional licensure boards, conduct a study of utilizing scope of practice review committees to evaluate and make recommendations to the general assembly, and to the appropriate licensure boards on the following issues:

a. Requests from practitioners seeking to become newly licensed health professionals or to establish their own licensure boards.

b. Request from health professionals seeking to expand or narrow the scope of practice of a health profession.

c. Unresolved administrative rulemaking disputes between licensure boards.

2. A scope of practice review committee established under this section shall evaluate the issues specified in subsection 1 and make recommendations to the general assembly pursuant to subsection 3 based on the following standards and guidelines:

a. It is in the best interest of the public that scope of practice review committees be established to monitor scope of practice issues and concerns and promote consistency between licensure boards.

b. The proposed change does not pose a significant new danger to the public.

c. Enacting the proposed change will benefit the health, safety, or welfare of the public.

d. The public cannot be effectively protected by other more cost-effective means.

3. A pilot project utilizing scope of practice review committees shall be established based on the model and findings of the health professions committee of the Iowa health regulation task force. The pilot project shall commence on July 1, 1997, and shall end on June 30, 2000. The director of the Iowa department of public health, in consultation with members of the general assembly, the administrative rules review committee, and the professional licensure boards, shall select the issues subject to a scope of practice review.

Each scope of practice review committee shall be limited to five members as follows: one member representing the profession seeking licensure, a new board, or a change in scope of practice; one member of the health profession directly impacted by, or opposed to, the proposed change, one impartial health professional who is not directly or indirectly affected by the proposed change; and two impartial members of the general public. The department shall submit a progress report to the governor and the general assembly by January 1, 1998, and shall conduct a complete evaluation of the scope of practice review committee pilot project by January 1, 2000.

The department shall adopt rules in accordance with chapter 17A to implement the pilot project in accordance with the provisions of this section.

April 7, 1997

TO: Representative Chuck Gipp and Members of the Studies
Committee of the Legislative Council

FROM: Representative Effie Lee Boggess



RE: Industrial Hemp Study

I am writing to request authorization of a legislative interim study of industrial hemp. There is a trend among the states to consider the economic importance of industrial hemp, which is a major crop in other nations. Industrial hemp historically has contributed to the economic welfare of this country, and is a renewable natural resource manufactured for textiles, pulp, paper, oil, and other products.

It has been suggested that industrial hemp would promote the economy of this state but research is necessary to develop industrial hemp as a viable crop. Issues for consideration by an interim study would include the following:

- The means of producing industrial hemp in this state as a profitable cash crop.
- The production of industrial hemp having the lowest possible percentage of tetrahydrocannabinol.
- The development of good production practices.
- The need for and availability of suitable equipment and machinery, and market conditions affecting the economic viability of industrial hemp production.
- Approaches for university researchers to cooperate with other states engaged in conducting similar research, and to seek financial support from public and private sources.

There was strong interest in this topic among members of the General Assembly's agriculture committees and from farm organizations. I appreciate your consideration of this important request.

REQUEST FOR INTERIM STUDY ON WORKERS' COMPENSATION

ISSUE:

SF 296, passed this Session, requires nonoccupational health plans to pay whenever there is a disputed workers' compensation (WC) claim. Proponents offered this as a solution to an alleged \$6 million debt load being carried by Iowa hospitals due to disputed WC claims.

Opponents claim that SF 296 will not solve the problem and that an interim committee should be appointed to recommend an equitable legislative solution to a problem that has existed for over 15 years.

DISCUSSION:

THE \$6 MILLION CLAIM:

Proponents of SF 296 provided no data to support claims of \$6 million being owed to Iowa hospitals due to contested WC claims. None of these questions were answered:

- Is the \$6 million number accurate? Where is the supporting data?
- Is the \$6 million "claims in process" or uncollectable "bad debt?"
- What portion of the \$6 million is attributable to conflicts between WC and ERISA "self-insured" employers. Under ERISA no state law can direct claims payment. Over 60 percent of Iowa's health plans are self-insured.
- What portion of the \$6 million is attributable to the difference in hospital charges billed at the normally higher WC rates, but reimbursed at lower contractual rates by the nonoccupational health plan?

THE MISUNDERSTOOD WC PROCESS:

Nonoccupational health plans are not a "real parties in interest" under current WC procedures. Allegedly, 90 percent of contested WC claims are settled with no admission of liability on the part of the WC carriers. Many contested claims settled with no provision for payment of outstanding medical charges. How are the interests of the nonoccupational health plan protected under these circumstances?

OTHER UNANSWERED QUESTIONS:

How are Iowa employers who elect "self-insured WC coverage" under Chapter 87 treated under SF 296?

What fiscal impact will SF 296 have on the State of Iowa's own health plans?

PUBLIC POLICY:

Claims have been made that SF 296 merely codifies current health insurance practices. If so, how does this solve the proponents' problem? A year from now the debt will remain unchanged. Transferring a problem from one party to another presents no solution and is bad public policy.

SOLUTION:

Authorize an Interim Study similar to that proposed by Amendment H-1632. Along with Legislative representation, members of the task force should include representatives from:

- Insurance Division
- Industrial Commissioner
- Labor groups
- Business groups
- ABI
- Health Insurance groups
 - Iowa Life & Health Insurance Association
 - Iowa Managed Care Association
- Workers' Compensation carriers
- Medical Care Providers
 - Iowa Medical Society
 - Iowa Assn. of Hospitals & Health Systems
- Legal profession
 - Iowa State Bar Association

April 25, 1997

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April 7, 1997

TO: Representative Chuck Gipp and Members of the
Studies Committee of the Legislative Council

FROM: Representative Ralph Klemme

RE: Solid Waste Fees and Incentives

I request the Legislative Council establish an interim committee for three meetings to conduct a comprehensive review of the goals, regulation, reporting, and status of statewide efforts to reduce and recycle solid waste.

The review should include, but not be limited to, an evaluation of the effectiveness of statewide goals for waste stream reduction, incentives, and penalties used to encourage planning areas to meet the waste stream reduction goals, recycling programs, tonnage fees, and programs funded by tonnage fees.

The committee should submit a report of its findings and recommendations to the general assembly by December 15, 1997.

This issue is of significant statewide interest. Thank you for your consideration of this request.