

Studies Compilation

1999 Legislative Interim Study Information

Issued by the Legislative Service Bureau on May 26, 1999 (revised 6/28/99)

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. Previously Authorized Studies Continuing in the 1999 Legislative Interim and Reoccurring Studies

1. Sentencing Commission.
2. Child Welfare Services Work Group.
3. Public Retirement Systems Committee – generally meets in odd-numbered years. (Iowa Code, Sec. 97D.4)

B. Mandated Legislative Studies or Review

1. A campaign finance commission is created with public members, some of which are appointed by legislative leaders, and with legislative staffing (SF 470, secs. 13 – 16).
2. The Legislative Council is required to review and approve design and location proposals for construction of the Iowa Hall of Pride (HF 772, sec. 4, sub. 15).

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

1. Review driver's education curriculum, certification of persons by the Department of Transportation to provide street and highway driving instruction, costs to students and to schools, privatizing driver's education, expansion of behind-the-wheel training, and effects on insurance rates (SF 203, sec. 27).
2. Review the issues concerning making regional library staff state employees (SF 464, sec. 11).
3. Create a task force consisting of legislators and various interests to identify and study options for restructuring the community college governance system (SF 464, sec. 12).
4. Study restrictive easements and covenants as a tool to protect, conserve, or develop various areas of the Loess Hills (HF 218, sec. 10).
5. Create a study committee to consider the report of the State-County Management Committee regarding various specified aspects of the state's mental health, mental retardation, and developmental disabilities service system (HF 664, sec. 11).

6. Consider various issues regarding the economic development enterprise zone program (HF 733, sec. 3).
7. Evaluate and review whether community action agencies are maximizing opportunities to match funding for community service block grants (HF 737, sec. 18).
8. Evaluate courses required for persons who have committed an operating a motor vehicle while intoxicated offense (HF 737, sec. 19).
9. Create a task force to review the methodologies and distribution mechanisms used to reimburse providers of medical assistance, state supplementary assistance, social services, and other services funded in the department of Human Services' budget (HF 760, sec. 42).
10. Authorize an independent review of the Department of Human Services' administrative rules and their impact upon staff and services, utilizing support from foundation or private funding (HF 760, sec. 42).
11. Authorize a human services restructuring task force to consider existing and proposed initiatives for improving the provision of human services and other public services, including county central points of coordination, community empowerment, and child welfare funding decategorization (HF 760, sec. 44).
12. Study the issue of property taxation of condominium apartments (HF 769, sec. 3).
13. Study issues relating to the sale, use, and health and environmental effects of oxygenate enhancers contained in motor vehicle fuel (HF 772, sec. 15, sub. 4, par. "b").
14. Study the financing mechanisms for K-12 school buildings, including construction of, improvements to, and renovation of the buildings (HF 772, sec. 41).
15. If the study committee on school finance is continued, the committee shall study the funding of alternative high schools programs offered within a school district, by another school district, or with a community college (HF 782, sec. 40).
16. Review legal, budget, governance, and financial aspects of volunteer fire protection services, emergency medical services, and other vital services provided under the auspices of townships. (HCR 21 – passed both Senate and House, similar to D-6).

D. Study Requests in Other Resolutions

1. Study the feasibility of televising legislative proceedings (SCR 4).
2. Study the feasibility of televising legislative proceedings in order to enhance public access to state government (SCR 16).
3. Study to plan for the growing long-term care needs of Iowans (SCR 24 – passed by the Senate).
4. Study of economic development issues related to the distribution of goods and distribution centers (HCR 7).
5. Review of aviation transportation in Iowa (HCR 16).

6. Review the authority and responsibilities of townships as a unit of local government (HCR 18 – see item C-16).
- E. Other Legislative Study Requests in Memoranda, Letters, and Reports
1. Continuation of School Finance Working Committee (Working Committee's final report requests continuation of the committee – see also item C-14).
 2. Practices involving contracts for the production and marketing of livestock, including contracts executed by packers and cooperative associations (Rep. Mundie).
 3. Consumer choice with Internet technology and access (Sen. Gronstal).
- F. Executive Branch Studies with Legislative Involvement
1. Adult MH/MR/DD Services Funding Decategorization Pilot Project Oversight Committee – member to be designated by the Legislative Council (HF 664, sec. 1, sub. 7).

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STATE OF IOWA
Seventy-seventh General Assembly
STATEHOUSE
Des Moines, Iowa 50319

RECEIVED

June 17, 1999

JUN 18 1999

LEGISLATIVE SERVICE
DEPARTMENT

Studies Committee
Legislative Council
State of Iowa
Capitol Building
LOCAL

I am requesting an interim study committee be authorized to assure that the State of Iowa continues to maintain and further the unrestricted and unregulated environment which has allowed the Internet to evolve and flourish.

The dynamic growth of the Internet and the benefits it provides is directly the result of the unrestricted and unregulated environment in which it exists. Start-up companies which were nonexistent five years ago are dominating the financial markets. These companies have introduced technological innovations which now provide most Iowa consumers with economical access to equipment, information and services that were unavailable only a few years ago.

Three elements characterize the Internet: innovation, consumer choice and an unrestricted environment. These elements are directly linked and are essential to the Internet's continued growth and viability. Remove any one element, however, and the others are immediately in jeopardy.

One of those elements is being threatened today – consumer choice. More specifically, consumer choice in the technology to reach the Internet service provider of their choice. At the heart of the Internet is speed; speed to access information, speed to view information and speed to relay and exchange information. A number of technologies have been developed and are being deployed nationwide which increase consumer access and response speed by up to 50 times. The local telephone industry offering is digital subscriber line (DSL) service. The cable industry provides a comparable offering called cable modem service. While technologically unique, the benefits of each service are comparable – high quality, high speed and high capacity. It is there, however, the similarity ends.

Consumers subscribing to DSL service have a choice of Internet service providers. Local telephone companies offer DSL technology to any Internet service provider entering the market. Consumers choosing cable modem service are required to subscribe to that company's proprietary Internet service. Iowa Internet users should have the right to choose not only the technology to access the Internet but the Internet service provider as well. That option does not exist today. The question of equal access to technology must be addressed and answered in the affirmative.

I hope you will give this request for an interim study careful consideration.

Sincerely,



Michael E. Gronstal

PROPOSED GUIDELINES FOR INTERIM STUDY COMMITTEES

1999-2000 INTERIM

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 Service Bureau (LSB) or Legislative Fiscal Bureau (LFB) Director, a study committee chair may authorize research or legislative drafting work by the LSB or LFB 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 chair and vice chair of the Legislative Council and in consultation with the minority leaders of the Senate and House of Representatives.

GENDER BALANCE

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

VOTING BY PUBLIC MEMBERS

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

APPROVAL OF MEETINGS OUTSIDE DES MOINES

Any meeting or public hearing by a study 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 requires the prior approval of the Studies Committee and Legislative Council, or legislative leadership. Contractual consulting work for a study committee requires the prior approval of the Studies Committee and the Legislative Council.

SCHEDULING GUIDELINES

If the Legislative Council adopts deadlines for meeting dates of an interim study committee, the interim study committee must meet those deadlines or receive an exemption or a revised deadline date from the Legislative Council.

Proposed 1999 Legislative Interim Studies Actions

A. Proposed Studies

1. Community College Governance System

This committee shall identify and study options for restructuring the community college governance system. The goal is to develop a plan for community colleges to operate more cooperatively, effectively, and efficiently as a state system while recognizing the strong local character of the community colleges. The committee shall review the following aspects of the current system: current governance system; ongoing collaborative efforts; relationships with local K-12 schools, other accredited postsecondary institutions, and the Department of Education; and changes necessary to enhance accountability. The committee may consult with the Office of the Governor, Iowa Association of Community College Trustees, Iowa Association of Community College Presidents, Division of Community Colleges and Workforce Preparation of the Department of Education, and other parties interested in community college governance.

5 Senate/5 House

3 Meeting Days

2. Improving School Facilities

This committee shall study and make recommendation concerning financing mechanisms for K-12 school buildings, including approaches for construction, improvements, and renovations.

5 Senate/5 House

2 Meeting Days

3. Condominium Property Taxation

This committee shall study the issue of the property taxation of condominiums (described as apartments in horizontal property regimes in Iowa Code chapter 499B). The study shall include classifications which have multiple uses.

3 Senate/3 House

2 Meeting Days

4. Loess Hills

This committee shall study issues relating to the Loess Hills, including restrictive easements and covenants as a tool to carry out projects and programs to protect, conserve, or develop various areas of the Loess Hills.

5 Senate/5 House

2 Meeting Days

5. Increasing Use of Motor Oxygenate Enhancers

This committee shall study issues and make recommendations relating to the sale, use, and health and environmental effects of oxygenate enhancers contained in motor fuel. The study shall include both ethanol and methyl tertiary butyl ether (MTBE).

5 Senate/5 House

2 Meeting Days

6. OWI Course Requirements

This committee shall evaluate courses required for persons who have committed an operating a motor vehicle while intoxicated (OWI) offense. The study shall include a review of courses offered through the community colleges, either alone or in conjunction with local licensed substance abuse agencies, and include the consideration of the practice of combining juveniles and adults in the course, authorizing and ensuring the availability of expertise to offer separate courses geared toward juveniles and adults, the potential mixed message sent to recovering alcohol or drug abusers who should be receiving a zero tolerance for use directive, enrollment procedures, course fees and costs, and course evaluation.

3 Senate/3 House

1 Meeting Day

7. Volunteer Fire and Emergency Services

This committee shall review and make recommendations regarding the legal, budget, governance, and financial aspects of volunteer fire protection services, emergency medical services, emergency warning systems, and other vital services provided under the auspices of townships. Related policy considerations involved with townships shall be addressed in order to improve the functioning of townships as viable units of local government or to integrate township responsibilities with those responsibilities of other units of local government.

5 Senate/5 House

2 Meeting Days

B. Appointment Recommendation

Statutorily required Legislative Council appointments to nonlegislative bodies shall be made in the manner provided for appointment of public members of study committees under the guidelines for interim study committees.

C. Information Item: Mandated and Previously Approved Studies

1. Sentencing Commission – 6 additional meeting days
2. Public Retirement Systems
3. School Finance Working Committee – 5 meeting days
4. Campaign Finance Commission (only public members – no legislators)
5. Child Welfare Services Work Group (only public members – no legislators)