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LEGISLATIVE UPDATE

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The 87th General Assembly first legislative session has been unusual in many ways. Riding high after a wave election that granted them total control of the state legislature, Iowa Republicans now control the House, Senate and governor's office for the *first time in 20 years*. Republicans took control of the state Senate with a 29-20 advantage (there is one independent this year), and expanded their lead in the House to 59-41.

The spotlight has been focused squarely on the Republican-dominated House, Senate and governor's office to see how they handle their new power, and trends have emerged this session. There has also been a very sharp focus on cost containment in state government as the state mandated Revenue Estimating Conference has lowered the revenue forecast *three times since last fall*.

The first bill debated was a de-appropriations bill necessitated by a much lower-than-expected budget projection for FY 17, the current fiscal year. The revised estimate meant the current FY 17 state budget was no longer in compliance with the statutory 99 percent spending limitation. Consequently, the governor and the legislature had to bring the FY 17 budget back into compliance by lowering it approximately *\$118 million*.

This week, financial analysts once again adjusted the budget estimate, declaring Iowa is taking in less-than-expected revenue and must address a new shortfall of about *\$131 million for its current 2017 budget*. The three-member Revenue Estimating Conference announced Tuesday the state was expected to take in about \$7.1 billion for the current budget year, which ends June 30. To meet this new deficit of \$131 million, Governor Branstad has proposed tapping the state's cash reserves rather than make additional cuts for the remaining three months of the fiscal year. However, the same revenue estimating conference predicted Iowa also must cut *about \$191 million* from the budget year *beginning in July, FY 2018* so the rest of the session will be keenly focused on the budget.

Against this budget backdrop, the number of bills introduced and debated is smaller than in previous sessions. The leadership from both chambers and the governor's office have worked closely together to concentrate on major, far-reaching bills each week, minimizing the time for subcommittee and committee work on individually sponsored bills. Important bills that have been debated and passed include a massive bill on collective bargaining, a bill giving schools a

1.1 percent increase which was *much* lower than they asked for, a bill banning local laws like county minimum wage bills, a huge firearms bill, a contentious voter id bill, and as we write this, a massive workers' compensation rewrite. These issues have created long and mean-spirited debates and have produced huge and unruly crowds at the capitol and left scars on the session.

Despite these facts many other issues relevant to our association have been considered. In particular, the House Public Safety Committee has been very active. Several bills deal with the job of being a police officer. A bill still alive in both chambers creates a law enforcement privilege by establishing confidentiality of law enforcement personnel records. One of our resolutions is alive in a bill that allows police to carry guns on school property. A bill with penalties for eluding law enforcement vehicles is still alive. Another of our resolutions calls for retirement income exclusion and, at this writing, a bill is alive to do that in each chamber. However, if state revenues keep falling, they might not survive.

There have been several bills introduced with safe driving and public safety on highways. Police have been part of the coalition backing several bills in both chambers ranging from making the anti-texting penalties more stringent, or requiring "hands free" communication" only while driving. So far, four bills are still alive. Law enforcement groups have also worked with Public Safety to pass the so-called "24/7 bill," which combats drunk driving by establishing a statewide sobriety and drug monitoring program; it also includes strict penalties when the use of communication devices while driving results in death. That bill is still alive in both chambers. Finally, there are bills in both chambers dealing with bicycle safety, which we are supporting.

We have worked with other law enforcement groups and the Department of Justice on a "Drug Endangered Child bill," which is poised to become law. It amends the definition of a child in need of assistance to provide that an unmarried child who is drug-endangered may be the subject of a child-in-need-of-assistance petition; it may trigger an adjudication hearing where the state is given the opportunity to prove that the child is, in fact, in need of assistance and in need of services or out-of-home placement and protection. A drug-endangered child is a child whose parent, guardian, custodian or other adult member of the household uses, possesses, manufactures, cultivates or distributes a dangerous substance in the presence of the child or knowingly allows such activities by another person in the child's presence. The bill includes cocaine, heroin and opium or opiates in the list of dangerous substances.

Additional bills we are supporting with a good chance of passage are: a bill in both chambers allowing Department of Transportation (DOT) personnel to enforce motor vehicle laws, four bills dealing with the definition of domestic stalking offenses and making penalties, a bill requiring the disclosure of mental health information to law enforcement professionals, a bill making simulated fun offenses illegal, a cyber-security initiative, a bill allowing electronic search warrants, a financial crime enforcement bill, a bill to allow peace officers to teach driver's ed and a bill from the Drug Tsar making changes to the controlled substances schedules and dealing with precursor drugs, which we support.

As important are the bills that have *failed* to survive. A bill introduced in the House called for the appointment of a special prosecutor after a peace officer fired a gun on duty and caused bodily injury or death. A bill introduced in both chambers on racial profiling also failed to pass either chamber. It called for standardized collection and compilation of officer stop and compliant data, officer training, the creation of a community policing advisory board. A bill mandating cameras for all public safety personnel failed to pass. No forfeiture bills have yet passed the chambers although two are still alive. Finally, no attempt has been made to change the 411 pension

system. One bill in the Senate actually requires the state to meet its initial obligations of contributing to the 411 pension system. It will not pass due to the budget situation.

Legislative leadership have said they want to adjourn session on the 100th day. If that happens, it would be the first time in nine years that the legislature adjourned on time. That means in the next four weeks the budget must be tackled and several bills need to be passed. It will be important that legislators hear from their constituents, so please meet your legislator, let him/her know what issues are important to you and attend legislative forums. This year, more than ever, with all the new representatives and senators, people are looking toward their districts for legislative guidance. *All politics are local*, so be a voice in your district. If you have any questions on specific bills, please contact your board members or feel free to contact us.