

The Legislative Process in Iowa

I. An Idea

Many people have ideas about the proper role of government in a democratic society. Often, private citizens, businesses, governmental agencies, professional associations and interest groups will seek to have their ideas about government translated into law. In Iowa, only a legislator or legislative committee may ask the Legislative Service Bureau to draft an idea into a bill.

Legislators also have ideas about legislation and receive many suggestions from constituents. After a legislator determines that an idea is worthy of consideration by the General Assembly it is submitted to the Legislative Service Bureau where bill drafters (lawyers and research analysts) translate the idea into legal form. There are four forms that a legislative proposal may take: A Senate or House File, Senate or House Resolution, Joint Resolution or Concurrent Resolution. Most proposals are Senate or House files.

II. Introduction

After a bill draft is completed, it is returned to the legislative sponsor, who reviews it and files the bill with the Chief Clerk of the House or the Secretary of the Senate. The bill is reviewed by the House or Senate legal counsel to ensure the accuracy of the format and content. After review by the legal counsel, a number is assigned to the bill and it is introduced by being presented to the presiding officer of the chamber, either the Speaker of the House or the President of the Senate, who orders the reading of the bill number, sponsor and title to the chamber. Following introduction, the bill is assigned to a standing committee for review and recommendation. If the bill is sponsored by a standing committee, it may be placed on the House or Senate calendar or referred to another committee.

III. Committee

A standing committee is a group of legislators designated by its chamber to examine all bills relating to a specific subject area. When a bill is assigned to a committee, the committee chairperson, a member of that chamber's majority party, appoints a subcommittee to study the bill in detail. The subcommittee reports its conclusions to the full committee, which considers the bill and recommends that the bill be passed, amended and passed, or that no action be taken.

Before the bill is passed out of a committee, a public hearing on the bill may be held. At a public hearing, any person may testify. The committee may decide to amend the bill or redraft it as a result of information gained from the public hearing.

In an emergency, a committee may vote to suspend its rules and eliminate the subcommittee process in order to take up a matter immediately.

A report of the committee's recommendation is returned to the Chief Clerk or Secretary of the Senate who places 'do pass' bills on the Calendar. Bills are arranged on the Calendar in the order they are received from the committee. However, a bill considered important may be brought up for consideration by the entire chamber ahead of other bills listed before it on the Calendar. The majority leader is responsible for deciding the order in which bills on the Calendar will be debated.

IV. Debate

A member of the House or Senate is appointed the floor manager of the bill when it is discussed in committee and is responsible for presenting the bill to the House or Senate. Debate is a discussion of the bill by the full membership of the House or Senate and includes the amending process. Amendments, which change the bill in some manner, are presented by individual legislators and committees. An amendment is

adopted when a simple majority of legislators present vote for it. All amendments are distributed to members and are compiled in the daily clipsheets of each chamber.

When the debate on the bill and proposed amendments is complete, the floor manager moves that the bill be read for the last time and placed upon its passage. The tradition of reading its file number, sponsor and title goes back to the early days of the legislature when the entire bill was read to the members. If a constitutional majority, at least 51 representatives or 26 senators, votes "yes," the bill moves to the other chambers; if less than the majority votes for it, the bill is defeated. Votes on bills and amendments may be reconsidered on a motion by a member who voted with the prevailing side on an issue. Motions to reconsider are voted on by the chamber and if approved, the previous vote is nullified.

When a bill has been approved by a majority vote and all motions to reconsider cleared, it is messaged, or delivered, to the other chamber.

V. Amendments

Amendments adopted by the originating chamber, either the House or Senate, become part of the bill before it is sent to the second chamber. The bill then progresses through the second chamber in the same manner as the first: referral by the presiding officer to a committee, subcommittee study, committee recommendations, debate and amendment. If a bill is amended by the second chamber it goes back to the originating chamber for approval of the new amendment. If the originating chamber concurs, or approves the amendment, the bill has passed both chambers in identical form and will be prepared for consideration by the Governor. If the originating chamber refuses to concur with the new amendment, the bill is returned to the second chamber, which may recede from or insist upon the new amendment. If the second chamber insists upon its amendment the bill is referred to a Conference Committee.

VI. Conference Committee

Conference Committees are composed of House and Senate members representing both political parties and often both sides of an issue. The Conference Committee members are appointed by the Speaker of the House and the President of the Senate. The committee studies the points of disagreement between the House and Senate and attempts to reach a compromise. If a compromise is reached, it is presented to both chambers in a report. A Conference Committee report is first considered by the chamber of origin and cannot be amended by either chamber. If the report is rejected by either chamber, a second Conference Committee may be appointed to write a new report to submit to the legislators.

VII. Enrollment

Enrolling a bill is the final preparation of the bill for consideration by the Governor. When both chambers have passed the bill in the same form, it is prepared with all amendments incorporated into the bill. After the bill is enrolled, both the Speaker and the President sign the bill and the Chief Clerk or Secretary of the Senate certifies that the bill originated in that chamber. The bill is then sent to the Governor for consideration.

VIII. Governor

Bills passed by the legislature must be sent to the Governor for final action. The Governor has three options: sign the bill; veto the bill and send it back to the legislature; or take no action. In the case of a veto, the legislature may override the veto with two-thirds of the members of each chamber voting to pass the bill again. If, during the session, the Governor does not sign or veto the bill, it becomes law after three days without his signature. Bills received by the Governor during the last three days of the session shall be signed or vetoed within 30 days.

IX. Vetoes

There are three types of vetoes: the regular veto is a veto of the entire bill; the item veto may be used for appropriation bills and nullifies a specific portion of a bill; a pocket veto occurs when the Governor fails to take action after 30 days on a bill received during the final three session days. The bill then fails to become law.

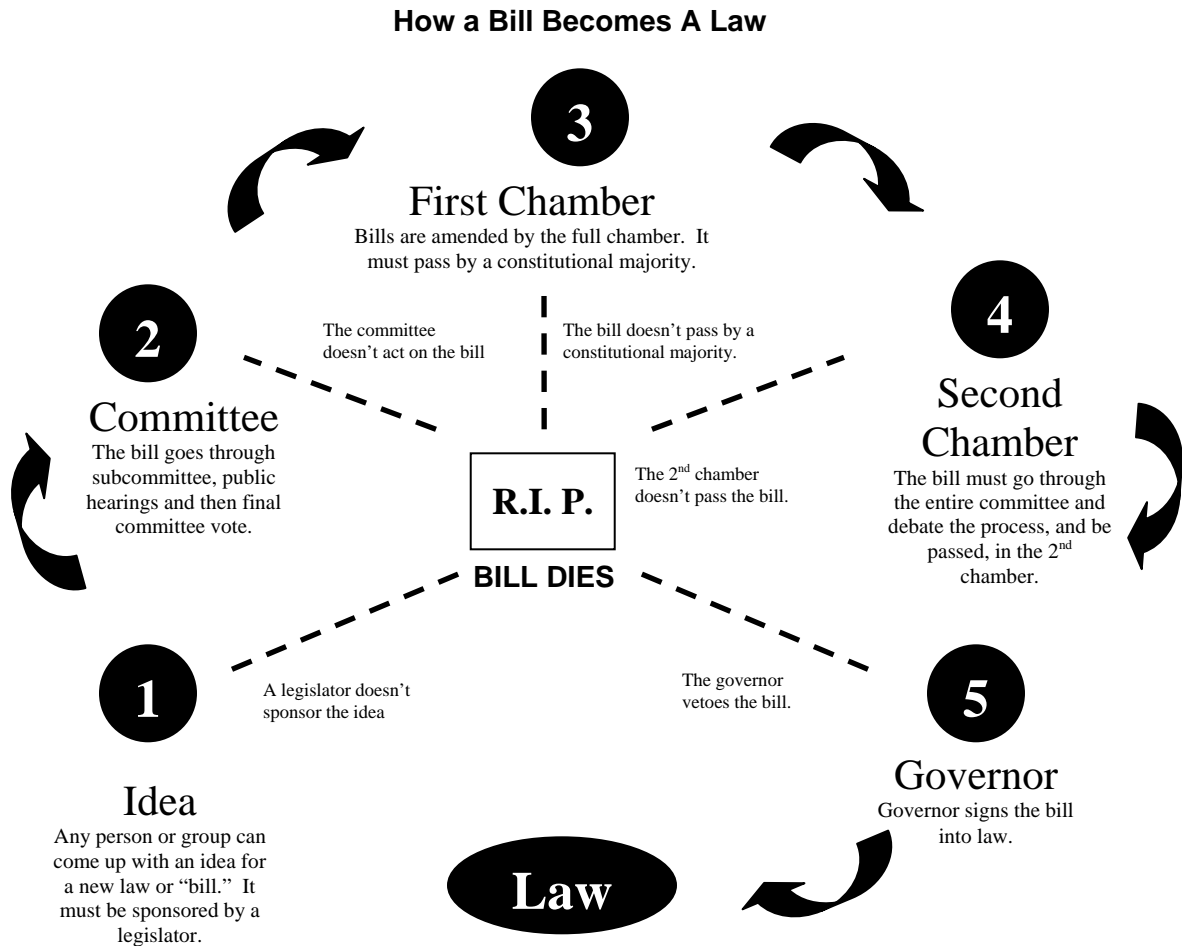
X. Effective Dates of Legislation

After the bill is signed by the Governor or passed by the legislature over the Governor's veto, it is sent to the Secretary of State who is the custodian of original copies of all bills enacted into law. Bills normally go into effect

July 1 following their approval, unless another date is specified in the bill. Bills passed by the General Assembly before July but signed by the Governor after July 1, become effective August 15. Some bills have publication clauses stating they will become law after publication in two Iowa newspapers. Publishing is handled by the Secretary of State.

XI. Code of Iowa

All laws are printed in the Acts of the General Assembly, published after each legislative session, and incorporated into the Code of Iowa. The Code is published each even-numbered year and a supplement to the Code is published each odd-numbered year.



Used with permission by the Iowa Credit Union League

Iowa's Budget Process

Appropriation: The term used within the legislative process meaning state money authorized by the Legislature for use by departments of state government.

The Governor and the State Legislature allocate state resources and set revenue collection levels through the budgeting process.

- The *process* begins in May or June of each year for the following fiscal year. The fiscal year in the 12-month financial period used for record keeping, budgeting, appropriations, and revenue collecting. Iowa's fiscal year begins July 1st and ends June 30th of the following year.
- State agencies prepare budget requests within the guidelines set by the Governor and submit their requests to the Department of Management by October 1st.
- The Revenue Estimating Conference meets by December 15th to set revenue estimates that will serve as a basis for the General Fund budget for the following fiscal year. This conference is made up of three members: the Governor (or Governor's designee), the Director of the Legislative Fiscal Bureau, and a third member agreed to by the other two. Revenue estimates are estimates of receipts to the General Fund from direct taxation (sales tax, personal income tax, corporate income tax, and use tax), as well as other sources of tax and fee revenue.
- The Governor reviews the budget requests by state agencies, conducts public hearings, and then submits his own recommendations to the Legislature in January.
- By statute, the Governor's budget must be balanced and must meet expenditure limitations.
- The Legislature conducts public budget hearings during January and February. Recommendations from the nine legislative joint budget subcommittees (Appropriations Subcommittees) are passed on to the full Appropriations Committees and to the floor for debate in each chamber. The Appropriations Subcommittees hold meetings jointly with members of both the Senate and House. The subcommittees are categorized according to general areas of interest in Iowa.
- Once approved by both chambers, a budget bill is sent to the Governor.
- The Iowa Constitution grants the Governor line-item veto authority over appropriations bills. If the Governor chooses to exercise this power, the General Assembly may override the item veto before adjournment or during a special session.
- Unless otherwise specified, the budget is then in effect beginning July 1, following the Legislative Session.

This publication is provided by the Iowa Legislature. For additional copies, or to find out more about the Iowa Legislature, contact the Legislative Information Office, Room 16, Iowa State Capitol, Des Moines, IA 50319, or visit the Iowa General Assembly web site at www.legis.state.ia.us.

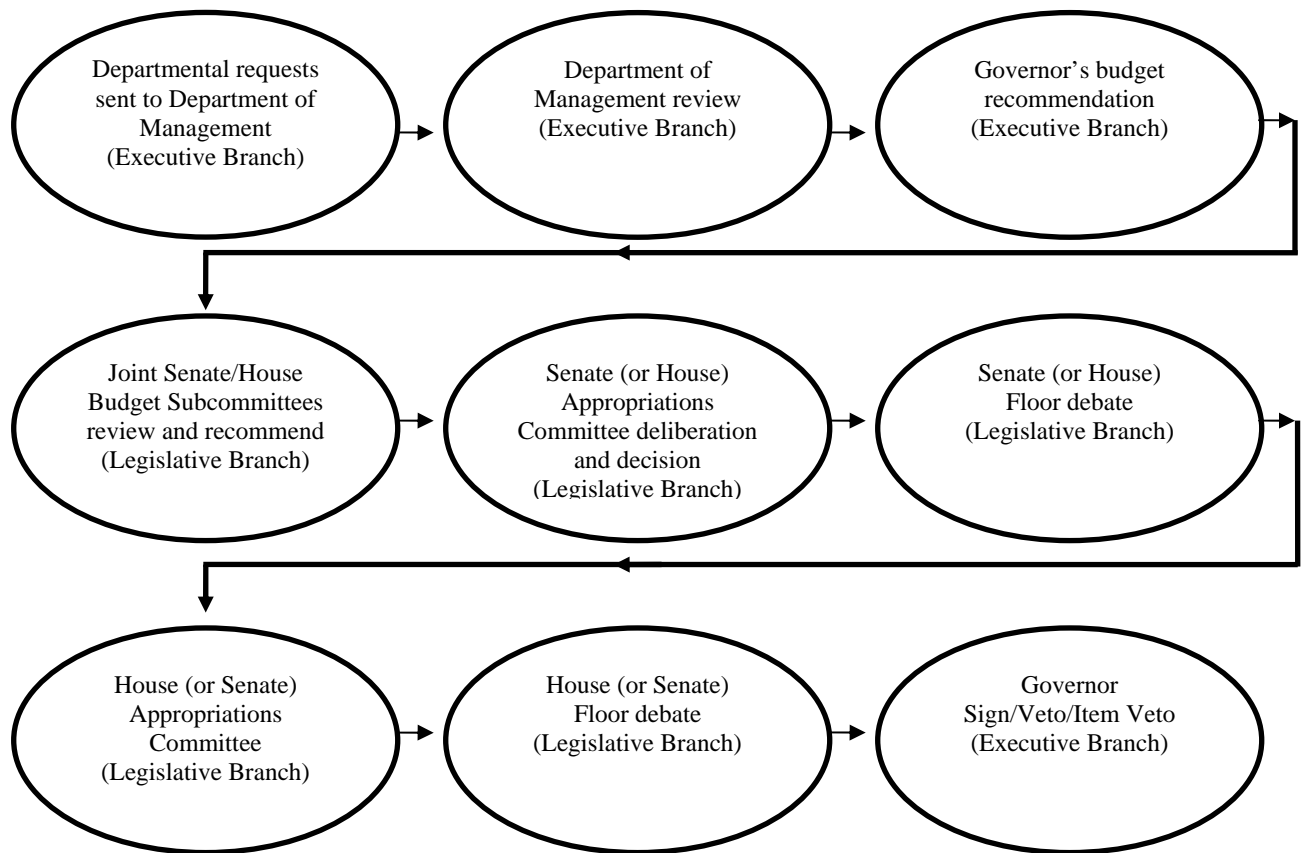
State of Iowa Appropriations Process

If a bill is amended by the chamber opposite from the chamber of origin, the bill had to go back to the chamber of origin for concurrence (agreement).

If the chamber of origin concurs with the amendment(s) proposed by the opposite chamber, then the bill can go to the Governor. However, if the chamber of origin concurs with the opposite chamber's amendment(s), but has additional amendment(s) of its own, then the bill must go back, once again, to the opposite chamber for concurrence.

If the chamber of origin refuses to concur, the bill must go back to the opposite chamber for amendment reconsideration. If the opposite chamber refuses to reconsider and concur, or refuses to concur with any additional amendment(s) proposed by the chamber of origin then the bill is referred to a Conference Committee.

A ten-member Conference Committee is appointed by the Senate and House leadership, and is made up of legislators from both chambers to resolve differences between the two chambers on a bill. The bill is unamendable and both chambers must concur when a Conference Committee is appointed, before the bill can go to the Governor.



How To Be Successful Advocate

Despite the complexity of modern politics, one thing remains as true today as it was when our government was conceived ...legislators do listen to their constituents!

Regardless how effective your Organization representatives are in monitoring legislation and communicating with legislators on a daily basis, nothing makes an impact like hearing from local constituents. A few letters or telephone calls from the folks back home can often make the difference in swaying an elected representative on a particular issue. Ordinary citizens still make the most extraordinary advocates!

Encouraging the passage, defeat or modification of specific legislation is called “lobbying,” a term going back to England when those seeking to influence elected officials gathered in the Great Lobby outside of Parliament. Today, many organizations employ paid lobbyists who not only express their organizational point of view on proposed bills, but who serve as experts to legislators who have questions about the impact of a variety of legislation.

However, anyone can lobby. As a citizen acting on your own interests, or as an individual connected to Hospice (or any other group), you are able to contact your legislator at any time to express your views on a particular issue.

As you are aware, modern health care is highly regulated. Each year there are literally dozens of bills introduced in the Iowa Legislature that would impact either positively or negatively on the ability of your local Hospice to succeed in a changing health care environment. You can make a tremendous difference in how your local legislator chooses to vote on health care issues.

Understand The Process

Before you begin lobbying, it’s important to have a basic understanding of the legislative process. This will help you track the progress

of various bills, time your efforts to coincide with key periods in the legislative process, and avoid wasting time on bills that are already “dead.”

Each year the Iowa General Assembly convenes in January and is normally in session for a few months. Because Iowa conducts a two-year General Assembly, bills introduced in the first year are still eligible for debate in the second. Bills that do not clear the legislative process and go to the Governor by the end of the second year must be reintroduced and begin the process over again if they are to be pursued in subsequent years. The General Assembly receives payment for 110 days in the first year of a session and for 100 days in the second year. On occasion, the Governor has convened special assemblies at other times to request the legislature to deal with a specific issue. (The 2004 General Assembly is the second year of Iowa’s two-year legislative process.)

However, the legislative process is a year-round effort. One of the best times to contact legislators can be in the fall, as they prepare for the session to begin. Meeting with legislators outside the General Assembly can give them a better understanding of the overall concerns of your local Hospice and can help you establish a more personal relationship with your elected representatives.

Contacting Your Legislator

The Iowa Hospice Organization is continually strengthening its grass roots political base, calling upon Hospice representatives to make key contacts with legislators. You can be part of this important effort! All you have to do is to be willing and to understand the issue at hand and how it affects your local institution.

Because there are so many issues facing legislators each year, it’s important that you know exactly what you’re talking about when you contact a legislator. Each piece of

legislation has a particular bill number assigned to it. It can be helpful to know the bill number and to have a general understanding of what the bill will or won't do. When contacting legislators, it's important to be brief, focused and knowledgeable. (IHO) staff can always assist in identifying bill numbers; health care bills of interest are noted during the session in the Organization's monthly update.)

Face-to-face visits are probably the most effective way of communicating with legislators. Opportunities such as the 2004 IHO Legislative Day are an excellent way to provide you with this type of access. You can contact legislators any time during the legislative session. However, if you're coming in from out of town to visit with an elected representative, it's probably best to call ahead for an appointment.

Even without an appointment, you can generally find your legislator at the Capitol. During breaks in the daily schedule, many legislators can be found meeting with constituents in the rotunda between the Senate and House Chambers. In addition, you can always go to the appropriate chamber and fill out a message slip requesting to see your senator or representative. If available, most legislators will be more than happy to meet with you.

More often than not, though, you'll probably find yourself wanting to contact your legislator by mail. This method of communication offers several advantages, including providing your legislator with a written summary of your position, making it easier to remember. Writing letters also helps you communicate your position clearly and helps avoid traveling to Des Moines. E-mail is the preferred method of writing legislators because it is the most time efficient method.

When IHO asks for your assistance in writing letters to legislators, it will provide you with the points to highlight. However, the Organization generally doesn't develop form letters because the impact of individually worded letters is much more profound.

When writing to elected representatives, a few tips may be helpful:

- Be concise. Keeping your letter to one page (whenever possible) is most effective.
- Identify your connection with the issue, either as part of the Iowa Hospice Organization or your position with your local organization; your return address will indicate to your senator or representative that you are a constituent.
- State your case positively; avoid emotionally charged statements or negatively attacking the opposing point of view.
- Use facts for support whenever possible, particularly pointing out the impact to your local Hospice in dollar figures, personnel time, etc.
- Don't forget to contact both Senate and House members on a given issue.
- Follow up with letters of thanks for a favorable response.
- Handwritten notes and letters are okay!
- Whenever possible, send copies of your letters to (and responses from) legislators to the IHO lobbyist.

When addressing a letter to a State Senator:

The Honorable Jane Doe
Iowa Senate
Des Moines, IA 50319

When addressing a letter to a State Representative:

The Honorable John Doe
House of Representatives
Des Moines, IA 50319

Telephoning your legislator can also be effective, especially whenever IHO makes request for immediate response (such as when a bill is about to be discussed on the House or Senate floor). Again, IHO staff will provide you with the information that needs to be communicated. Remember, though, that telephone messages by their very nature need to be much briefer, along the lines of expressing your support (or opposition) to a particular bill for one key reason.

Many legislators now have voice mail so you can leave a message. This does allow you to be as detailed as you need to be. In addition, it's important to fully understand the issue in case you do make contact with your legislator; often he or she will want to discuss the issue briefly to get a better understanding of your position.

Again, always be positive and factual; emotional diatribes generally won't sway a legislator in your favor. Also, just because a legislator doesn't agree with your position doesn't mean that he or she won't hold a key vote you'll need on another issue.

Whenever possible, try to get your legislator to commit to a position on whatever bill you are calling about.

To contact your legislator call:

The Iowa Senate 515/281-3371

The Iowa House 515/281-3221

And keep trying! When many people are calling on the same issue, it's possible you may receive a switchboard busy signal.

Being An Advocate

Remember, it's important to always be able to back up your views with accurate, up-to-date information; show that you've done your homework. Legislators often rely on lobbyists and other advocates to provide them with information they wouldn't otherwise have at their disposal.

Being an effective advocate is a year-round proposition. Grass roots political activity needs to go on at the local level even during the interim. Consider hosting legislative days at your hospice in order to become better acquainted with area legislators...and to let them become better acquainted with you. Having them come into your hospice can help them better understand the wide variety of services your institution provides your community.

Following the election cycle is also important. Today's candidate could well be tomorrow's legislator, so it's important to make effective contacts with a wide variety of people.

And always express your appreciation for legislative activity that's gone our way. Legislators remember how they voted; knowing that you cared enough to follow the issue to its conclusion and that you know how they voted, too, is essential to future contacts and making sure that the voices of Iowa's hospices are heard in the years to come.