

Second Legislative Deadline Approaches

As March Madness begins in basketball arenas across the country, the Iowa Legislature has wrapped up its 10th week of session and is gearing up for the final six (or so) weeks of session. The past two weeks have been filled with lots of floor debate, as legislators get bills ready for the next legislative "funnel" deadline on Friday, April 5.

The second funnel is a tricky one. Bills have to be voted out of one chamber (House or Senate), then make it out of committee on the other side. So House Files must be voted out of Senate committees in order to survive, and Senate Files must be voted out of House committees. So bills that haven't been voted out yet will have a very tough time getting through the process. There are a few exceptions: bills coming out of the Government Oversight, Appropriations, or Ways and Means Committees; bills sponsored by leadership; simple resolutions; and companion bills (bills that are in the same form on both the House & Senate calendars).

The next two weeks promise less floor debate and more committee work. Once the funnel hits on April 5, all policy committees except those that deal with funnel-proof bills will end their work. There are a few bills of interest that have already made enough progress to be safe from this deadline, including bills that:

- Begin development of a regionally-managed children's mental health system. (HF 690)
- Give tax breaks to make your home more accessible. (HF 527)

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- Criminalize home improvement fraud. (HF 602, SF 461)
- Adds personal degradation to dependent adult abuse definition. (HF 569, SF 426)
- Study special education services and the needs of children with disabilities over summer/fall. (SF 316)
- Eliminate state income tax on income earned providing services to individuals with disabilities. (SSB 1185)
- Eliminate the monthly budget cap for individuals on the Medicaid Home and Community-Based Services (HCBS) Brain Injury Waiver, which has been done through an exception to policy. All exceptions to policy have been granted so now people won't have to go through this process to access services. (HF 570)
- Some issues that are on their way to making the second funnel include bills that:
- Expand access to and use of Medical Cannabidiol products. (HF 732, SF 501)
- Allow MH/DS regions to keep more money in the bank while rolling out new child & adult services (HF 691)
- Require all counties use postal service bar codes to track absentee ballots (HF 692)
- Require people on the Iowa Health and Wellness Plan (expansion population, not regular Medicaid) work, go to school, or volunteer at least 20 hours a week, with several exceptions for those who cannot. (SF 538)
- Change in guardianship and conservatorship law to reflect recommendations of task force. (HF 610)
- Expand access to emergency insulin without a prescription. (HF 700)
- Strengthen protections for renters with service animals (if you have medical documentation) and criminalize lying about a service animal's credentials or a person's need for a service animal. (SF 341)

These bills have an uphill climb to clear the deadline:

- Require real-time verification of public assistance eligibility, including all Medicaid recipients. (SF334)
- Eliminate Medicaid prior authorization to help stop smoking or tobacco use. (SF 490)
- Major rewrite of state election laws, which you can read more about in another article. (SF 575)
- Option for "hard of hearing" symbol on driver's license and noted in traffic/law enforcement databases. (HF 643)
- Make mental health professionals eligible for the Health Care Loan Repayment Program. (SF 167)
- Protect individuals on medication from being required to switch to a non-coverage plan. (SF 489)
- Require health education for kids include mental health awareness, coping skills, and suicide prevention. (SF 376)
- Improve state's psychiatric bed tracking system. (HF 624)
- Study on merging substance use and mental health commitment chapters. (HF 722)

You can see updated, real-time status of these and other bills of interest in the infoNET Bill Tracker at <http://www.infonetiowa.org/news/bill-tracker/>. You can take action on these issues using the infoNET Grassroots Action Center at <http://www.infonetiowa.org/take-action/> (you don't even need to know who represents you at the Capitol).

It's Budget Time!

As we reported in our last update, state legislators wait to develop their budgets until the March revenue estimates are released. These revenue estimates, which came out on March 15, tell legislators how the state's economy is doing, and how much money in taxes and other revenues it can expect to bring in during the next fiscal year. Basically, the revenue estimates tell legislators how much money they can spend in their budgets.

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It's Budget Time! *(continued from page 2)*

After years of mid-year budget cuts, legislators got some good news. Iowa's economy continues to grow and is performing better than in 2016 and 2017, but is not growing as much as it did in 2018. Of course, in the back of everyone's minds is the impact widespread flooding could have on state budgets later in the year. In the end, the state will end the current fiscal year with about \$5 million more in the bank than predicted but next year's budget was lowered by about \$20 million.

Since the Governor, House Republicans and Senate Republicans' budget targets all proposed spending less than 98% of available revenues, the lowering of budget estimates is not expected to change budget plans. The Transportation budget (SF 600), which relies mostly on gas taxes, is moving forward now. We expect to see the other nine appropriations bills start to take shape this week and next, and have been told the House will release the Health/Human Services, Education, and Administration/Regulation bills early this week. Watch us on social media (@infonetiowa) and at www.infonetiowa.org for breaking news as budgets are released.

Every two years, the Legislature also passes a bill that dictates how federal block grants received by the state will be used. This year, the bill suggested changing the distribution of the community mental health services block grant, directing funds to the MH/DS regions for children's mental health instead of maintaining funding for community mental health centers (CMHCs). CMHCs already use these funds for children and adult services and staff training. After a public hearing and subcommittee, legislators expressed concern that this just "robbed Peter to pay Paul" and decided to change the federal block grant budget bill (HSB 246) back. That also means the Governor and legislators will have to find another \$3-6 million to pay for the news services in the children's mental health bill.

Go to <https://bit.ly/2HGdj79> to compare House, Senate, and Governor budget targets.

For those that don't want to wait to see what's in budgets, now is a great time to let your legislators know about your funding priorities. The Health/Human Services budget is also a place where lawmakers address issues with the Medicaid managed care system. Use our Grassroots Action Center at <http://www.infonetiowa.org/take-action/> to:



- Email your Representative and Senator.
- Tell them why this is important to you, your family, or the people you serve.
- Tell them what happens if things are not changed or your priorities are not funded.
- Ask them to talk to their leaders and others on appropriate committees about your issue.

Close Election Spurs Two Responses to Election Law Changes

The Iowa House District 55 race in the Decorah area set off a controversy at the State Capitol this year. Rep. Mike Bergan won his race by just seven votes, but there were 29 mail-in ballots that could not be counted because they were not post-marked. A bar code on the envelopes showed the ballots arrived before the election deadline, but they did not bear the postmark or "intelligent bar code" Iowa law requires. Lawmakers decided earlier this year that the type of bar code on these 29 ballots did not meet the type of barcode addressed in Iowa law.

The House unanimously passed a bill (HF 692) to correct this in future elections, requiring all counties subscribe to and use the US postal service bar code service, and changed Iowa law to accept either a post mark or bar code as proof that a mail-in ballot was received or mailed on time. Rep. Steven Holt (R-Dension) worked with county auditors, voting rights advocates, and members of the minority party to draft this bill, fixing this very controversial issue with a bipartisan solution.

The Senate, however, decided to make much larger changes to Iowa's election laws, introducing a 60-page election bill that, among other things, requires mail-in ballots to be in the county auditor's office before the end of election day, whether they were mailed before election day or not. The bill (SF 575) does a lot that could impact voters with disabilities:

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Two Responses to Election Law Changes *(continued from page 3)*

Changes to Absentee Voting

- **Requires all mail-in ballots be in the county auditor's office before the polls close on election day, regardless of when mailed.** Post marks and bar codes do not matter, even if they indicate the voter mailed it in before election day. So if a voter mails the ballot in the week before the election, and it's delivered the day after the election, it will not be counted.
- Requires a mail-in ballot to be considered incomplete if there is no signature on it, or if the signature does not match the one on file. The voter will be required to come into the auditor's office to verify identity and re-vote the ballot. The bill specifically states that if a person uses a stamp for a signature, or allows another person to sign for them, the ballot will be considered incomplete. **In other words, the bill no longer allows a voter with a disability to use a stamp, or have another person sign for them.**
- Before voting in-person absentee (early voting at auditor's office or satellite voting station), a voter will be required to show an ID or provide all the same information that a person must provide when registering to vote, including match of signatures.
- **Does not allow a county auditor to use the statewide voter registration system to fill in missing information from an absentee ballot request.** For example, if a voter doesn't put their zip code on the form, but the rest of the information is correct, the county auditor cannot make that correction using the voter registration system. Instead, the request is thrown out unless the voter comes to the auditor's office to correct.
- Does not allow a county auditor to set up a satellite voting station for early voting on their own; instead they must receive a request for one signed by at least 100 voters.
- **Ends satellite early voting in state-owned buildings (like universities),** and requires college students that vote absentee to verify they will stay in the state after the election (or their names are taken out of the voter database).

Changes to Election Day Voting and Voter Registration

- Makes election timelines consistent. For example, the bill ends voter pre-registration ten days before any election (currently 10 or 11 days depending on the type of election).
- **Ends voting for all elections at 8:00 p.m.** (currently primary and general election voting goes until 9:00 pm).
- **Takes people off the voter rolls if they do not vote in a presidential election.** The election commissioner is required to notify a person that they will become "inactive" because they didn't vote, and gives people four months to re-register.
- Prohibits a county auditor from giving a person their "voter verification number" (which is the alternative to a driver's license number) unless they can provide two pieces of identifying information.
- Charges \$250 for voter registration lists (currently it just says "cost to prepare"). Many organizations use these lists to help "get out the vote" in non-partisan (as well as partisan) ways.

Join Us at ACD 2019!

You don't want to miss your chance to lobby legislators at the State Capitol this year.

Join us for Advocating for Change Day 2019 on Wednesday, April 10. The briefing starts at 9:00 am – register now at www.idaction.org.



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Two Responses to Election Law Changes *(continued from page 4)*

- Requires the Secretary of State to cross-check voter databases with other electronic databases, and purge any that do not match up. The concern many have is that these other databases may not be any more accurate than Iowa's voter database, and that "snow birds" that leave Iowa for the winter but still declare it as their permanent home may be inadvertently dropped from the list.

Other Changes

- Does not allow a person who loses in a primary election to run in the general election as a no-party candidate. This is the so-called "sore loser" change; if someone loses in a party primary, they cannot run as an "independent" candidate. Candidates affiliated with a party like this, so it does not split "their" vote. However, voting rights advocates say this limits voter choice and gives too much power to political parties.
- Does not allow a county auditor to distribute sample ballots, unless they are asked for them. So under this, a county auditor could not give their public libraries sample ballots for the public to view before the election, unless that public library specifically asked for it. So no more proactive outreach would be allowed; only upon request.
- Changes how the state deals with tie votes (from putting names in a hat, and drawing the winner) to a run-off special election with only those that tied on the ballot.
- If you want to sign nomination papers for a candidate, you will need to know and write your full residential street address on the form (no PO Boxes).
- Fixes gap in Iowa law that stops constitutional amendments from going to the people if a Secretary of State forgets to publish it as required (which was done on the gun rights and governor succession amendments last year, and in 2004 when striking the words "idiot" and "Insane" from our Constitution).
- Eliminates the ability of any taxpayer to challenge a constitutional amendment in court before it goes to the voters.

As you can tell, the House and Senate are not on the same page when it comes to election law changes. The Senate has not yet voted on their bill, and the House bill's fate is in the hands of the same subcommittee that drafted the Senate bill (led by Republican Senators Roby Smith of Davenport and Jake Chapman of Adel). Sen. Pam Jochum (D-Dubuque) also serves on the subcommittee, but she opposed the passage of the Senate bill.

Have an opinion about these changes? Call or email Senators Smith, Chapman, and Jochum. You can call them at 515.281.3371, or send an email through our Grassroots Action Center at <http://www.infonetiowa.org/take-action/>.



We asked our readers what they wanted - the House version (bar codes) or the Senate version (received by election day). 99% of our readers said bar codes and other technology should be used to verify when a ballot is mailed and when it is received.

New Senator, No Change in Senate Makeup



Democrat Eric Giddens won the special election for Senate District 30 (Cedar Falls, SW Waterloo, Hudson) on March 19th, with 7,610 votes. He beat former Republican Representative Walt Rogers by nearly 2,000 votes. The victory leaves Republicans with the same 32-18 advantage in the Senate that they had prior to Sen. Jeff Danielson's resignation.

Giddens is anticipated to take his seat this week after the final canvas of the votes. Even though Senators serve four-year terms, Giddens will still have to run in an election for the seat again in 2020 (since Sen. Danielson was in the middle of his term).



You can see real-time status of bills of interest to Iowans with disabilities in our Bill Tracker at www.infonetowa.org/news/bill-tracker/. You can see the list of bills that survived the deadline under the "active" list, and the list that didn't make the cut under the "inactive list." Remember we update these daily, so you can watch progress from your computers and smart phones!

Bill Tracker

Do not miss out on the best way to advocate - in person, in your own area. Iowans elected officials are really good about getting back to their districts and talking to the people they represent. That goes for our members of Congress as well as your state legislators, and Governor Kim Reynolds, who is continuing the tradition of getting to all of Iowa's 99 counties each year.

To find a forum near you & get tips on attending a forum: www.infonetowa.org/calendar/events/. For tips on going to a forum, visit <https://bit.ly/2U3BOAY>

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