

Iowa House of Representatives

State Representative Cecil Dolecheck

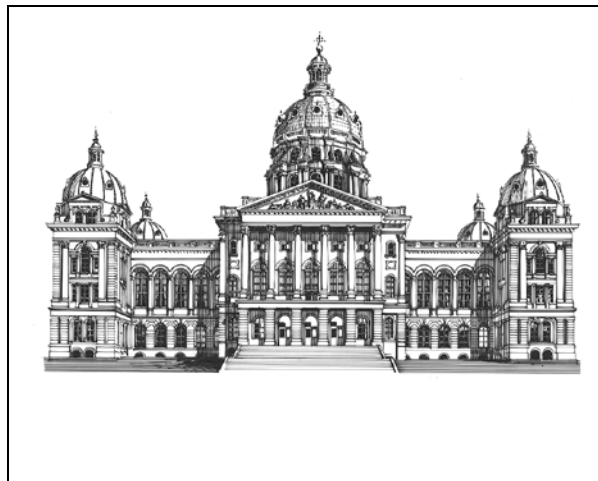
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For the week of January 31st, 2011



Property Tax Relief Measure on the Move

House Study Bill 41, which establishes a school district property tax relief supplement for Fiscal Year 2012, was also approved on a bipartisan vote in full committee and will move to the floor of the house.

The previous two legislatures have not fully-funded allowable growth, thus pushing the burden to Iowa property tax payers. If the House passes zero percent allowable growth while fully-funding it, there still is property tax impact of \$70 million.

Of that \$70 million, \$47 million of the increase would come from the budget guarantee. This bill would address the budget guarantee portion and protect Iowa property taxpayers from the full increase. The budget guarantee last year totaled \$25 million, and the increase for FY 2012 is projected to be \$22 million for a total of \$47 million.

The Department of Management will notify each school district the amount they will receive and an appropriation will be made from the general fund. In addition, school districts that receive a property tax relief supplement are prohibited from levying additional property taxes, and the money must be used in the same manner and purpose that property taxes would have been used for.

Legislation Introduced to Restrict EPC Rule-Making Authority

On Wednesday, January 26, 2011, and on Monday, January 31, 2011, House File 112, and House Study Bill 48 were introduced and recorded respectively and both measures restrict the authority of the Environmental Protection Commission (EPC) to devise and approve administrative rules.

House File 112, sponsored by a number of Republican House members adds an additional requirement to EPC rule making authority that qualifies that any administrative rule that the EPC adopts must also be approved by the director of the state's Department of Natural Resources (DNR). The other measure, HSB 48, totally strips the EPC of its rule making authority and likewise also strips the Natural Resources Commission (NRC) of its rule making authority. The bill leaves both panels with advice and recommendation roles with the rule making authority being shifted to the director of the DNR. Both measures seek to circumscribe the commissions' rule making roles because over the last several years each panel became dominated by members who were of the opinion that it had independent legislative power, rather than legislative directed and delegated role to flesh out state statutes with the detail needed to implement state and federal law. In several instances, the EPC adopted rules or took action that were in part contrary to DNR director, staff, and departmental legal advice and on a couple of occasions were contrary to existing Code provisions. Both measures have been assigned identical subcommittee members.

Marriage Amendment

The Public hearing on HJR6 was held Monday evening with approximately 90 speakers registered to speak. The weather was not very cooperative and some speakers were not able to attend. Several speakers were then allowed to make presentations that otherwise would not have been heard. The hearing was scheduled to last 2 hours. We were able to extend the hearing to 2 hours and 15 minutes which allowed all presenters who were present to speak. The hearing was civil with both sides being passionate and respectful.

The House debated HJR 6, Iowa Marriage Amendment on Tuesday afternoon with the same civility and it passed on a bi-partisan vote of 62-37. This will allow the voters of Iowa to decide on the question of marriage to be only between one man and one woman.

Redistricting Starts in Iowa

Iowa will soon begin the process of redrawing the congressional and state legislative districts. This happens only every ten years, after census data becomes available. Iowa's redistricting process is unique. Other states have appointed commissions draw their district lines. Some states rely on the courts to settle disputes over political advantage in their various proposals. Iowa uses the non-partisan Legislative Service Agency to create its congressional and legislative plans.

Congressional Redistricting: The first step in drawing the new districts will be to devise the congressional seats. The congressional districts are drawn first because the legislative districts are based upon them. Based on 2010 census data, Iowa will only be apportioned four congressional seats, down from our current 5. Congressional districts cannot split county boundaries. Iowa code requires that the congressional districts be as nearly equal as practicable. The law also states that no district can vary by more than one percent from the ideal population.

Legislative Redistricting: Like the congressional districts, the legislative districts are also required to be as nearly equal as practicable. Legislative districts should also not vary in ideal population by more than one percent so as to avoid the burden shift. Additionally, to the extent consistent with the population standards, the legislative district boundaries shall coincide with boundaries for political subdivisions.

Other Redistricting Considerations: Iowa code also directs that districts be composed of convenient and contiguous territories. No point contiguity is allowed. This is an absolute requirement. A convenient, contiguous territory means that districts cannot be irregularly shaped. Iowa code also requires that districts be reasonably compact.

In addition to the many requirements of redistricting, there are also some factors that are prohibited from consideration. Iowa code prohibits the lines from being drawn for the purpose of "favoring a political party, incumbent legislator or member of Congress, or other person or group..." Because of this code prohibition—the Legislative Service Agency will not consider addresses of incumbents, political data, election results, or any other demographic information other than population.

What do you think? Email me your thoughts. My e-mail address is :

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Information about my legislative forum schedule, past newsletters and biography can be found at www.iowahouserepublicans.com/members/cecil-dolecheck