



MAR 24 2008

Agenda Item

42

Roll Call #

# City of Des Moines

## LEGISLATIVE UPDATE

March 24, 2008

The City of Des Moines Legislative Subcommittee (Councilmembers Hensley, Coleman and Mahaffey) continue to meet on a weekly basis to review bills that have been introduced as well as discuss other legislative issues. The Legislative Subcommittee's priorities for 2008 include:

- Gas and Electric Franchise Fees/Revenue Alternatives
- Property Tax Reform
- Brownfields

A bill of major concern to cities across the State was passed by the House on a party line vote of 51-47 on Thursday, March 20 and is now headed to the Senate. The bill broadly opens up collective bargaining for public sector unions. The bill strikes current code which limits negotiations to "matters mutually agreed upon." It also gives unions the power to negotiate determination of the health insurance carrier, class size, discipline and discharge, grounds for discharge and imposition of other discipline, levels and types of disciplinary measures, and procedures for resolving disputes; work uniforms and equipment, including allowances for uniforms and equipment; staffing levels and retirement systems and "other terms and conditions of employment." School boards, cities, counties, public hospitals, state schools and universities will be subject to bargaining concerning an unlimited number of subjects.

A few other bills the legislative subcommittee is tracking include:

**HF 2562 TIME-21 FUNDING** (Successor to HSB 628) - Makes truck registration fees the same as car registration fees for model years from 2010. Establishes a business trade class of trucks, meeting certain requirements, that are registered for a flat fee. Does not affect trucks already registered under the current truck fee schedule. **Cars:** Changes the rate schedule for registrations. Makes the minimum registration fee \$75 but allows owners paying a lower rate to continue to do so for that car. **Other:** Raises the fees for farm trucks and for trailers. *Floor Manager:* Huser

**HF 2596 CIVIL SERVICE COMMISSIONS** (Successor to HSB 657) - Specifies what contracting jobs are prohibited. Requires the name of the person administering a promotion or appointment exam to be posted prior to the exam. **Other:** Prohibits retaliation against employees for exercising civil service rights. Allows a civil service employee who is an officer of a union or a representative of a statewide fire fighter organization to be granted, upon written request, a leave of absence to attend the meetings or perform the duties of that office without the city reducing pay, net credited service or benefits, and without any requirement to work extra hours. *Floor Manager:* T Taylor

**HF 2608 CHOICE OF DOCTOR** (Successor to HSB 771) - Gives an employee the right to pre-designate a doctor, who has treated the employee previously, to treat the employee for a work-related injury. Allows the employer to choose a doctor if the employer does not pre-designate a doctor. Requires that the employer give written notice to the employee about this right and that a failure to do so allows the employee to pick any doctor. Allows the employer or employee, if dissatisfied with the care from the doctor selected, to explain the dissatisfaction in writing. Allows the parties to agree to alternate care, or allows the dissatisfied party to appeal to the commissioner for alternate care. Treats the appeal for alternate care as a contested case. Requires a decision in 10 days for a telephone hearing or 14 days for an in-person hearing. Allows an employee to obtain an opinion on disability when no significant improvement is expected from an injury. Allows the employer to seek an opinion from a doctor of the employer's choosing. Applies to injuries after January, 2009. *Floor Manager:* R. Olson

**SF 2378 OPEN RECORDS & MEETINGS** (Successor to SSB 3164) - Expands the definition of meetings and includes reconvened meetings. Increases the penalties for violations of the open meetings law. Defines records to include information stored in any manner. Defines governmental records to mean those owned, created or controlled by a governmental body; public records to mean a government record that individuals have an unqualified right to see and copy and confidential records to mean those designated as unavailable to the public. Makes personal information confidential. Prohibits a government from avoiding application of the law through contracting out. Establishes time limits for governments to meet record requests from the public, with either allowing access to the record or denying access. Allows libraries to give parents information to parents about the children's library records. Allows applications for public employment to be confidential until the person is a finalist for the position. Includes additional circumstance when a court may grant an injunction prohibiting the examination of public records. **Board:** Creates the Iowa Public Information Board. Sets the membership of the board. Allows complaints about open records to be filed with the board. Gives the board investigative and subpoena powers. Requires the board to determine if complaints are legally sufficient. Makes board rulings subject to court review. **Other:** Allows the Iowa Supreme Court to issue rules making some records confidential. Effective July, 2009. *Floor Manager:* Connolly