

**MEMORANDUM**

**To:** Board of Regents  
**From:** Board Office  
**Subject:** Regent Legislative Program  
**Date:** March 1, 2004

**Recommended Actions:**

1. Receive the monthly report on 2004 legislative session.
2. Ratify the Board position on identified bills.

**Executive Summary:**

Session Timetable	The legislative session is scheduled to run through the latter part of April. The 100th day, when legislator expense payments cease, is April 20. The first set of initial committee deadlines for non-appropriations bills is March 5, and the second 'funnel' is March 26.
New Regent Appointment	The appointment of Regent Jenny Rokes has been recommended for confirmation of the full Senate by the Education Committee. Her confirmation is pending on the Senate calendar and will likely be taken up for consideration by mid-March.
Budget Issues	Currently there is a great deal of uncertainty surrounding budgetary issues for all aspects of state government. Republicans in legislative leadership have publicly stated their intention to prepare expenditure budgets without relying on additional tax revenues as recommended by the Governor. Given the mandate for producing a balanced state budget and the projected 'built in' cost increases for FY 2005 based on previous legislative action, it is unclear the extent to which further expenditure reductions for state initiatives, including Regents institutions support, will be proposed by the legislature. The legislature and Governor appear to agree that any reduction in the built-in FY 2005 increase for 'allowable growth' of the K-12 school foundation aid formula will NOT be undertaken. The levels of expenditure for other programs that can be passed by the legislature and signed into law by the Governor are not yet clear.

At this point, there has been no specific indication from legislative leadership about either a firm timetable or substantive guidelines for the appropriations committees action in regard to expenditure levels. Regent legislative liaisons, Board Staff, and others continue to monitor budget developments on a daily basis. Should there be further budget developments after this writing, the Board will receive an oral report at the March 10 Board meeting.

Indigent Patient  
Care

Indigent patient care has both statutory and budgetary implications and was the subject of Board discussion at the December 2003 meeting. It has been the subject of a great deal of private conversation with legislators and state human services officials in recent weeks. In the face of numerous questions and potential challenges, the legislative liaisons, Board staff, Board leadership, and University leadership have maintained active roles in promoting this program as called for in the Board-approved resolution from December. If there is a clear direction emerging from ongoing conversations on this topic by the time of the March 10 Board meeting, an oral report will be given to update Board members.

Statutory  
Initiatives

March 5 is the first of the legislative 'funnel' deadlines, which provide cut off dates for committee consideration of non-budgetary bills. As of this writing, it is anticipated that bills of interest that will be advancing through the committee process include one extending the statutory deadline for Board consideration of tuition rates (HF 2140--Board position: support, and seek further amendment to completely remove statutory deadline), another clarifying the appointment process around the student member of the Board (SF 2174--Board position: monitor, seeking clarification and consensus on language), and a third relating to a Board review of administrative rules relating to tuition (HSB 610, addressed below with suggested Board position). Other bills impacting the institutions likely to move forward include one related to meningitis vaccination reporting and one relating to possible sale of certain Iowa Communication Network assets.

There are many other legislative initiatives, several with potentially negative impacts on the Board and institutions, which have been introduced and are being monitored by liaisons and the Board Office. None which have a major negative impact have yet been approved by committees, although several are still under consideration as of this writing. Particular attention is currently being focused on potential legislative restrictions on compensation policies, purchasing policies, and intellectual property/technology transfer issues. An oral update will be provided to the Board on any significant legislative committee actions at the March 10 meeting, and any additional bills upon which a formal Board position seems advisable will be brought forth at that time.

Formal  
Presentations to  
Legislators

On Monday, February 23, President Newlin and Executive Director Nichols made a presentation to interested legislators on tuition and financial aid policy issues under discussion by the Board. Twenty-three legislators attended; good interaction took place on key issues and concerns related to the topics of the formal presentation as well as other issues of interest to legislators, notably overall budget issues, athletics, and 'competition' issues in the campus communities. Participants seemed positive about the focused but informal nature of the meeting, and several suggested others be held in the future.

On Tuesday, March 9, Regent Downer, Executive Director Nichols, and key university Economic Development personnel serving on the Regents Economic Development and Technology Transfer Committee chaired by Bill Decker will be making a presentation at the House Economic Development committee at the invitation of the legislative committee chairman.

Bill Positions

Additions to previous list:

HSB 610  
Administrative  
Rules Directive  
on Tuition Status  
of Illegal  
Immigrants

This bill has been the subject of a subcommittee meeting at which the chair indicated to the Executive Director and legislative liaisons a willingness to strike original provisions providing a statutory definition of residency for tuition purposes, about which concerns had been expressed on behalf of the Board. Instead she has proposed language providing a legislative mandate that the Board adopt amendments to its current administrative rules to provide for a narrower 'window' of residency status for undocumented alien students who have graduated from Iowa high schools and been admitted to Regent universities. As a matter of practice, each of the Regent universities has been attempting to accommodate such students on a case-by-case basis, so such a change would not mandate a change in direction of current practice but rather would provide a shared rules framework for all. Specific language is still being drafted for committee review at the time of this writing.

Recommended position: **Monitor**

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SSB 3129  
Meningitis  
Immunization

The original bill language would have mandated certain vaccinations for students. After discussion with the committee chair and others, revised language is being prepared which would require information be provided by all students on their immunization status relative to meningitis. Regent student health centers say this requirement would not be overly burdensome from an administrative perspective and could provide useful information in the event of an outbreak of the disease. Specific language is being drafted and reviewed as of the time of this writing.

Recommended position: **Monitor**

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HF 2323  
University  
Presidents

This bill, while considered unlikely to clear the legislative committee by the deadline, is a subject upon which the Regents may wish to take a formal position. It would, in effect, eliminate the positions of individual university presidents in the Regents system and instead have much of their authority transferred to a single and significantly revised Executive Director position. The revised position would more closely resemble a Chancellor in some systems and have direct administrative authority over all three universities. Given that Iowa's state governance system is considered a model in many ways, this legislation seems both unnecessary and inadvisable.

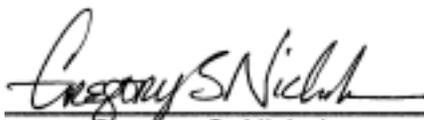
Recommended position: **Oppose**

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**Background/analysis:**

Updated information on late-breaking legislative developments and any requested details on items addressed in the executive summary will be available at the March 10 Board meeting.

  
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Gregory S. Nichols