

IOWA EMERGENCY RESPONSE COMMISSION
CORRECTED Minutes of January 3, 2002
Stanley Conference Room
First Floor - Iowa Workforce Development
1000 E. Grand Avenue
Des Moines, IA 50319

MEMBERS PRESENT

Susan Lagneaux*
Anne Jackson*
Ellen Gordon*
Tom Sever*
Brad Storm
Pat Paustian
Mahala Cox
Chris Scase

MEMBERS ABSENT

Frank Magsamen
John Krogh
Donald Flater
Julie Bell
Jim Kenkel*

*denotes voting member

STAFF PRESENT

Paul Sadler
Dave Perry

STAFF ABSENT

Ellen Hester
Clark Ott

GUESTS PRESENT

Meeting was called to order by Chairperson Chris Scase.

No quorum.

Chris Scase had everyone introduce themselves.

Chris Scase opened the floor up for discussion on the request from Brad Storm at the November meeting that the SERC take action to propose legislative amendment to allow counties to impose Tier II fees to help fund the county level program. SERC has in the past moved forward with commission sponsored legislative proposals for statewide fee legislation. The proposals met significant resistance from both the legislators and from

some LEPC's. Prior efforts were not successful. Iowa remains one of the states that has no fee structure on any level. We didn't have a lot of time to get the proposal out and get much feed back.

The pre-file proposal was submitted at the end of November. It was a proposal to allow boards of supervisors and or city councils through enactment of ordinance to establish Tier II user fees to support chemical preparedness. Anne Jackson, Tom Sever and Sue Lagneaux all made calls for feedback.

Anne Jackson reported that she left messages with the Iowa State Association of Counties, The Iowa Association of Business and Industry, and **the** Iowa League of Cities. She really didn't get any feedback except to let them know the bill was coming.

Tom Sever reported that a couple of the groups that he contacted were the Iowa Propane Gas Association, and the Petroleum Marketers and for the most part they were opposed to as it stands now. Tom Sever feels that it could move forward. He feels that we need to sit down with these different groups and explain what we really want to do. We need to be prepared for these groups. Ultimate goal needs to be a statewide program not just a county here or there.

Chris Scase reported for Susan Lagneaux. Susan Lagneaux contacted Agribusiness Association of Iowa and the Institute for Cooperative Associations. The initial response has not been favorable to the Commission's proposal. Immediate concerns are the lack of provisions stating the amount, term or administration of the fees. Comments included that there are other fee schedules grants, etc. that are available from other agencies and this is unnecessary.

Ellen Gordon reported that she hasn't got any other feedback. Ellen Gordon feels that the timing is not good at this time because of the situation that State Government is in. At this time she doesn't feel she can support it.

Chris Scase stated that the issue is now whether we can go forward with the proposal. Is it counter productive to leave there as opposed to pulling it this year and doing the ground work for next year.

Brad Storm stated that he had a chance to meet with all the association groups through the Agri Business representative liaison. Brad Storm stated that they are against any type of fee that their members would have to pay. They feel that since the hazmat teams charge for the response let them fund themselves that way. Should the risk industries have to share in the cost, no it should be a tax payer burden, they do not want to share in the cost at all. Not opposed to the concept, the only people opposed to the

concept is when you get the paid lobbyist for the group association that has 1000 members that get paid to save the industry groups money. Discussion followed.

Quorum achieved when Sue Lagneaux arrived.

Ellen Gordon made a motion to withdraw the current proposal and organize an effort for 2003 legislative session. Tom Sever seconded. Passed unanimously.

Anne Jackson suggested that the Executive Committee organize the approach and then rely on the other two existing committees (Information Education Committee and the LEPC Support Committee) to achieve the next step. Anne Jackson feels that we have to outline partners and stakeholders. Anne Jackson feels that we have to outline partners and stakeholders. Anne Jackson feels that partners are people that are going to be obligated to achieve the end result. A stakeholder can put in their two cents and then step back and see what happens. Anne Jackson says that we need to screen and identify potential partners. Anne Jackson feels that the goal we need to achieve is to file this bill next year, and almost with a promise that if the bill fails, we are not going away. Second goal is to let everyone know what is not going away. Some of the partners are going to have to come through with some of the things that the state needs if there is no fee structure.

Brad Storm stated that he felt we made a mistake in withdrawing the bill. He feels that the agribusiness people will feel that they beat us once and they can do it again. Sue Lagneaux stated that she doesn't feel that way and that education is the big step. Discussion followed.

Mahala Cox asked if there was money HMEP available for public education. Maybe we could put together some kind of booth to hand out information and go to the association meetings and represent ourselves. Ellen Gordon will have to check into it. Chris Scase stated that some of the training and planning funds may be used for public education. Chris Scase doesn't think we can use the funds for education on the State level. We could contract with local commissions to accomplish the education at meetings.

Chris Scase suggested that one way to get to the local industry audience with the message for training would be with a statewide LEPC conference. Have a meeting with the LEPC's explaining the proposal and what we believe is necessary to get the support for it. Chris Scase says we have to get the message to the statewide organizations also. Discussion followed.

Support Committee to achieve the next step. Anne Jackson suggested we outline stakeholders and partners. Anne Jackson suggested that partners

Chris Scase asked about appointments to SERC. We need appointments from the Governor's office and from DNR. Ellen Gordon will check into the appointments.

Chris Scase spoke on the LEPC session to be at conference. Chris Scase said she would like to have least a half-day with a joint session and then smaller groups. Discussion followed.

Ellen Gordon had to leave at 10:15. No quorum.

MINUTES

No quorum.

HEMP - Paul Sadler had handouts from Dan Lee.

Paul Sadler also reported that we had one county that became compliant, but Cedar County fell out of compliance, so we have a net gain if one. Paul Saddler stated that we require an annex P or hazmat annex and we have people out there checking on them. Paul Sadler says they cannot figure out why the counties do not plan. Mahala Cox stated that the county may have a plan, but it does not meet the Federal guidelines. Mahala Cox made a point of correction that the booth was not SERC sponsored, IEMA sponsored it, and Polk County paid it for. Discussion.

CORRESPONDENCE AND SPEECHES

None

COMMITTEE REPORTS

None

GRANTS

AGENCY REPORTS

Section 301 - Emergency Management Division

Section 303 - no report

Section 302 - Section 311 - 312 Anne Jackson

Anne Jackson reported that Tier II forms went out at the end of December. We are getting our normal amount of calls and returns. EPA released their new software right before Christmas. From their perspective they got it out in time for 2001 reporting year. It really needed to be out by summer for 2001 reporting. We will accept the new software but are still using the old software.

Section 313 - no report

FEMA

No report

UPDATES

No report

PUBLIC COMMENT

None

Chris Scase stated that since we did not have a quorum we would have election of the Vice-Chairperson next meeting.

Chris Scase adjourned the meeting.

