

2015 Summary of Legislation

85th General Assembly, 1st Session



ABOUT ISAC

The Iowa State Association of Counties (ISAC) is a private, nonprofit corporation. The organization was incorporated on October 8, 1964. ISAC members are elected and appointed county officials from all 99 counties. ISAC is comprised of several statewide associations called affiliates. For example, all the county supervisors in the state have their own association, which is called the Iowa State Association of County Supervisors and is one of ISAC's affiliates. In total, there are 15 of these associations that are affiliated with ISAC.

The main purpose of ISAC is to secure and maintain cooperation among the counties and county officials, promote comprehensive study and resolution of local problems, provide methods of interchange of ideas among various county officials, and promote and work for the enactment of legislation that is most beneficial to the citizens of Iowa. Counties pay voluntary dues to belong to ISAC. In return, ISAC provides a number of services to member counties, such as training, benefit programs, education, technical assistance, and intergovernmental services.

ISAC's mission is to promote effective and responsible county government for the people of Iowa. ISAC's vision is to be the principal, authoritative source of representation, information and services for and about county government in Iowa.



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INTRODUCTION

In 2015 Iowa counties participated with the 1st Session of the 86th General Assembly in the development of many important public policy decisions. These bill summaries are organized according to ISAC areas of interest. In addition, all appropriations bills are located in the section entitled “Appropriations.” All members should look through this section to see appropriations items that are of interest. Most appropriations bills contain multiple topics so there is probably something in there for everyone.

Generally, bill summaries should be easy to find since the category subjects are so distinct. For example, a bill dealing with property tax reform would be found under “Taxation and Finance.” However, there are some occasions where a bill could logically fit under more than one category. We have cross-referenced those bills for your convenience.

Please note that text in shaded areas indicates bills that have been vetoed or portions of bills that have been line item vetoed by the Governor.

At the end of each summary, you may find the effective date for the bill or certain portions of the bill. If no effective date is listed, the bill is effective July 1, 2015. On the title line of each summary you will find the initials of the ISAC staff member(s) who summarized the bill. Their initials are:

JC - Jamie Cashman, Government Relations Manager

KLH - Kristi Harshbarger, General Counsel

LB - Lucas Beenken, Public Policy Specialist

WRP - William R. Peterson, Executive Director

As always, this summary is not intended to report on every bill down to the smallest detail. As the name says, it is a “summary.” While we strive for completeness and accuracy, time and space restrictions prevent us from including everything on a piece of legislation. If you think a bill might have some specific application for your office, please get a copy of the enrolled bill and review it in detail for yourself. You can get an enrolled bill by calling the Legislature’s Legislative Information Office at 515.281.5129 or at <http://www.legis.iowa.gov>.

We always want to improve this product. After you have read this book please let us know what additional information you would like to see in next year’s summary book.

ISAC PRIORITIES UPDATE

Electronic Records Requests

Government officials are required to spend significant time and resources to comply with electronic records requests from companies that are seeking Iowa taxpayer data and information for resale. To address this, ISAC worked with stakeholders in creating and advocating for legislation that would allow counties to either reject electronic records requests that aren't in a specific format that is easily accessible by the county or to provide that record by charging a reasonable fee that would cover the third-party manipulation to meet the needs of the requestor. ISAC was successful in getting his bill, SF 435, through both chambers and signed by the Governor.

Mental Health and Disability Services

Ensuring continued stable and sustainable funding for counties in the regional mental health and disability services system (MH/DS) was again a priority for ISAC and was addressed by the Iowa Legislature. SF 505, the Health and Human Services Appropriations bill, extends the equalization formula through FY 2017 and sets the MH/DS levy rates at the FY 2015 level with a \$47.28 per capita cap. To assist regions that would be unable to have a 25% carry forward in FY 2016, \$2 million was appropriated in SF 505 and HF 666 (one-time spending bill) for those regions. Another element within this priority was the elimination of the Medicaid clawback, and all continued savings brought on by the Iowa Health and Wellness Plan will now be retained by the counties/regions. (As of press time SF 505 and HF 666, have yet to be signed by the Governor.) Finally, another important piece of this priority was realized with the passage of HF 468, which places the appointment and employment oversight of mental health advocates with the board of supervisors.

Multi-residential Property

The issue of primary use for multi-residential property was addressed with an amendment to HF 616 in the final days of the session. The change will get rid of the determination of primary use and have each component of a multiple use property that includes a multi-residential portion classified and taxed based on its own use. Under the administrative rules adopted for SF 295 (2013), assessors were charged with determining the primary use of the property and if the primary use was determined to multi-residential the entire property including the commercial or industrial component would be classed and taxed as multi-residential. ISAC saw this as problematic because of the inevitable disagreements between property owners and assessors over what the primary use of the property should be determined to be. By classifying and taxing each component based on its own use, the task of the assessor is simplified and the process will be much more consistent and equitable for property owners both within and among jurisdictions. HF 616 was signed by the Governor on June 18 and the provisions dealing with multi-residential property go into effect in the assessment year beginning January 1, 2016, and apply to each subsequent assessment year.

Road Funding

Significant progress was made this legislative session to address the increasing shortfall in road and bridge funding. Through tremendous bipartisan work, SF 257 was passed through both chambers early in the session and signed by the Governor on February 25. The bill implements a 10 cent increase in the per gallon fuel tax, which is estimated to generate about \$200 million in additional Road Use Tax Fund revenue according to the Legislative Services Agency. Of that amount, it is estimated that over \$51 million will go to the secondary road fund and an additional \$16 million will go to the farm-to-market fund. The increase in the fuel tax went into effect March 1 of this year, so counties should already be seeing the benefits. This additional revenue will have a major positive impact as counties continue to work on repairing our transportation infrastructure. The bill did contain language directed at counties that established guidelines and restrictions on the new revenue stating that the legislative intent is for the dollars to be used on critical road and bridge construction projects that significantly extend the life of the assets. It also prohibits the new dollars from being used to service debt if the term of the repayment exceeds the useful life of the asset. SF 257 will also increase the fees for all systems permits, annual permits, oversize/overweight permits, and single, round-trip permits effective January 1, 2016.

The passage of the gas tax increase is a major accomplishment perhaps most notably because the last time it was increased was 1989. The issue of road funding, in one form or another, has been one of ISAC's top priorities 10 of the last 15 years. The work done by county engineers, supervisors, and others to educate lawmakers on the importance of maintaining our state's roads and bridges had a significant impact on the legislation finally being adopted.

COUNTY ADMINISTRATION AND ORGANIZATION

HF 167 - Access to Digital Copies of Public Improvement Projects

KH

All County Officials

This bill added a provision to require governmental entities to include access to digital or electronic copies of plans and specifications, if they are available, to proposed public improvements by prospective bidders and others under Iowa Code §26.3.

HF 529 - Drainage District Governance

LB

Auditors, Supervisors

This bill contains several provisions dealing with the governance of drainage districts. The bill changes the requirements for notification of affected landowners for proposed mergers of two or more districts to be the same as the notice for the establishment of a district, which includes publication, certified mail, or personal service. The bill changes the bid letting threshold from a fixed dollar amount to the adjusted competitive bid threshold for vertical infrastructure for the county. If the estimated cost is more than \$50,000 notice must be given by publication, and if the estimated cost is more than the adjusted competitive bid threshold notice must be given by publication and certified mail. The bill allows a county to use dollars from the secondary road fund or weed fund to pay for repairs or weed eradication along an open ditch. The bill allows a board of trustees to appoint any eligible voter that lives in the county as a judge of trustee elections, rather than requiring the trustees themselves to serve as judges.

HF 550 - Elected Official Contact Information

LB

Information Technology, Supervisors

This bill requires that a governmental entity provide an elective public officer with designated contact information with the entity within 30 days of the officer's oath of office, and if the entity maintains a website they shall put each officer's contact information on the website. For purposes of this bill, contact information means a telephone number or email address, and elective public officer means members of the general assembly, county supervisors, city council members, and school board members.

HF 569 - Garnishment Updates

KH

Sheriffs

This bill removes the 10-day notice requirement of an account to a garnishee/defendant, and instead makes the garnishment valid once the requirements of Iowa Code §§642.14A and 642.14B (both of which were also updated with new notice and service requirements), and adds a new section that relates specifically to the garnishment of back-wages owed by an employer to an employee.

HF 570 - Updates to the Municipal Torts Exemption

KH

All County Officials

This bill included alterations to the municipal torts exemptions under Iowa Code §670.4. It condensed the list of individual

activity exemptions to one umbrella term "recreational activities," but does not include a definition of the term.

The bill also includes a more specific liability exemption for any normal and expected risks inherently arising from voluntarily participating in the recreational activities on public property.

HF 662 - Vital Records Fees and Accessibility

LB

Recorders

This bill changes a "shall" to a "may" as it relates to county recorders charging a fee when no copy is made or no record is found. The bill requires that single parent and adoption birth records that are currently housed with the Department of Public Health be added to the statewide electronic birth certificate system and accessible to recorders.

SF 135 - Change to Triggering Limitations in Campaign Finance

KH

All Elected Officials

This bill impacts Iowa Code chapter 68A, by raising various trigger dollar points under campaign finance laws. In general: references to \$750 were raised to \$1,000, and references to \$10 were changed to \$25.

In addition, it updates some language in Iowa Code §68A.401 to include county statutory committees, and makes some alterations to the deadlines for election paperwork.

SF 167 - County Elected Official Compensation

LB

All Elected Officials

This bill addresses two components relating to county elected officials' salaries and benefits. The first component prohibits the board of supervisors from approving a separation allowance or severance pay for any county elected official including themselves. The second component requires the board of supervisors to adopt a separate resolution in order to approve any increases in salary for any of the elected officials.

SF 199 - Campaign Finance Updates

KH

All Elected Officials

This bill makes several changes to campaign finance law as it relates to a person who makes independent expenditures, including what filings must be made and when committees must be organized related to a person making independent expenditures.

SF 392 - Apprentice Hunting Licenses

LB

Conservation, County Attorneys, Recorders, Sheriffs

This bill renames the hunter safety and ethics education course to the hunter education course, provides that the curriculum for the course shall be based on the standards adopted by the international hunter education association, and

COUNTY ADMINISTRATION AND ORGANIZATION

changes the cost for a duplicate certificate of completion to the amount of the writing fee and administrative fee rather than specifying the cost is \$3. The bill creates an apprentice hunter designation for individuals 16 years of age and older who have not completed the hunter education course. The bill provides the rules for use of the apprentice hunter designation including being supervised by a parent or guardian if the person is a minor or accompanied by a competent adult mentor if the person is an adult. The bill outlines what hunting tags must be used and the laws governing those tags.

SF 415 - Election Write-In Votes

JC

Auditors

This bill allows county auditors to direct the local precinct officials to count write-in votes after the polls close as currently required under Iowa law as well as allow as an alternative that these ballots be directed to a special precinct board to count on any day after the election but before the official canvass by the county board of supervisors.

SF 435 - Updates to Records Requests

KH

All County Officials

This bill allows governmental bodies to respond to records requests that ask for the information in a specific format by either providing the data in the format that is readily accessible (even if that is not the format requested), or to charge reasonable fees (including third-party vendor costs) for formatting changes done to satisfy a requestor.

SF 457 - Ombudsman Access to Closed Session Records

KH

All County Officials

This bill provides that Iowa Code §21.5 does not require the Ombudsman to obtain a court order to examine closed sessions of governmental bodies when performing an investigation. The bill also declares that closed session records used in such investigations shall remain confidential.

HUMAN SERVICES AND PUBLIC HEALTH

HF 371 – Radon Testing Disclosure

JC

Public Health

This bill allows those that are certified and credentialed in radon testing to disclose the test result to a potential home buyer when an offer is made and the testing is paid for by the buyer as well.

HF 449 - Mental Health Crisis Facilities and Psychiatric Bed Tracking

JC

Community Services, Sheriffs

This bill allows the Iowa Department of Human Services (DHS) to authorize the operation of crisis stabilization programs in a psychiatric medical institution for children. The bill calls for DHS to create a statewide psychiatric bed tracking system with the goal of providing reservations for available beds for patients in transport. DHS is also required to engage regional mental health and disability service representatives as well as the Iowa Sheriffs' and Deputies' Association in the creation of this system.

HF 468 - Mental Health Advocates

JC

Community Services, County Attorneys, Supervisors

This bill places all appointment and oversight of employment responsibilities of mental health advocates to the county board of supervisors. The board of supervisors must compensate the advocate for the services performed and in accordance with the personnel policies established by the board for county employees.

The bill prohibits that an advocate be appointed that is an employee of the Department of Human Services, an officer or employee of a mental health and disability services (MH/DS) region, or an officer or employee of a county performing duties for a region.

The bill also grandfathers the employment, wages, and benefits of advocates that were appointed prior to July 1, 2015.

The MH/DS Commission, in consultation with advocates, county and Judicial Branch representatives, is required to adopt administrative rules relating to advocate responsibilities that address but are not limited to the following areas:

- Quarterly and annual reports;
- Data collection requirements;
- Juvenile patient representation;
- Grievance procedures;
- Conflict of interest provisions;
- Workforce coverage;
- Confidentiality;
- Minimum professional qualifications and educational requirements;
- Caseload criteria;
- Caseload audits;
- Quality assurance measures; and
- Territory assignments.

SF 201 - Physician Assistant Mental Health Findings

JC

Community Services, County Attorneys, Sheriffs

This bill removes the requirement that a physician assistant receive the approval of the supervising physician if the assistant determines that the patient should be involuntary committed.

SF 223 - County Assistance to the Poor

JC

Community Services

This bill removes the financial liability of a relative for the repayment of any money that was provided to a poor person. Under this bill, it places the repayment responsibility exclusively on the recipient of that aid.

SF 401 - Subacute Care Facilities

JC

Community Services

This bill expands the Iowa Department of Human Services (DHS) cap on mental health subacute beds from 50 to 75 as well as asks for DHS to disperse these beds on a geographic basis in Iowa. The bill allows for the civil commitment of a patient to a subacute facility.

SF 440 - Mental Health Interstate Compacts

JC

Community Services, Sheriffs

This bill allows a mental health and disability services (MH/DS) region in Iowa to contract with an agency in a neighboring state to provide substance abuse or mental health treatment for an Iowa patient similar to what would be provided in Iowa. The bill allows for a MH/DS region in Iowa to contract with a neighboring state agency for the mental health treatment of a patient that is not from Iowa. The bill states that a patient that is currently serving a criminal sentence, on probation or parole, or the subject of a presentence investigation be ineligible for this type of arrangement for treatment. The bill declares that a person while in treatment is subject to the involuntary commitment laws of the receiving state.

SF 463 - Mental Health Region Clean-up

JC

Community Services

This bill provides a series of non-substantive changes to Iowa Code pertaining to mental health and disability services redesign in Iowa.

SF 488 - Air Quality Permitting

JC

Land Use and Environmental Health, Public Health

This bill is a modernization of air quality regulation in Iowa. In the funding of Title V operating permit program activities the bill: clarifies that fees may be assessed on emissions of regulated air pollutants and that those fees may be used to fund other programs not funded by other fees created in the bill; bans collection of fees on greenhouse gases; and creates two accounts in the existing Air Contaminant Source Fund for fees - an air emission fee account and an operating permit application account.

HUMAN SERVICES AND PUBLIC HEALTH

In the funding of air quality construction permit program activities, the bill: authorizes the application fees for major source construction permits; authorizes the application fees for minor source construction permits; authorizes asbestos notification fees; and creates three new accounts in a new air quality fund for fees - a major source account, a minor source account, and an asbestos account.

The bill establishes fee caps not to be exceeded for each fiscal year in the following amounts:

1. Air emissions fee: \$8,250,000
2. Operating permit application fee: \$1,250,00
3. Major source application fee: \$1,500,000
4. Minor source application fee: \$250,000
5. Asbestos notification fee: \$450,000

PUBLIC SAFETY

HF 227 - Visual Strip Searches

KH

Sheriffs

This bill adds a new section to Iowa Code chapter 704, defining “visual strip search”. It also adds a new section to Iowa Code chapter 803, which specifies the appropriate uses for a visual strip search and when a warrant is required in contrast to more intrusive measures.

HF 258 - Language Clarification in Sexual Misconduct as an Aggravated Misdemeanor

KH

Sheriffs

This bill added the title of “peace officers” to the coverage under Iowa Code §709.16 that criminalizes sex acts between those in custody and those who work in public safety facilities as aggravated misdemeanors. The same addition was made to both adult and juvenile facilities subsections.

HF 447 - Kelsey Smith Act

JC

Sheriffs

This bill requires that wireless companies must provide the call location of a device to law enforcement if it is determined that it is essential in dealing with an emergency that may result in death or serious harm.

HF 585 - Address Confidentiality Program

LB

All County Officials

This bill creates an address confidentiality program for victims of domestic abuse, domestic assault, sexual abuse, stalking, and human trafficking. The program will be housed within the secretary of state’s office and supported by a new revolving fund consisting of dollars from new surcharges for convictions of domestic abuse assault, sexual abuse, stalking, human trafficking, and domestic abuse protective order contempt. Program enrollees will be assigned a designated address for use as their mailing address, and mail received will be forwarded by the secretary’s office to the confidential delivery address of the participant.

The bill provides guidelines for program participants who are eligible electors to register to vote with the secretary of state (commissioner of elections), though a participant’s information will not be listed in the statewide voter registration database. Participants will vote by absentee ballot submitted to the state commissioner of elections, and upon certification of the voter’s participation in the program the ballot will be sent to the appropriate county auditor for tabulation.

The provisions of the bill dealing with address confidentiality do not apply to records and documents relating to real property. A participant’s name and address maintained by a local government as part of an ongoing investigation or inspection is confidential information. A governmental body or entity created pursuant to Iowa Code chapter 28E shall not be liable for acts or omissions related to the provisions of the program.

Effective Date: July 1, 2015, for establishing the addressing confidentiality program revolving fund and imposing the additional surcharges; January 1, 2016, for all other provisions of the bill.

HF 651 - E911 Funding

JC

Emergency Management, Sheriffs

This bill increases the percentage of the E911 surcharge fund going back to the local public safety answering points (PSAPs) from 46% to 58%. It further provides incentives for consolidating PSAPs by providing an additional 25% of what they would normally receive if they should decide to consolidate. Finally, it removes \$4 million of carryover funding of the E911 surcharge fund for an annual lease payment of a statewide land mobile radio communications platform.

SF 264 - E911 Mass Notification

JC

Emergency Management, Sheriffs

This bill requires that an E911 service provider disclose the addresses and telephone numbers of its subscribers served by the E911 system to the Director of Iowa Department of Homeland Security for the use in a mass notification and emergency messaging system.

TAXATION AND FINANCE

HF 166 - Disabled Veteran Property Tax Credit

LB Assessors, Auditors, Supervisors, Treasurers, Veterans

This bill amends the eligibility criteria for the disabled veteran homestead tax credit to include applicants with a 100% individual unemployability rating in addition to the current eligibility based on a 100% disability rating for service-connected disabilities. It also clarifies that the disability rating must be a permanent rating in order to qualify.

Effective Date: Upon enactment (March 5, 2015) and retroactive to May 26, 2014, for applications received on or after that date.

HF 507 - Delinquent Sewer Bills

LB Environmental Health, Supervisors

This bill provides that legal entities created through a 28E agreement to provide wastewater, sewer system, storm water drainage, or sewage treatment services have the same powers and duties as a city utility as it relates to delinquent account holders. These entities can now work with city utilities and similar providers to discontinue water service to the customer whose account has become delinquent with all costs associated with shutoff and reestablishment being charged to the customer.

HF 615 - Rural Improvement Zones

LB Assessors, Auditors, Supervisors, Treasurers

This bill makes changes to Iowa Code chapter 357H relating to Rural Improvement Zone (RIZ) districts. The bill makes changes to the eligibility for establishing a RIZ district, requirements of the petition for establishment, discretion of the board of supervisors for approving a petition, activities allowed to be undertaken by the district, distribution of incremental revenue, financial reporting requirements, and provisions relating to the dissolution or extension of the district. The bill changes a "shall" to a "may" as it relates to the board of supervisors' consideration and approval of the initial petition for the establishment of a RIZ district. The petitioners must prove the need for improvements to the zone with an engineer's report prior to establishment and prior to sunset extensions if requested by the board of supervisors. The bill allows a RIZ district to incur indebtedness so long as the term of the indebtedness does not exceed the sunset date of the RIZ district. The bill makes changes to the distribution of incremental property tax revenue by protecting the frozen base and limiting the RIZ district incremental value to no more than 50% of the total value of the RIZ district. The bill provides two exceptions for this distribution: 1) for RIZ districts established on or after July 1, 2014, the cap is 60% for the first 10 years, and 2) for RIZ districts established prior to July 1, 2004, the cap is 40%. RIZ districts currently established will dissolve on the later of June 30, 2019, or 20 years after the first year of receiving tax revenue, unless extended or voluntarily dissolved. Agreements made between district trustees and a county board of supervisors are null and void, but new agreements may be made after the effective date so long as they do not violate Iowa Code chapter 357H as amended.

HF 616 - Property Tax Policy Bill

LB Assessors, Auditors, Supervisors, Veterans

This bill makes changes to the classification of multi-residential property, the property assessment appeal process and deadlines, the board of review meeting dates, the Business Property Tax Credit application deadline, and other miscellaneous tax provisions. The bill eliminates the requirement for assessors to determine the primary use of multi-residential property with multiple uses and instead requires that each component of a multiple use property that includes a multi-residential portion be classified and taxed based on its own use. The bill changes the dates for filing a protest with the board of review, changes the dates for requesting an informal review with the assessor, and allows the assessor to make changes to a property assessment prior to the meeting of the board of review. The bill requires that notice of equalization orders be mailed to affected property owners, changes the deadline for publication of equalization orders, and changes the board of review dates following an equalization order. The bill changes the application deadline for the Business Property Tax Credit from March 15 to July 1, 2017, for FY 2019 and July 1 for each subsequent year. The bill clarifies that applications by individuals with a 100% individual unemployability rating for the Disabled Veteran Homestead Tax Credit received after July 1, 2014, and before July 1, 2015, would be for the fiscal year beginning July 1, 2015. Changes to the credit in HF166 call for the inclusion of individuals with 100% individual unemployability ratings, and this bill provides that the credit be awarded both to individuals that applied and were denied and those that did not previously apply if they are now eligible retroactively. The bill provides for a property tax exemption for land owned by a cemetery association and leased to another person for agricultural use if the proceeds from the lease are used for the maintenance of the cemetery.

Effective: The provisions dealing with multi-residential property apply to the assessment year beginning January 1, 2016, and each subsequent year. The provisions dealing with the Disabled Veterans Homestead Tax Credit are effective upon enactment and apply retroactively to March 5, 2015. Other provisions effective July 1, 2015.

HF 621- Streamlined Sales Tax

LB Auditors, Treasurers

This bill makes changes to the streamlined sales and use tax agreement, of which Iowa is a member state. The bill excludes from the sales and use tax of prepared food that food which ordinarily requires additional cooking by the consumer prior to consumption. The bill also provides relief for sellers and service providers that charge and collect an incorrect amount of sales and use tax following changes to the taxability matrix or due to errors and omissions in the taxability matrix.

TAXATION AND FINANCE

HF 626 - State Board of Tax Review

LB Assessors, Auditors, Supervisors

This bill provides for the repeal of the State Board of Tax Review, changes the appeal process for tax matters currently handled by the Board, and extends the future repeal of the Property Assessment Appeal Board. Currently, decisions of disallowance or recalculation of certain property tax credits and exemptions, assessments of centrally assessed property, and equalization orders, are all made by the Director of the Department of Revenue (DOR) and appealed to the State Board of Tax Review (the Board). With the July 1, 2015, repeal of the Board, these decisions will come from DOR and can be appealed to the Director. Decisions made by the Director are still subject to judicial review.

The bill also extends the future repeal of the Property Assessment Appeal Board from July 1, 2018, to July 1, 2021.

Effective Date: Upon Enactment (YTBD) except certain corresponding changes effective July 1, 2015.

TRANSPORTATION

HF 563 - Vehicle Recyclers

LB

Treasurers, Zoning

This bill allows the owner of a vehicle that does not have a certificate of title or junking certificate to dispose of the vehicle to a licensed vehicle recycler for scrap or junk if the vehicle is 12 model years old or older and was acquired by the recycler for less than \$1,000. It also exempts vehicles disposed of in this manner from certain title application, delivery, surrender, and transfer requirements. The bill establishes rules for vehicle recyclers subject to the regulations of the National Motor Vehicle Title Information System (NMVTIS) and requires proof of registration with the NMVTIS for licenses issued on or after January 1, 2016. The bill establishes penalties for violations of the new provisions.

Effective Date: January 1, 2016.

HF 635 - Department of Transportation Omnibus Bill

LB

Engineers, Supervisors, Treasurers

This bill provides policy and technical changes to programs and functions under the purview of the Department of Transportation (DOT) and the Transportation Commission. Division III of the bill relates to motor vehicles and, among other provisions: changes the definitions of travel trailer and fifth-wheel travel trailer to include trailers up to 45 feet long; increases the replacement driver's license fee from \$1 to \$10 for individuals between the ages of 18 and 21; outlines eligibility for temporary restricted licenses for individuals whose license was suspended for certain OWI violations; and changes the late filing fee for registration renewal from 5% of the renewal to 5% of the fees due to the state. Division V of the bill makes changes to the definitions and regulations for commercial driver's licenses and commercial learner's permits to match definitions and comply with regulations set out by federal rule, and requires the DOT to adopt rules for administering commercial driver's licenses in compliance with the federal rule.

Effective: Sections addressing the late filing fee for registration renewal are effective January 1, 2016. The section calling for the DOT to adopt emergency rules relating to commercial driver's license is effective upon enactment. All other sections effective July 1, 2015, unless the bill is signed after July 1, and then they will be effective upon enactment.

SF 75 - DOT Blue and White Light Study

LB

County Attorneys, Engineers, Sheriffs

This bill provides for a pilot program within the Department of Transportation to study the use of rear-facing blue and white lights on certain equipment used for snow removal and ice treatment. The bill requires a report to the General Assembly detailing the effectiveness and accident reduction comparisons. The bill adds blue and white lights to the state's "move over" law currently consisting of red, amber, and yellow lights and requiring that other vehicles switch lanes when approaching or slow down and be prepared to stop if switching lanes is impossible, unsafe, or illegal.

SF 155 - Illumination of Rear Registration Plates

LB

County Attorneys, Engineers, Sheriffs

This bill excludes dump trucks and vehicles used to move construction materials and equipment from the requirement that the rear registration plate of a vehicle be illuminated so as to be legible from at least 50 feet to the rear.

SF 218 - Snowmobiles in Interstate Right-of-Way

LB

Sheriffs

This bill amends the prohibition on operating a snowmobile in the right-of-way of an interstate highway or freeway. The new language allows a snowmobile to be operated within the right-of-way when using a bridge or underpass so long as the operator comes to a complete stop before entering the right-of-way and yields to any approaching vehicle on the roadway.

SF 257 - Gas Tax Increase

LB

Engineers, Supervisors

This bill increases the per gallon fuel tax by ten cents for gasoline, gasohol, and diesel fuels. It also extends the tax differential formula for ethanol-blended and unblended gasoline and creates a new biodiesel tax differential formula for diesel and biodiesel. The bill increases the permit fees for all systems permits, annual permits, oversize/overweight permits, and single round trip permits. Under the bill, counties will be prohibited from using the new revenue to service any debt where the term of the debt is greater than the useful life of the asset. Furthermore, the legislative intent is prescribed to be that the additional revenue credited to the secondary road and farm-to-market funds shall be used exclusively for critical road and bridge projects that significantly extend the life of the assets. The bill requires the Department of Transportation to identify \$10 million in efficiencies in FY 2016 and FY 2017.

Effective: Provisions implementing bonding limitations effective upon enactment (February 25, 2015). Provisions implementing fuel tax increase effective the month following enactment (March 1, 2015). Provisions implementing the permit fee increases effective January 1, 2016.

APPROPRIATIONS

HF 630 – Federal Block Grant Appropriations

LB

Community Services

This bill makes appropriations from federal block grants and other nonstate funds for FY 2016 and FY 2017.

To the Department of Human Services (DHS)

To be credited to the property tax relief fund for FY 2015 - FY 2016.....\$7,456,296

To be credited to the property tax relief fund for FY 2016 - FY 2017.....\$7,456,296

- Of the amount allocated above, up to \$600,000 may be used by DHS each year for distribution to counties for state case services provided for persons with mental illness, intellectual disability, or a developmental disability.

HF 637 - Transportation, Infrastructure and Capitals Appropriations

LB

Engineers, Supervisors, Treasurers

This bill makes appropriations for FY 2016 and FY 2017 from the Road Use Tax Fund and the Primary Road Fund to the Department of Transportation (DOT). The FY 2017 appropriation is funded at 50% of the FY 2016 level and should see a supplemental appropriation during the next legislative session.

From the Road Use Tax Fund (FY 2016)

For drivers' licenses production costs/central issuance\$3,876,000 (no change)

For county issuance of drivers' licenses and vehicle registrations and titles.....\$1,406,000 (no change)

From the Road Use Tax Fund (FY 2017)

For drivers' licenses production costs/central issuance \$1,938,000 (50%)

For county issuance of drivers' licenses and vehicle registrations and titles..... \$703,000 (50%)

HF 650 - Rebuild Iowa Infrastructure Fund Appropriations

LB

All County Officials

This bill makes infrastructure-related appropriations from a number of sources to various state departments and agencies for FY 2016.

From the Rebuild Iowa Infrastructure Fund (RIIF)

To the Department of Cultural Affairs

For the Iowa Great Places program\$1,000,000 (no change)

To the Department of Natural Resources

For lake restoration and water quality projects.....\$9,600,000 (no change)

For water trails and low head dam safety grants.....\$1,750,000 (-\$250,000)

To the Department of Transportation

For recreational trails..... \$3,400,000 (-\$2,600,000)

To the Treasurer of State

For county fair infrastructure improvements.....\$1,060,000 (no change)

- The money is distributed to all 106 county fairs in the Association of Iowa Fairs (\$10,000 each).

To the Department of Homeland Security and Emergency Management

For the implementation of a statewide mass notification and emergency messaging system\$ 400,000 (no change)

To the Iowa Telecommunications and Technology Commission

For replacement of equipment for the Iowa Communications Network..... \$ 2,248,653 (+\$3,000)

To the Department of Management

For the continued implementation of an online database for budget and financial information \$ 45,000

APPROPRIATIONS

HF 659 - Administration and Regulation Appropriations

LB

All County Officials

This bill makes appropriations from the state general fund and other funds to various administrative and regulatory state agencies for FY 2016 and FY 2017 and includes policy provisions. The appropriations for FY 2017 are funded at 50% of the appropriations for FY 2016 listed below.

To the Iowa Public Information Board.....\$350,000 (no change)

From the Road Use Tax Fund

To the Administrative Hearings Division of the Department of Inspections and Appeals\$1,623,897 (no change)

To the Department of Management.....\$56,000 (no change)

To the Office of the Treasurer of State.....\$93,148 (no change)

In addition to the appropriations, the bill requires that the first \$750,000 in FY 2016 and the first \$375,000 in FY 2017 in fees collected by the Department of Transportation for the furnishing of certified abstracts of vehicle operating records shall be transferred to the lowAccess revolving fund for the purpose of maintaining and expanding electronic access to government records.

The bill requires that up to \$47,300 of surcharges collected by the clerk of court be transferred from the address confidentiality program revolving fund to the Secretary of State's office to administer the address confidentiality program. Additionally, any unencumbered and unobligated moneys remaining on June 30, 2015, in the federal recovery and reinvestment fund, the vertical infrastructure fund, and the banking division mortgage servicing settlement fund, not to exceed \$47,300 in the aggregate, shall be transferred to the revolving fund to be used for start-up costs of implementing the address confidentiality program.

HF 666 - Supplemental Appropriations and Bond Repayment

LB

All County Officials

This bill makes payment to the state bond repayment fund and makes one-time appropriations for current and future fiscal years.

State Bond Repayment Fund
The bill provides that \$10 million will be transferred to the state bond repayment fund for the fiscal year ending June 30, 2015. Moneys in the bond repayment fund is used to service debt on the premier destination park bonds, the prison infrastructure revenue bonds, the Iowa Jobs program bonds, and the school infrastructure program bonds.

Miscellaneous Appropriations

To the Department of Human Services

- For the medical assistance program (Medicaid).....\$10,000,000
- For the operation of the state mental health institute at Clarinda\$1,810,000
- For MH/DS regions where carry forward is less than 25% of expenditures.....\$1,040,000

To the Department of Revenue

- Supplemental appropriation for commercial/industrial property tax replacement claims\$9,500,000

Effective Date: Upon enactment (YTBD)

SF 494 - Agriculture and Natural Resources Appropriations

LB

All County Officials

This bill makes appropriations from the general fund and other funds for agriculture and natural resources programs for FY 2016 and FY 2017. The appropriations for FY 2017 are funded at 50% of the appropriations for FY 2016 listed below.

To the Department of Agriculture and Land Stewardship (DALs)

For a local food and farm program coordinator\$75,000 (no change)

For the conservation reserve enhancement program (CREP)\$1,000,000 (no change)

- Permits DALs to use these funds in combination with other Environment First Fund (EFF) monies to match federal funds provided from the federal Wetlands Reserve Enhancement Program.

For flood and erosion control, water quality and conservation\$900,000 (no change)

For soil and water conservation administration\$2,700,000 (+\$150,000)

APPROPRIATIONS

- This appropriation is to be used for administration of soil and water conservation programs and to support soil and water conservation districts.

For the soil and water conservation cost share program.....\$6,750,000 (no change)
 For the Loess Hills development and conservation fund.....\$600,000 (no change)

To the Department of Natural Resources (DNR)

For flood management and dam safety..... \$1,950,000 (-\$50,000)

- Of this amount, up to \$400,000 may be used to install stream gauges for tracking and predicting flood events and for compiling necessary data to improve flood frequency analysis.

For water quality monitoring\$2,955,000 (no change)
 For regulation of animal feeding operations\$1,320,000 (no change)
 For air quality monitoring\$425,000 (no change)
 For groundwater quality.....\$3,455,832 (no change)
 For enforcing snowmobile laws\$100,000 (no change)
 For underground storage tank programs.....\$200,000 (no change)

To the Iowa Resources Enhancement and Protection (REAP) Fund\$16,000,000 (no change)

- This appropriation for REAP is from the Environment First Fund (EFF).

Miscellaneous Provisions

- Of the unobligated and unencumbered moneys remaining in the agriculture management account of the groundwater protection fund that would otherwise be transferred to the Department of Public Health for administering a grant program for counties conducting testing for private rural water supplies there is appropriated \$1,230,000 to Iowa State University for the purpose of supporting a three year data collection of in-field practices project.
- The bill adds 28E entities that accept waste related to the avian flu at the request of a federal or state agency or a political subdivision to the list of entities that are exempt from tort liability for errors, omissions, and operations related to the acceptance of the waste.

SF 496 - Judicial Branch Appropriations

LB

County Attorneys, Supervisors

In addition to making appropriations for the judicial branch, this bill includes a number of policy provisions. It requires the judicial branch to continue its effort to collect delinquent fines, penalties, court costs, fees, and surcharges, and calls for semiannual reports on the collections effort. It states that it is the intent of the General Assembly that the offices of the clerks of court operate in each county and should be accessible to the public as much as reasonably possible.

SF 497 - Justice System Appropriations

LB

All County Officials

This bill makes appropriations from the general fund and other funds to the justice system for FY 2016 and FY 2017. The appropriations for FY 2017 are funded at 50% of the appropriations for FY 2016 listed below.

To the Department of Corrections

For reimbursement for county confinement of state prisoners\$1,075,092 (no change)
 For offender mental health and substance abuse treatment\$22,319 (no change)

To the Iowa Law Enforcement Academy\$1,003,214 (no change)

To the Department of Homeland Security and Emergency Management

For salaries, support, maintenance, and miscellaneous purposes.....\$2,229,623 (no change)
 For E911 Communications\$250,000 (no change)

- This appropriation from the wireless E911 emergency communications fund is for costs associated with implementation, support and maintenance of the functions of the E911 program manager and with an annual state audit of the wireless E911 emergency communications fund.

APPROPRIATIONS

SF 499 - Economic Development Appropriations

LB

All County Officials

This bill makes appropriations for various economic development programs for FY 2016 and FY 2017 and contains related policy provisions. The appropriations for FY 2017 are funded at 50% of the appropriations for FY 2016 listed below.

To the Department of Cultural Affairs
For the Iowa Great Places program\$150,000 (no change)

To the Iowa Economic Development Authority
For financial assistance to Iowa's councils of governments \$200,000 (no change)
For the High Quality Jobs program.....\$16,900,000 (no change)

To the Department of Workforce Development
For the workforce development board and field office operations.....\$9,179,413 (no change)

- Of the total appropriation, the department is to allocate at least \$1,130,602 to the three satellite field offices projected by the Department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City or Webster City.
- Of the total appropriation \$150,000 is designated for the state library for licensing of an online resource to assist persons with enhancing job skills and vocational test-taking abilities.

To the Public Employment Relations Board
For salaries, support, maintenance, and miscellaneous purposes.....\$1,342,452 (no change)

- Of the total appropriation, \$15,000 is designated for the maintenance of the online database with searchable access to collective bargaining information.

SF 505 - Health and Human Services Appropriations

LB, JC

All County Officials

This bill makes appropriations from various sources for human services, aging, veterans and public health programs for FY 2016 and FY 2017. The appropriations for FY 2017 are funded at 50% of the appropriations for FY 2016 listed below.

General Fund Appropriations

To the Department of Aging
For case management for the frail elderly, adult day services, and other services\$11,399,732 (-\$20,000)

To the Department of Public Health
For addictive disorders treatment and prevention/cessation programs.....\$27,263,690 (no change)
For strengthening local health care delivery systems..... \$8,821,335 (+\$83,425)

- To the University of Iowa to expand/improve MH/DS workforce\$110,656 (no change)
- To the mental health institute at Cherokee to expand/improve MH/DS workforce\$99,904 (no change)
- For a mental health professional workforce shortage program.....\$105,448 (no change)
- For psychologists in urban and rural mental health professional shortage areas\$50,000 (no change)
- To local boards of health for services that promote healthy aging\$1,164,628 (no change)
- To assist local boards of health with organizational capacity and service delivery\$99,286 (no change)

For the Healthy Opportunities for Parents to Experience Success (HOPES) program care \$734,841 (no change)
For infectious diseases prevention and care\$1,335,155 (no change)
For public protection \$4,339,191 (+\$1,052,064)

- Of this amount, \$454,700 (no change) is to be credited to the emergency medical services fund.
- Of this amount, \$537,750 (no change) is for childhood lead poisoning prevention, testing, and remediation.

To the Department of Veterans Affairs
For the Iowa Veterans Home\$7,594,996 (no change)
For the county commissions of veterans affairs fund\$990,000 (no change)

To the Department of Human Services (DHS)
From moneys received under the federal Temporary Assistance for Needy Families (TANF) block grant
To counties and regions through the property tax relief fund for MH/DS.....\$4,894,052 (no change)
For child and family services\$32,084,430 (no change)

APPROPRIATIONS

From the General Fund

For medical assistance.....	\$1,303,191,564 (+\$52,533,171)
For state supplementary assistance.....	\$12,997,187 (-\$1,123,967)
For child and family services	\$85,341,938 (-\$9,515,616)
• For group foster care maintenance and services.....	\$35,821,786 (+\$76,599)
• For decategorization service funding pools and governance boards.....	\$1,717,753 (no change)
• For shelter care and child welfare emergency services.....	\$8,068,474 (+\$350,652)
• For continuation and expansion of child protection sites	\$630,240 (no change)
• For continuation of minority youth and family projects.....	\$371,250 (no change)
• For funding of the community circle of care collaboration for children and youth in NE Iowa (formerly the substance abuse and mental health services administration grant).....	\$1,186,595 (no change)
• For continuation of a system of care grant in Cerro Gordo and Linn Counties.....	\$235,000 (+\$100,000)
For the state mental health institute at Cherokee.....	\$5,545,616 (-\$486,318)
For the state mental health institute at Clarinda.....	\$1,765,119 (-\$5,022,190)
• Appropriation is for second six months. First six months funding of \$1,810,000 found in HF 666.	
For the state mental health institute at Independence.....	\$10,324,209 (-\$160,177)
For the state mental health institute at Mount Pleasant	\$6,424,880 (+\$5,007,084)
• Includes \$5,752,587 Medicaid reallocation and restores the adult acute mental health services and inpatient dual diagnosis services.	

For deposit into the MH/DS property tax relief fund created in Iowa Code §426B.1

For the distribution of equalization payments to counties..... \$0 (-\$30,555,823)

For mental health and disability services regions where carry forward is less than 25% of expenditures..... \$960,000

- Additional \$1,040,000 for this purpose contained in HF 666.

Miscellaneous Provisions

- Extends the equalization formula through FY 2017 but no funding is provided.
- MH/DS levy rates remain at the FY 2015 level with a cap of \$47.28
- The Medicaid Offset is eliminated.
- DHS is directed to work with the Southern Hills MH/DS region to explore if merging with an adjoining region would be beneficial to Southern Hills.

SF 510 - Standing Appropriations

LB, JC

All County Officials

This bill makes appropriations for property tax credits and other programs, and implements miscellaneous provisions including technical changes for county recorders.

Tax Credit, Exemption, and Replacement Claim Appropriations

The bill requires the full funding of the homestead, agricultural land and family farm, elderly and disabled, and military tax credits as required by law. The bill requires the full funding of the Business Property Tax Credit and replacement claims as provided in SF 295 (2013). The amounts below are the estimated state obligation with only the Business Property Tax Credit being a specific limited amount.

• Homestead Tax Credit.....	\$130,800,000
• Agricultural Land Tax Credit.....	\$39,100,000
• Elderly and Disabled Tax Credit.....	\$24,000,000
• Military Service Exemption Refund	\$2,100,000
• Commercial/Industrial Replacement Claims	\$162,056,468
• Business Property Tax Credit.....	\$100,000,000

Eminent Domain

The bill outlines several additional restrictions on the use of eminent domain including the use of eminent domain powers for acquiring land for the development of a lake for surface drinking water. The bill restricts the size of the lake to only that which is required for the surface drinking water needs and requires the consideration of feasible alternatives.

APPROPRIATIONS

Disabled Veteran Homestead Tax Credit

The bill transfers from the lowAccess revolving fund to the Homestead Tax Credit fund the amount necessary (approximately \$600,000) to cover the tax credit claims of veterans with a 100% individual unemployability rating who applied for the Disabled Veteran Homestead Tax Credit after July 1, 2014, and before July 1, 2015. HF 166 extends the eligibility for the credit to these individuals and is retroactively applicable to applications received prior to July 1, 2015.

Mental Health and Disability Services

The bill makes corrective provisions to SF 463, which is the mental health and disability services clean-up bill.

Court Debt

The bill eliminates the Department of Revenue as the first collection point of court debt and replaces it with a private collection designee.

Write-in Votes

The bill makes corrective provisions to SF 415, which addresses the counting of write-in votes.

SF 513 - Temporary Short-Term Appropriations

LB

All County Officials

This bill makes appropriations from the general fund and other funds in an amount equal to 1/12th of the FY 2016 appropriations approved by the legislature for use by state agencies and programs between July 1, 2015, and July 31, 2015. The short term appropriations are made to allow the Governor the full 30 days to consider enrolled appropriations bills passed by the legislature after June 1, 2015.

Effective: Upon Enactment (awaiting Governor's signature)

2015 BILLS THAT FAILED

Getting bills through the Legislature is important to ISAC, but sometimes things that did not happen can also measure the success of a legislative session. ISAC policy statements and input from the legislative policy committee are principally used as the guideline for ISAC staff in opposing legislation. The following is a list of bills that ISAC opposed that were successfully defeated. Also listed are failed bills that ISAC supported.

The following is a list of bills that ISAC opposed that were successfully defeated.

HF 38 - Local Prevailing Wage Rates
HF 59 - Firearm Regulation
HF 209, HF 210 - Sale of Raw Milk
HF 502 - Redacting Public Information
HF 509 - Records, Settlements and Bonuses
SF 50 - Wind Energy TIF
SF 73, SF 102, HF 335 - County Compensation Boards
SF 165 - County Seats
SF 305 - Non-Profit Food Fees
SF 328 - Absentee Ballot Deadlines*
SF 384 - Open Meetings and Records
SF 394 - Prisoner Charges*

*ISAC objective opposed after amendment

The following is a list of bills supported by ISAC that failed to pass this session.

HSB 158 - County Election Matters
HSB 197 - County Recorder Title Duties
HF 28, 49 - Electronic Voter Registration
HF 102, HF 336, SF 36 - Smokefree Air Act Casino Loophole
HF 148 - Unsewered Revolving Loan Fund
HF 224 - Diesel Fuel Excise Tax
HF 334, SSB 1211, SF 265 - Hotel/Food Inspections
HF 407 - CAFo Applications
HF 418, SF 399 - Residential Radon Standards

HF 510 - Transporting MI/SA Patients
HF 526, SF 127 - County Driver's License Fees
HF 561 - County Record Fees
HF 562 - Vital Record Fees
HF 565 - County Office Space for DHS
HF 566 - Electronic Birth Records
HF 596 - Vehicle Registration
HF 600 - Iowa Telehealth ACT
HF 641 - Broadband Access
SSB 1093 - Psychologist Prescription Authority
SSB 1112 - Emergency ICN Use
SSB 1153 - Statewide Interoperable Communications System Board
SSB 1216 - County Publications/ME Payment
SF 87 - County Collections
SF 106 - Medicaid Reimbursements
SF 221 - Local Safety ICN Use
SF 243 - Farmhouses
SF 293 - MH Professional Loan Forgiveness
SF 331 - Electronic Voter Registration
SF 357, SF 504 - Natural Resources Sales Tax
SF 402 - Clarinda and Mt. Pleasant MHI
SF 461 - Broadband Access
SF 466 - County Judicial Branch Projects
SF 475 - Home Modification Credit
SF 490 - Iowa Able Savings
SF 503 - Sheriff Fees

2015 LEGISLATIVE POLICY COMMITTEE MEMBERS

Committee Chair: Melvyn Houser, Pottawattamie County Supervisor and ISAC 2nd Vice-President

Assessors

Dale McCrea, Muscatine County
Deb McWhirter, Butler County

Auditors

Ken Kline, Cerro Gordo County
Dennis Parrott, Jasper County

Community Services

Lori Elam, Scott County
Shane Walter, Sioux County

Conservation

Dan Cohen, Buchanan County
Matt Cosgrove, Webster County

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Darin Raymond, Plymouth County
John Werden, Carroll County

Emergency Management

Mike Goldberg, Linn County
AJ Mumm, Polk County

Engineers

Paul Assman, Crawford County
Lyle Brehm, Tama/Poweshiek County

Environmental Health

Eric Bradley, Scott County
Joe Neary, Palo Alto County

Information Technology

Micah Cutler, Hardin County
Jeff Rodda, Polk County

Public Health

Kathy Babcock, Chickasaw County
Doug Beardsley, Johnson County

Recorders

Kris Colby, Winnebago County
Megan Clyman, Davis County

Sheriffs and Deputies

Don De Kock, Mahaska County
Lonny Pulkrabek, Johnson County

Supervisors

Cara Marker-Morgan, Fremont County
Burlin Matthews, Clay County

Treasurers

Jarrett Heil, Marshall County
Terri Kness, Jefferson County

Zoning

Joe Buffington, Henry County
RJ Moore, Johnson County

NOTES



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