



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 recorders in the state have their own association, which is called the Iowa County Recorders Association and is one of ISAC's affiliates. In total, there are 16 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 2016 Iowa counties participated with the 2nd Session of the 85th 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, 2016. 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

KH - 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

Mental Health and Disabilities Services Funding

Ensuring sustainable, long-term funding for the mental health and disability services (MH/DS) regions as well as providing MH/DS levy equity for the counties within those regions was again an ISAC legislative priority this year. SF 2318, a bill that would lift the 1996 levy caps, and allow each of the counties within a region to levy up to \$47.28 per capita passed unanimously out of the Senate Ways and Means committee but failed to be debated on the Senate floor. This bill would have achieved ISAC's legislative priority, but unfortunately, the Iowa Legislature instead passed HF 2456, a bill that extends the current county MH/DS levy by one year to FY 2017 - FY 2018. To provide additional financial assistance for regions that were financially challenged, \$3 million was appropriated in HF 2460 (Health and Human Services Appropriations) to the Polk County region (\$2.5 million) and to the Eastern Iowa region (\$500,000). In addition, further language in HF 2460 calls for the Iowa Department of Human Services to provide a report on the implementation of MH/DS redesign, in which a status of the fiscal strength of the system must be provided.

E-911 Funding

After a line-item veto last year, increasing the percentage of the E-911 surcharge going back to local public safety answering points (psaps) was again a legislative priority. Due to a strong coalition of county, emergency management, fire fighter, and law enforcement support, HF 2439 passed the Iowa Legislature and was signed by the Governor. This bill increases the current percentage of E-911 funding back to local psaps from 46% to now 60%. It further sets a priority list in how the additional carry-over funding would be distributed out to the psaps.

Delinquent Court Debt

Last year in SF 510, the Standings bill, language was included that tremendously hindered a county attorney's ability to collect delinquent court debt by placing a private collection agency ahead of them in the collection of that debt. SF 2316, a bill that remedies last year's language, passed the Iowa Legislature and was signed by the Governor. This bill now places the delinquent debt first with the county attorney that has the collection program at day 30 instead of 90 days. It further establishes thresholds for counties to maintain their collection programs. In addition, it provides incentives for county attorneys to collect debt by allowing them to retain an additional 5% if they go above and beyond their collection threshold.

Distracted Driving

A new legislative priority this year for ISAC was addressing distracted driving by defining it as the use of an electronic device as a primary offense. While there was little movement on the issue this year, ISAC was pleased to hear the Governor at the end of session mention that he was looking for solutions for distracted, as well as impaired, driving in the interim to be considered in the 2017 session.

Food Fees

As current fees for licensed food establishments have failed to meet the costs of providing these inspection services, many counties have returned their programs back to the Iowa Department of Inspections and Appeals. Counties believe they can provide increased public health safety by providing inspections on a much timelier basis. Therefore, ISAC has encouraged a modernization of these fees to meet the cost of doing business. SSB 3165 would have increased these fees, but the bill passed only out of a Senate Ways and Means subcommittee this year.

COUNTY ADMINISTRATION AND ORGANIZATION

HF 2118 - Financial Reporting by the State Auditor to the County Attorney

JC

County Attorneys

This bill requires that if significant financial irregularities are found in the course of an audit a report be filed by the state auditor with the county attorney. It further requires that the county attorney work with the state auditor and if need be, the attorney general to remedy the irregularity.

HF 2147 - Absentee Voting by Uniformed and Overseas Citizens

JC

Auditors

This bill expands the amount of time an eligible voter that is in the military or working overseas to apply for a special absentee ballot from 90 to 120 days before the general election. In addition, this bill removes the requirement that a federal write in ballot can only be accepted when the eligible voter has applied for an absentee ballot and allows for the federal write in ballot to count as long as the person is a registered voter.

HF 2261 - Public Fund Investment Trusts

WRP

County Attorneys, Supervisors, Treasurers

Under Iowa law, political subdivisions have been authorized to invest public funds in joint investment trusts that are operated in accordance with federal law relating to money market funds and that have either achieved a specified rating or are registered with the federal Securities and Exchange Commission. This bill provides that those joint investment trusts that have achieved the required specified rating must be operated in accordance with either the federal law relating to money market funds or with the governmental accounting standards board's (GASB) requirements for external investment pools. The bill adds the provisions for operation in accordance with the GASB requirements for external investment pools.

HF 2268 - Confidential Records

KH

All County Officials

This bill adds a new category of confidential records - records that are evidence of public employee support for the certification or decertification of an employee organization that is submitted to the public employment relations board.

HF 2273 - Administration of Elections

JC

Auditors

This bill was brought forward by the Iowa Secretary of State and makes adjustments to the Safe at Home program and in the administration of elections. The bill modifies the Safe at Home program to state that a program participant's voter registration cannot be open to challenge while involved in the program. Further, the Secretary of State will vouch for any program participant in the case of a contested election.

The bill modifies the administration of elections by requiring that just the text on the printout ballot be printed in black ink. The bill also declares that the office of the commissioner of elections and satellite voting stations are now designated polling places while absentee ballots are available making them subject to the ban on electioneering within 300 feet. The bill makes modifications to school elections by requiring that a plan for school district reorganization be completed at the second regular school election and when a school board vacancy is filled by an appointment, the person shall serve until the next school board election.

The bill adds intelligent mail barcodes to the acceptable markings for absentee ballots for the purpose of identifying when the ballot was received by the postal service. A county may use this service offered by the postal service to track when the ballot was entered into the federal mail system and as with postmarks, the ballot must be scanned into the system the day prior to the election and must be received by the commissioner of elections by noon on the following Monday in order to be counted.

Effective Date: Division II dealing with intelligent mail barcode is effective upon enactment (May 27, 2016)

HF 2342 - Hunting/Fishing License Signature

LB

Recorders

This bill changes "in ink" to "in writing" as it relates to the address, signature, and other writing on an application for a hunting, fishing, or fur harvester license. The technical change allows for electronic application and electronic signatures based on definitions elsewhere in Code.

HF 2353 - Emergency Management Officials Running for Public Office

JC

Emergency Management

This bill eliminates the ban on emergency management officials running as candidates for partisan public office.

HF 2363 - Attendance at Closed Sessions

KH

All County Officials

This bill requires a governmental body to allow all members of a governmental body to attend a closed session, unless the member's attendance creates a conflict of interest.

HF 2364 - Notice of Meetings

KH

All County Officials

This bill clarifies that if a governmental body is prevented from publishing proper notice of a meeting due to impossibility or impracticability, such meeting may still be convened by posting an amended notice of the meeting.

COUNTY ADMINISTRATION AND ORGANIZATION

HF 2385 - Increasing Penalties for Illegal Dumping

JC *Engineers, Supervisors*

This bill increases the penalties for illegal trash and solid waste dumping in Iowa. The civil penalties are established as follows: \$1,000 for a first offense, \$2,000 for a second offense, and \$3,000 for a third offense. Proceeds from these penalties are directed to clean-up efforts by giving 50% to the Department of Transportation for right-of-way removal and the other 50% to the county general fund where the dumping occurred.

HF 2415 - Veterans Preference Information

LB *All County Officials*

This bill requires the Department of Workforce Development to establish a clearinghouse for the purpose of consolidating information relating to the state's veterans preference law. The clearinghouse will be a central point of information for the state, political subdivisions, and veterans regarding the rights and duties relating to providing veterans preference.

HF 2446 - County Medical Examiner Fees

JC *Auditors*

This bill requires that a county medical examiner's office receive payment for conducting a preliminary death investigation from the decedent's county of residence. These submissions of payment must be in an invoice form and allow the county medical examiner and investigator to submit in a joint invoice. The county of appointment can then either pay the medical examiner and investigator immediately and seek reimbursement from the decedent's county of residence or invoice the county of residence directly for payment to the medical examiner and investigator. It also requires that the medical examiner be paid within 60 days, and if not, be paid by the county of appointment.

HF 2449 - Administrative Rulemaking Process

KH *All County Officials*

This bill requires a state agency that is expressly required by legislative action to develop administrative rules to submit notice within 180 day from the effective date of the legislation. If rulemaking is timely commenced, then notice of intended action shall be submitted to the administrative rules coordinator and the administrative code editor. If rulemaking is not timely commenced, then the state agency must submit notice to the administrative rules review committee stating that the agency has not submitted a notice of intended action, the provision of the law for which rulemaking is required, the subject matter of the provision, an explanation for the delay, and an estimated timeline.

Effective Date: upon enactment (April 27, 2016) and made retroactive to January 11, 2016

HF 2456 - Mental Health and Disability Services Levy

JC *Community Services, Supervisors*

This bill extends the current county mental health and disability services levy authority by one year to FY 2017 - FY 2018.

SF 2170 - Competitive Bid Notices

LB *Auditors, Engineers, Supervisors*

This bill makes changes to the publishing and posting requirements for competitive bid notices for public improvement projects. Under current law, if the cost of a public improvement project exceeds the competitive bid threshold, the county has to advertise the project to bidders no fewer than four and no more than 45 days before the bid filing deadline. The county also has to publish notice no fewer than four and no more than 20 days before the public hearing. The bill removes the requirement to advertise for bidders and instead requires the notice to bidders be published in contractor organization publications, a statewide contractor plan room service, and on either the governmental entity's website or the website of a statewide association representing the governmental entity. The window was changed to no fewer than 13 and no more than 45 days before the bid filing deadline. The requirement for the notice of public hearing is amended to include not only the time and place, but also a description and the location of the project.

SF 2242 - City Election Administration

JC *Auditors*

This bill authorizes a county auditor to allow a city clerk to receive nomination papers for candidates that are running for city elective office.

SF 2276 - Land Surveying

LB *Engineers, Recorders*

This bill puts in place formatting requirements for land survey documents to be filed with the county recorder. It also requires a land surveyor to be hired for the purpose of locating and preserving survey monuments if they are likely to be removed or destroyed during a public improvement project and provides requirements for that land survey and monument preservation.

SF 2308 - Enhance Iowa

LB *Supervisors*

This bill creates the Enhance Iowa Board under the Iowa Economic Development Authority and transitions to it the powers and duties of the Vision Iowa Board. The bill sets forth the membership requirements for and responsibilities of the Board including oversight of the River Enhancement Community Attraction and Tourism Program and the newly created Sports Tourism Program. The bill establishes the Enhance Iowa Fund and the Sports Tourism Fund though no funding mechanism was provided.

COUNTY ADMINISTRATION AND ORGANIZATION

SF 2316-Delinquent Court Debt

JC

County Attorneys, Supervisors

This bill addresses changes that were made last year in SF 510, the Standings bill, in how delinquent court is collected. The bill outlines the new collection process as follows:

- County Attorneys will now be assigned the delinquent debt at 30 days from the point of delinquency instead of 90 days.
- The delinquent debt will be assigned to the county attorney that has a collection program or one that has a 28E agreement with another county to collect. For those counties that currently don't have a collection program, the debt will be assigned to a private collection agency.
- Counties will now retain 28% of the debt collected with the remaining 72% going to the state of Iowa.
- To maintain collection programs, counties will now have to reach the following collection thresholds based on the county population size:
 - Population less than 15,000 - \$25,000
 - Between 15,000 and 26,000 - \$50,000
 - Between 26,000 and 50,000 - \$100,000
 - Between 50,000 and 100,000 - \$300,000
 - Between 100,000 and 150,000 - \$600,000
 - Greater than 150,000 - \$1,000,000
- If a county would collect more delinquent debt than what is required according to its assigned threshold, the county would still collect 28% to be deposited in their general fund, but the county attorney would retain an additional 5% and the remaining 67% would go to the state of Iowa.

HUMAN SERVICES AND PUBLIC HEALTH

SF 2035 - Juvenile Shelter Care Reimbursement

JC *Community Services, Supervisors*

This bill raises the average statewide reimbursement rate for juvenile shelter care homes \$4.85 over the 2014 - 2015 rate which is a 5% percent increase. The daily rate goes from \$143.63 to \$148.48.

Effective Date: upon enactment (February 2, 2016) and made retroactive to July 1, 2015

SF 2144 - Behavioral Health Records

JC *Community Services*

This bill allows for a patient's mental health records to be shared with a physical health professional that is currently allowed under the federal Health Insurance Portability and Accountability Act (HIPAA) but not under Iowa law. This information could only be released by the patient's consent or under certain restricted circumstances. This change is to provide greater care coordination for a patient and to address previous problematic issues such as drug interaction.

Effective Date: upon enactment (April 6, 2016)

SF 2159 - Public Health Board Modernization

JC *Auditors, Public Health, Treasurers*

This bill was introduced by the Iowa Department of Public Health and updates the Iowa Code pertaining to local public health agencies by eliminating outdated policy language from the Iowa Public Health Modernization Act of 2009. It further provides counties greater flexibility in the make-up of the local boards of health by eliminating the requirement that there are an equal number of representatives from each county serving on the board. In addition, it allows a county auditor or treasurer of a county within a district board of health to serve as the auditor or treasurer of the district or to subcontract with a third party if either one is not available.

SF 2188 - Prescribing Psychologists

JC *Community Services*

This bill establishes prescribing psychologists as a new licensure category for psychologists and adds them to the list of prescribers as defined in the pharmacy section in Iowa Code. It further creates two types of licenses: a conditional two-year license under the supervision of a licensed physician; and a prescription license that allows a psychologist to independently prescribe if all conditions were met under the temporary two-year license.

SF 2259 - Serious Mental Health Treatment

JC *Community Services*

This bill requires a mental health and disability services region contract with mental health professionals to provide appropriate outpatient treatment for a person who has a severe mental impairment after an involuntary commitment. It further allows for the outpatient treatment to come in the form of an injectable antipsychotic drug.

SF 2273 - Home Food Establishments

JC *Environmental Health, Public Health*

This bill changes the regulation of "home food establishments" by naming them "home bakeries" and raising the threshold on the amount of gross annual sales of prepared food under the license to under \$35,000.

LAND USE AND ENVIRONMENTAL HEALTH

HF 2325 - Transferring Sanitary Sewer Districts

JC Environmental Health, Supervisors

This bill allows for a sanitary sewer district to enter into an agreement with another district to transfer services and responsibility without having to dissolve the entire district as is currently required by law. In order to do this, a notice and public hearing would be required followed by a vote by the board of trustees.

HF 2339 - Watershed Management Authorities

LB Conservation, Environmental Health, Supervisors, Zoning

This bill adds benefited recreational lake districts, water quality districts, and combined districts to the list of political subdivisions that may become members of a watershed management authority. Previously, only cities, counties, and soil and water conservation districts could form the authority that participates in watershed management and planning activities including flood control and water quality improvement.

SF 2221 - Sanitary Sewer and Storm Water Regulation

LB Environmental Health, Supervisors

This bill amends the definition of public utility for purposes of regulation by the Iowa Utilities Board (IUB) by adding to the list of services the furnishing of sanitary sewage or storm water drainage disposal by piped collection system. The regulatory authority of IUB is limited to individuals and corporations providing the specified services for compensation, so the bill excludes municipally-owned sanitary sewage or storm water drainage disposal systems, sanitary districts, levee districts, and drainage districts from IUB authority.

PUBLIC SAFETY

HF 493 - Right to Summon Emergency Assistance

JC County Attorneys, Emergency Management, Sheriffs, Supervisors

This bill prohibits a city, county, or any local government from enacting any penalty against a landlord, resident, owner, or tenant for contacting law enforcement or emergency assistance if the assistance was actually or believed to be needed. It also provides additional protections for tenants as landlords would not be able to prohibit or limit the tenant's rights to summon law enforcement or emergency assistance. It does allow a landlord to evict a tenant for reasons other than summoning emergency service.

HF 2265 - Safe at Home Disclosures to Court

KH All County Officials

This bill adds several pre-requisites that must be met before a person can be compelled to disclose the address of a participant in the Safe At Home program to a court or other tribunal.

HF 2279 - Firearm Suppressors

KH Sheriffs

This bill creates a procedure for persons to request that a chief law enforcement officer (which may be the county sheriff) provide certifications, as may be required under federal law, for a person to make or transfer a firearm suppressor. The bill also provides an appeal process if a certification request is denied by a chief law enforcement officer and makes it a class "D" felony for a person to knowingly possess a firearm suppressor in violation of federal law.

Effective Date: Upon enactment (March 31, 2016)

HF 2283 - Loaded Firearms while Operating Snowmobiles and ATVs

KH Sheriffs

Current law requires a person to only operate or ride in a snowmobile or all-terrain vehicle (ATV) with a firearm when the firearm is not loaded and enclosed in a carrying case. This bill creates exceptions to that rule and allows for a person to operate or ride in a snowmobile or ATV with a loaded firearm if on that person's own land. On land not owned by the person operating or riding in the snowmobile or ATV, this bill allows a person to have a loaded firearm if: 1) the firearm is a pistol or revolver and is secured in a retention holster; 2) the person has a valid permit to carry; and 3) the person's conduct is within the limits of the permit to carry. The bill requires that the person not discharge a firearm while on a snowmobile or ATV.

HF 2420 - Untested Sexual Abuse Evidence Collection Kits

JC County Attorneys, Sheriffs

This bill requires that the Iowa Department of Justice conduct a survey of all law enforcement agencies charged with the maintenance, storage, and preservation of untested sexual abuse evidence collection kits. It further requires that the law enforcement agency shall submit their answers to the survey by the Department of Justice by January 1, 2017, and if they do not possess any of the kits, they shall provide written confirmation by that date as well.

SF 378 - Reimbursement for Wrongful Charges against Peace Officers

KH Sheriffs

This bill creates a process for peace officers to be reimbursed their costs, including attorney fees, for charges against the officer that are dismissed when it is shown that the charges were: 1) without probable cause; 2) filed for malicious purposes; and 3) unwarranted in consideration of all the circumstances and matters of law.

SF 503 - Sheriff Fees

JC Sheriffs

This bill requires that the Iowa State Sheriffs' and Deputies' Association submit a report to the standing Ways and Means Committees and the Legislative Services Agency by December 1, 2016 that provides an overview of the collection and the expenses associated with civil fees. Information that should be included in the report is the county budget allocation for the sheriff's office to collect these fees, the average cost per service, revenue generated from the collection, and the impact on county property taxes associated with this service. The report also must include a random sampling of six urban and 10 rural counties. The Ways and Means Committees are called upon to review the report and make any adjustment to the fees according to the findings.

SF 2111 - Notary Rules for Peace Officers

KH Sheriffs

This bill exempts peace officers from the requirement to use an official notary stamp when administering an oath or acknowledging a signature pursuant to the duties of a peace officer of the department of public safety or as a law enforcement officer.

SF 2115 - Interference with Official Acts Against a Jailer

JC County Attorneys, Sheriff

This bill adds "jailer" to the list of county officials that are subject to protection under the interference with official acts of duty and the penalties associated with the crime. The bill further defines "jailer" as someone who is employed by the county jail but not a peace officer.

PUBLIC SAFETY

SF 2218 - Emergency Drug Administration

JC *Emergency Management, Sheriffs*

This bill allows first responders such as emergency medical personnel, law enforcement, and firefighters to obtain and administer opioid antagonists to overdose victims. It further provides immunity from legal action due to injury in the administration of the drug if the first responder acted reasonably and in good faith.

SF 2306 - Disaster Business Response

JC *Emergency Management*

This bill exempts out-of-state businesses and their workers from Iowa taxes, fees, licensing, registration, and other filing requirements during a defined disaster period. The definition of a "defined response period" is starting 10 days prior to when a disaster is declared by the President of the United States or the Governor of Iowa and ending 60 days after the disaster declaration ends.

Effective Date: upon enactment (April 21, 2016)

SF 2326 - State Interoperable Communications System

JC *Emergency Management, Sheriffs*

Cross referenced in Appropriations - see page 20.

TAXATION AND FINANCE

HF 2180 - Township Funds

LB

Auditors

This bill authorizes the trustees of a township to transfer funds raised for the purchase or construction of a public hall and not being used for that purpose to the school district or districts from which they were raised. The bill requires that the full amount of the funds be transferred to the school districts pro-rata and the account dissolved. Previously such a transfer was initiated by a petition signed by a majority of the registered voters in the township.

HF 2433 - Tax Coupling and Manufacturing Exemption

LB

Auditors, Supervisors

This bill couples the state tax code with the Internal Revenue Code (IRC) for the 2015 tax year to reflect changes to the IRC. Among other changes, the coupling allows for Section 179 expensing (rather than depreciation) of equipment costs incurred by small businesses, deductions for out-of-pocket expenses by teachers, deductions for higher education expenses, deductions for state sales and use taxes rather than the standard deduction, deductions for premiums for mortgage insurance, and some enhanced deductions for charitable giving. The state decoupled from the IRC on the first-year depreciation allowance, instead requiring businesses to use standard depreciation for qualifying expenses.

The bill also rescinds administrative rules adopted during the interim affecting the sales and use tax on consumable supplies used in the manufacturing process. The bill then provides a more narrow sales and use tax exemption for materials used to construct replacement parts or supplies used in the manufacturing process. The bill provides definitions and conditions upon which the exemption is dependent.

Effective Date: Division I addressing tax code coupling takes effect upon enactment and applies retroactively to January 1, 2015. The rescission of administrative rules and amendments to administrative rules takes effect upon enactment. All other provisions of Division II implementing the sales and use tax exemption take effect July 1, 2016. Enacted March 21, 2016.

HF 2443 - Economic Development Authority Omnibus Bill

LB

Assessors, Auditors, Supervisors

This bill provides policy and technical changes to programs and functions under the purview of the Economic Development Authority. Division I adds and changes definitions and makes conforming changes to include certain additions in the requirement that an entity use life cycle cost analysis in order to optimize energy efficiency for public facilities. It also requires a public entity to use life cycle cost analysis methodology established by the State Building Code Commissioner rather than by the Authority. Division III increases the amount of financial assistance from \$25,000 to \$100,000 to a single business to be used as matching funds to qualify for certain federal grants. Division IV allows a local government and the authority to amend enterprise zone program agreements for compliance reasons as long as the

amendment does not increase the amount of the incentives provided. Division V moves the administrative oversight of the Historic Tax Credit program from the Department of Cultural Affairs to the Authority. The division also clarifies that a credit in excess of a taxpayer's tax liability may be carried forward up to five years or refunded to the taxpayer. This section applies retroactively to agreements entered into on or after July 1, 2014.

Effective Date: Division I is effective upon enactment (May 26, 2016). Division V is effective August 15, 2016. All other divisions effective July 1, 2016.

HF 2468 - Tax Code Changes

LB

Assessors, Auditors

This bill makes changes to certain tax laws including credits and exemptions. The bill expands the definition of "designated exempt entity" for purposes of a sales tax exemption offered to contractors and builders for materials, supplies, and equipment used for a construction project for a designated exempt entity. The definition is expanded to include an instrumentality of a county or municipal government created for the purpose of owning real property within a Reinvestment District. The bill requires the Director of the Department of Revenue to consider evidence and witnesses produced by the Department, in addition to the taxpayer, during an appeal of a property assessment for certain centrally assessed property. The bill extends the Utility Replacement Tax Task Force from January 1, 2016, to January 1, 2019.

Effective Date: The section dealing with the sales tax exemption is effective upon enactment (May 27, 2016) and applies retroactively to purchases made on or after January 1, 2015, in fulfillment of a contract entered on or after the same date. The section dealing with property assessment appeals is effective upon enactment (May 27, 2016) and applies retroactively to May 22, 2015. The section dealing with the Utility Replacement Tax Task Force is effective upon enactment and applies retroactively to January 1, 2016.

TRANSPORTATION

HF 617 - License Plate Decals

LB

Treasurers

This bill replaces the current process for special registration plates with an organization's emblem with a process to issue registration plates with a blank space for the organization's emblem decal. The Department of Transportation (DOT) will approve the decal design and the organization will issue the decal to interested parties. The applicant will not be charged the special plate fee if they get a registration plate with a blank space.

Effective Date: January 1, 2017

HF 2277 - Electric Transmission in Right-of-Way

LB

Engineers

This bill adds electric transmission owners primarily providing service to public utilities to the list of public utilities that may construct, operate, repair, or maintain its utility facilities within a public road right-of-way. The electric transmission facilities would include transmission lines, wires, and cables that provide electric service.

HF 2345 - County Bridge Reports

LB

Engineers

This bill requires county engineers to file annual reports with the Department of Transportation on the use of Road Use Tax Fund dollars to repair or replace structurally deficient bridges. The report would include details on fully functional bridges and work completed or pending on deficient bridges. The requirement is repealed on June 30, 2019.

HF 2437 - Department of Transportation Omnibus Bill

LB

Treasurers

This bill provides policy and technical changes to programs and functions under the purview of the Department of Transportation and the Transportation Commission. Division I defines autocycle and provides that they are treated as a motor vehicle for registration purposes except that they are issued only one license plate to be displayed at the rear of the vehicle. Division II allows the owner of a repaired vehicle with a salvage certificate of title from another state to bypass obtaining an Iowa salvage certificate of title if they surrender the out-of-state title and the salvage theft examination certificate. The owner would then be issued an Iowa certificate of title indicating the repaired vehicle was previously titled as salvage. This division also increases the fee for a salvage theft examination from \$30 to \$50 and makes it due when the examination is scheduled rather than upon completion of the examination.

HF 2464 - Underground Storage Tank Fund

LB

Engineers, Environmental Health, Supervisors

This bill eliminates the \$3.5 million quarterly transfer from the Statutory Allocations Fund to the Comprehensive Petroleum Underground Storage Tank Fund and the \$750,000 quarterly transfer from the Statutory Allocations Fund to the Renewable Fuel Infrastructure Fund on December 31, 2016. For the two quarterly transfers before the elimination the transfer to the Renewable Fuel Infrastructure Fund is increased from \$750,000 to \$1.5 million. The \$17 million no longer transferred to the two funds will go to the Road Use Tax Fund distribution formula. The bill also extends the expiration of the Environmental Protection Charge (\$0.01 per gallon) from June 30, 2016, to December 31, 2016.

Effective Date: Division I which strikes the transfers from the Statutory Allocations Fund is effective December 31, 2016. Division II which increases the transfer to the Renewable Fuel Infrastructure Fund for the first half of FY 2017 and extends the future repeal of the Environmental Protection Charge is effective upon enactment (May 16, 2016).

SF 2187 - Veteran Driver's License Designation

LB

Treasurers, Veterans

This bill allows a veteran to present a DD Form 214 for purposes of having the word "VETERAN" marked on their driver's license. Under current law the individual would meet with a designee of the Department of Veterans Affairs (typically the county veterans service officer) to verify status and complete Form 432035 which was then presented at the driver's license issuing station. Under the bill, the issuing station could accept a DD214 if the form states that the individual was honorably discharged. The bill requires that if a marked license is issued in this manner, the issuing station shall notify the Commission of Veteran Affairs of the county in which the individual resides that the license was issued to that qualifying veteran and the Commission shall initiate contact with that veteran for purposes of offering services and benefits. The bill also allows an individual applying for a persons with disabilities parking permit to submit a certification of disability from the United States Department of Veterans Affairs in lieu of a statement from a medical professional as currently required.

SF 2228 - Electronic Vehicle Registration

LB

Treasurers

This bill requires the Iowa Department of Transportation to develop a system for the electronic submission of applications for vehicle registration and certificates of title, and implement the system by January 1, 2018. If the system is not in place by the deadline, the bill allows an individual to apply for the registration and title in a contiguous county. The bill also includes provisions relating to auto dealers and the registration process including surety bond requirements and limits on the documentary fee charged for the preparation of applications for vehicle registration and certificate of title.

TRANSPORTATION

SF 2309 - Renewable Fuels Tax Credit

LB *Engineers, Supervisors*

This bill extends the expiration date for the E15 Plus Gasoline Promotion Tax Credit, E85 Gasoline Promotion Tax Credit, Biodiesel Blended Fuel Tax Credit, and Biodiesel Production Sales/Use Tax Refund from January 1, 2018, to January 1, 2025. Beginning January 1, 2018, the tax credit rate for biodiesel blends of B-11 and higher will increase from 4.5 to 5.5 cents per gallon and the rate for blends below B-11 will decrease from 4.5 to 3.5 cents per gallon.

APPROPRIATIONS

HF 2439 - E-911 Funding

JC

Emergency Management, Sheriffs

This bill increases the percentage of the amount of E-911 surcharge funding that goes back to local public safety answering points (psaps) from 46% to 60%. It further sets a priority list for the remaining carryover funding as follows:

- To psaps that would consolidate, grants would cover up to half the cost of consolidation no greater than \$200,000.
- Funding, not to exceed \$100,000 per year, for the development of public awareness and educational programs pertaining to the use and maintenance of E-911 systems.
- Any remaining funding would be equally appropriated out to psaps for future network improvements, accessing the Iowa interoperable communications system, and expenses related to receiving and disposing E-911 calls.

HF 2454 - 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 2017.

To the Department of Agriculture and Land Stewardship (DALs)

For a local food and farm program coordinator	\$75,000 (no change)
For the Water Quality Initiative Fund	\$4,400,000 (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	\$2,800,000 (+\$100,000)
For the soil and water conservation cost share program.....	\$6,750,000 (no change)
• This appropriation is to be used for administration of soil and water conservation programs and to support soil and water conservation districts.	
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 (no change)
• 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

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

HF 2455 - Economic Development Appropriations

LB

All County Officials

This bill makes appropriations for various economic development programs for FY 2017 and contains related policy provisions.

To the Department of Cultural Affairs

For the Iowa Great Places program	\$150,000 (no change)
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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.....	\$15,900,000 (-\$1,000,000)

To the Department of Workforce Development

For the workforce development board and field office operations.....	\$8,976,650 (-\$202,763)
• Of the total appropriation, the department is to allocate at least \$580,783 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.	

APPROPRIATIONS

- 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.

HF 2457 - 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.

HF 2458 - Justice System Appropriations

LB

All County Officials

This bill makes appropriations from the general fund and other funds to the justice system for FY 2017.

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 E-911 Communications\$250,000 (no change)

- This appropriation from the wireless E-911 emergency communications fund is for costs associated with implementation, support and maintenance of the functions of the E-911 program manager and with an annual state audit of the wireless E-911 emergency communications fund.

HF 2459 - Standing Appropriations

LB

All County Officials

This bill makes appropriations for property tax credits and other programs, and implements miscellaneous provisions.

Tax Credit, Exemption, and Replacement Claim Appropriations

Requires the full funding of the homestead, agricultural land and family farm, elderly and disabled, and military tax credits as required by law. Also 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 Agricultural Land Tax Credit and Business Property Tax Credit being a specific limited amount.

- Homestead Tax Credit.....\$135,500,000
- Agricultural Land Tax Credit.....\$39,100,000
- Elderly and Disabled Tax Credit.....\$26,100,000
- Military Service Exemption Refund\$2,100,000
- Commercial/Industrial Replacement Claims\$154,636,698
- Business Property Tax Credit.....\$125,000,000

Tax Credit Review

Adds the six credits and refunds listed above to the list of tax expenditures and incentives reviewed by the Legislative Tax Expenditure Committee.

Local Budget Protests

Changes the timeframe within which the State Appeal Board must render a decision after a hearing upon the appeal of a local budget protest. The date by which a final decision must be certified to the county auditor and the parties to the appeal is changed from April 30 of each year to within 45 days after the date of the appeal hearing.

APPROPRIATIONS

Flood Mitigation

Allows a governmental entity to apply for an extension beyond the 20 year period of remittance of sales tax under the Flood Mitigation Program if certain conditions are met.

HF 2460 - 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 2017, and contains various policy provisions.

General Fund Appropriations

To the Department of Aging

For case management for the frail elderly, adult day services, and other services \$12,548,603 (+\$1,148,871)

To the Department of Public Health

For addictive disorders treatment and prevention/cessation programs \$26,988,690 (-\$275,000)

For strengthening local health care delivery systems..... \$7,339,136 (-\$1,482,199)

- 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..... \$0 (-\$105,448)
- 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 (no change)

- 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 \$0 (-\$4,894,052)

For child and family services \$37,256,580 (+\$5,172,150)

From the general fund

For medical assistance..... \$1,318,246,446 (+\$15,054,882)

- An additional \$36,705,208 is transferred for medical assistance from the Quality Assurance Trust Fund

For state supplementary assistance..... \$11,611,442 (-\$1,385,745)

For child and family services \$84,482,419 (-\$859,519)

- For group foster care maintenance and services \$35,736,649 (-\$85,137)
- For decategorization service funding pools and governance boards..... \$1,717,753 (no change)
- For shelter care and child welfare emergency services \$8,096,158(+\$27,684)
- 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 (no change)

For the state mental health institute at Cherokee \$14,644,041 (+\$9,098,425)

For the state mental health institute at Clarinda \$0 (-\$1,765,119)

For the state mental health institute at Independence..... \$18,552,103 (+\$8,227,894)

For the state mental health institute at Mount Pleasant \$0 (no change)

For MH/DS regions where carry forward is less than 25% of expenditures..... \$0 (-\$2,000,000)

APPROPRIATIONS

For a grant for the Eastern Iowa MH/DS Region for delivery of mental health and disability services.....\$500,000 (new)
For a grant for the Polk County MH/DS Region for delivery of mental health and disability services.....\$2,500,000 (new)

Miscellaneous Provisions

- The bill requires DHS to provide a report on the implementation of the mental health and disability service redesign system. The report must include an overview of administration, management, best practices, the availability of core services, and fiscal strength of the system. This report is due to the Iowa Legislature by November 15, 2016.

SF 2109 - Supplemental Appropriations

LB

All County Officials

This bill makes one-time appropriations for current and future fiscal years.

Miscellaneous Appropriations

To the Department of Human Services

- For the medical assistance program (Medicaid).....\$67,000,000

To the Department of Corrections\$1,900,000

- For funding shortfalls related to the closing of mental health institutes in Clarinda and Mount Pleasant.

Effective Date: Upon enactment except Division V dealing with electric transmission lines (May 27, 2016).

SF 2314 - 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 2017 and includes policy provisions.

To the Iowa Public Information Board.....\$348,198 (-\$1,802)

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 fees collected in FY 2017 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 temporarily suspends (until July 1, 2017) requirements set forth in SF 295 in 2013 for appointment to the Property Assessment Appeal Board stipulating that two members be certified property appraisers and one member be an attorney practicing in the area of taxation or appraisals.

SF 2320 - Transportation, Infrastructure, and Capitals Appropriations

LB

Engineers, Supervisors, Treasurers

This bill makes appropriations for FY 2017 from the Road Use Tax Fund (RUTF) and the Primary Road Fund to the Department of Transportation.

From RUTF

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)

APPROPRIATIONS

SF 2324 - Rebuild Iowa Infrastructure Fund (RIIF) Appropriations

LB

All County Officials

This bill makes infrastructure-related appropriations from a number of sources to various state departments and agencies for FY 2017.

From 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..... \$1,000,000 (-\$750,000)

To the Department of Agriculture and Land Stewardship (DALs)

For the Water Quality Initiative Fund\$5,200,000 (no change)

To the Department of Transportation

For recreational trails..... \$2,500,000 (-\$900,000)

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 Department of Management

For the continued implementation of an online database for budget and financial information\$ 45,000 (no change)

From the State Bond Repayment Fund

To the Judicial Branch

For furniture and equipment for the Polk County Justice Center.....\$6,718,443 (new appropriation)

SF 2326 - State Interoperable Communications System

JC

Emergency Management, Sheriffs

This bill appropriates \$4.383 million from the E-911 Surcharge Fund for a lend purchase payment on the Statewide Interoperable Communications System for FY 2017. It further authorizes the Treasurer of the state of Iowa to enter into a lend purchase agreement.

2016 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.

SSB3180 – Wireless Facilities
SF 165 – County Seats
SF 2005 – Wind Energy TIF
SF 2006 – Wind Energy TIF II
SF 2068 – Bottle Bill Repeal
HSB 650 – Bottle Bill Repeal
HJR 2005 – Reduction to 40 Counties
HF 502 – Redacting Public Information
HF 2002 – Treasurers Nonpartisan Election
HF 2004 – Recorders Nonpartisan Election

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

SSB 3112/HSB 566 – Dementia Training
SSB 3155 – Prisoner Medical Costs
SSB 3165 – Food Establishment Inspections/Fees
SF 502 – Commercial Kennels
SF 504 – Natural Resources Trust Fund Sales Tax

SF 2004 – Distracted Driving
SF 2018 – Urban Renewal Revenue Uses
SF 2069 – Demolition Reserves
SF 2101/HF 2121 – Supported Employment Rates
SF 2155 – Land Mobile Radio Fund
SF 2213/HF 2199 – Medicaid Program Improvement
SF 2263 – Court Matters
SF 2318 – Mental Health Funding
HSB 507/587 – Ten Cent Container Redemption
HSB 509 – Bottle Bill Expansion
HSB 511 – Certificate of Need Process
HSB 568 – County Zoning Infractions
HF 565 – County Office Space for DHS
HF 2025 – Medical Examiner Expenses
HF 2039 – Disclosure of Mental Health Information
HF 2095 – Casino Smoking Ban
HF 2107 – Criminal Psychiatric Evaluations
HF 2320 – Competitive Bid Contracts
HF 2367 – Pre-Arrest Diversion
HF 2395 – Local Government Risk Pools
HF 2416 – Commercial Kennels

2016 LEGISLATIVE POLICY COMMITTEE MEMBERS

Committee Chair: Peggy Rice, Humboldt County Auditor and ISAC 2nd Vice-President

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Dale McCrea, Muscatine County
Deb McWhirter, Butler County

Auditors

Ken Kline, Cerro Gordo County
Dennis Parrott, Jasper County

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Conservation

Dan Cohen, Buchanan County
Matt Cosgrove, Webster County

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Darin Raymond, Plymouth County
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Engineers

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Dan Eckert, Dickinson County

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Jared Schneider, Washington County

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Carl Mattes, Humboldt County
Burlin Matthews, Clay County

Treasurers

Kelly Busch, Union County
Tracey Marshall, Cass County

Veterans Affairs

Gary Boseneiler, Johnson County
Jerry Hansen, Montgomery County

Zoning

Joe Buffington, Henry County
Josh Busard, Johnson County



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