

2018 Summary of Legislation

86th General Assembly, 2nd 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 sheriffs and deputies in the state have their own association, which is called the Iowa State Sheriffs' and Deputies' 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 lowa. 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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TABLE OF CONTENTS

ISAC Priorities Up	odate	5
County Administ	tration and Organization	
HF 2240	Electronic Wage Statements	
HF 2233	Lease-Purchase Agreements	
	Vital Records	
	Time-of-Transfer Restrictions	
HF 2318	Parcel Redemption	
	State Auditor Authority	
	Supervisor District Plans	
	Municipal Utility Employees	
	Ethics	
	Electronic Assessment Notices	
SF 2200	For-Profit Veterans Organizations	
	Publishing Resolutions	
	Auto Dealers and Vehicle Registration	
SF 2325	Security Interest Provisions	
SF 2366	Commission of Veterans Affairs	
Human Camilaaa	and Public Health	
	Supplemental Transportation Funding	c
	Telehealth Medicine	
	County of Residence	
	Suicide Prevention	
	County Hospital Trustees	
01 2004	1 IOSPITAL LICENSES	
I and Use and Fr	nvironmental Health	
	Hunting and Fishing License Fees	C
	Flood Protection Project Costs	
	Fish Confinements	
	Noxious Weeds	
	Water Quality Improvement	
	Utility Matters	
	Food Fees	
01 2000		
Public Safety		
	E911 Telephone Systems	10
	Community-Based Correctional Facilities	
	Rescue Vehicles	
	Stationary Vehicles	
	Driver's License Suspension I	
	Sanctuary Jurisdictions	
	National Guard Matters	
	Critical Infrastructure Sabotage	
	Weapons that Direct an Electric Current	
	Driver's License Suspension II	
	1	*****

TABLE OF CONTENTS

Taxation and Fin	ance	
HF 2378	Construction Equipment Sales Tax	12
HF 2480	Manufactured Housing Program Fund	12
HF 2500	Workforce Housing Tax Incentive Program	12
SF 2155	Local Operating Funds	12
	State Auditor Matters	
SF 2388	Telecommunications Property Assessment	12
SF 2400	Local Government Risk Pools	12
SF 2417	Income Tax Reform	12
Transportation		
HF 2195	State Transportation Commission	13
HF 2196	Texting While Operating a Commercial Motor Vehicle	13
	Commercial Driver's License Testing	
HF 2233	Public Construction Liens	13
HF 2256	County Bridge Reports	13
SF 449	Cattle Guards	13
SF 2163	DOT Snow Removal Equipment Lights	13
SF 2271	Motor Carriers	13
Appropriations		
	Agriculture and Natural Resources Appropriations	
	Justice System Appropriations	
	Economic Development Appropriations	
	Transportation, Infrastructure, and Capitals Appropriations	
HF 2495	Judicial Branch Appropriations	15
HF 2502	Standing Appropriations	16
SF 2117	FY 2018 Budget Adjustment	16
SF 2414	Rebuild Iowa Infrastructure Fund (RIIF) Appropriations	17
SF 2416	Administration and Regulation Appropriations	17
SF 2418	Health and Human Services Appropriations	18
	ailed	
Legislative Policy	Committee Members	21

INTRODUCTION

In 2018 lowa counties participated with the 2nd 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.

ISAC PRIORITIES UPDATE

Mental Health and Disability Services

Another important piece of mental health reform was passed this year in HF 2456 which is based on the Complex Service Needs Study Work Group that was charged with giving recommendations to provide services to individuals with complex mental health, disability, and substance use disorder needs. This legislation calls for the creation by mental health regions as core services:

- Six Regional Access Centers;
- Twenty-Two Assertive Community Treatment Teams; and
- Intensive residential service homes that provide services up to 120 persons statewide.

Also in this legislation was similar language that was passed in SF 504 from last year that calls for an interim study in 2018 on sustainable funding for the mental health and disability services system. Recommendations from this study are then to be considered during the 2019 legislative session.

Secondary Roads

While the lowa Legislature was not agreeable in 2018 to our proposals on new or increased fees for certain users of secondary roads that have a disproportionate negative impact, we were pleased to see that the cap and distribution formula for TIME-21 and the distribution formula for the Road Use Tax Fund (RUTF) were maintained. Any future discussions about the distribution formulas should be based on the fact that counties are responsible for over 75% of both the bridges and the public road miles in lowa, yet counties only receive 20% of TIME-21 and 32.5% of RUTF funds. We were also satisfied when a proposed bill to eliminate liability for an individual performing maintenance or repairs on secondary roads on their own volition was not moved forward.

Tax Reform

One of the major undertakings of the 2018 session was the large-scale individual and corporate income tax reform package, so there was little interest in addressing property tax changes for county governments. The biggest issue this year from our tax reform proposal quickly became maintaining the commercial and industrial property tax backfill. While we were happy to see the backfill fully funded in the governor's proposed budget, both the House and Senate contemplated phasing out or significantly reducing the backfill. Ultimately, the Legislature did not move forward with any phase-out or scale back plan, and the backfill remains fully funded moving forward. The commercial and industrial property tax backfill is a standing, limited appropriation to local governments, so it would take legislative action to reduce or eliminate the funding. This will continue to be an important issue for counties to closely watch moving forward.

Water Quality Management

One of the first pieces of legislation that was signed by the Governor this year was SF 512 which invests over \$280 million over the next 12 years for water quality improvement efforts. This bill is funded with the creation of an excise tax on metered water, which is currently a sales tax and goes into the general fund, along with revenue from gaming proceeds. This funding will be invested in on-farm conservation structures and practices along with upgrades to wastewater treatment facilities. Unfortunately, the lowa Legislature did not pass funding for the Natural Resources and Outdoor Recreation Trust Fund this session, and it still remains a high priority for ISAC.

INTRODUCTION

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, 2018. 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

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.

COUNTY ADMINISTRATION AND ORGANIZATION

HF 2240 - Electronic Wage Statements

KH

Auditors

This bill makes clarifying changes that allows employers to provide employees with wage statements electronically.

HF 2252 - Secretary of State Technical Bill

JC

Auditors

This bill brought forward by the lowa Secretary of State makes the following technical corrections to Iowa Code:

- Bans sex offenders from the Iowa Safe-at-Home Program;
- Allows for electronic proof of residence to be considered while registering to vote;
- Provides an updated list of methods to remove a deceased person from the voter registration list;
- Provides other forms of identification for an attesting voter: and
- Eliminates aggravated misdemeanor from the list of offenses that could remove a person from elected office.

Effective Date: Upon enactment (May 16, 2018)

HF 2253 - Lease-Purchase Agreements

LB

Auditors, Supervisors

This bill makes changes to public bidding requirements for lease-purchase agreements entered into by a public entity. The bill makes lease-purchase agreements involving a public entity subject to the public construction competitive bidding requirements in lowa Code chapter 26. The bill also expands the definition of public improvement to include instances where a commitment has been made to pay for work in part or in whole with public funds even if funds have not been expended.

Effective date: Upon enactment (April 4, 2018)

HF 2277 - Vital Records

LB

Recorders

This bill clarifies that records of birth, marriage, divorce or dissolution/annulment of marriage, and death that are in the custody of the county registrar may be inspected and copied as a right under lowa Code chapter 22. The bill states that those records in the custody of the state archivist can be inspected and copied when the record is at least 75 years old, except for records of death and fetal death which must be 50 years old.

HF 2286 - Time-of-Transfer Restrictions

LB County Attorneys, Environmental Health, Supervisors, Zoning

This bill prohibits counties and cities from adopting and enforcing an ordinance, resolution, or other means to restrict a property owner from refinancing, selling, or otherwise

transferring property by requiring the owner to take certain action or pay certain fees prior to, during, or within a time period after the refinance, sale, or transfer.

HF 2318 - Parcel Redemption

LB

Treasurers

This bill provides the procedures by which a person with a legal disability, defined as a minor or a person of unsound mind, can redeem a parcel that was sold at tax sale and for which the treasurer's deed has been delivered. Within one year of the removal of the disability, the individual or legal representative must bring action in district court and prove they were entitled to redeem prior to the delivery of the treasurer's deed. The bill also puts in place certain restrictions and timelines for redemption.

HF 2321 - Unemployment Insurance

KH

Supervisors, Auditors

This bill makes several changes to Iowa Code Chapter 96 related to unemployment insurance. Of those changes, two could be applicable to counties. First, the bill changed when unemployment benefits may be reduced for payments into a pension, to only reduce in these situations if an employer has paid 100% of the contributions to the pension. Second, the bill provides that vacation pay paid out to an employee shall only be considered wages for purposes of unemployment benefits for a maximum of five workdays.

Effective Date: January 1, 2019 for the portion of the bill related to the definition of employer

HF 2343 - State Agency Authority

KH

All County Officials

This bill adds language that specifically requires a state agency to only implement or enforce a "standard, requirement, or threshold, including any term or condition of a permit or license issued by the agency" if it is clearly required or permitted by a state or federal law or court ruling.

HF 2372 - Supervisor District Plans

LB

Auditors, Supervisors

This bill makes several changes to the selection process for supervisor district plans. Under the bill, supervisor district plans can only be changed by a special election. Counties under Plan Three (live in district, voted by district) will have supervisor district plans drawn by the Legislative Services Agency, a nonpartisan state agency that currently draws the legislative district maps. For counties with a population of 60,000 or more that operate under Plan Three (currently Polk and Linn), a two-thirds affirmative vote is needed to change to a different district plan.

Effective date: Upon enactment (May 16, 2018)

COUNTY ADMINISTRATION AND ORGANIZATION

HF 2379 - Municipal Utility Employees

H Auditors

This bill adds employees of all municipal utilities as employees that are eligible for IPERS. The law previously only included municipal water utility workers.

HF 2475 - Ethics

KH

All County Officials

This bill amends the definition of a lobbyist to include an individual of an association or organization that is paid compensation <u>or</u> specifically designated as a lobbyist. Previously, the person had to be paid compensation and specifically designated to be considered a lobbyist.

Effective Date: Upon Enactment (May 16, 2018)

SF 2059 - Electronic Assessment Notices

LB

Assessors

This bill authorizes the local assessor to send assessment and other notices required by law electronically if a property owner enrolls. Offering the electronic delivery of notices is optional for the local assessor and enrolling in the program is optional for the property owner.

SF 2200 - For-Profit Veterans Organizations

LB

Veterans

This bill requires for-profit organizations that advertise or promote events on veterans' benefits to disclose that the event is not sponsored by or affiliated with the United States or Iowa Department of Veterans Affairs or federally recognized organizations or auxiliaries, that products or services discussed at the event are not necessarily endorsed by those organizations, and veterans may qualify for other benefits not discussed at the event. The bill also provides for penalties for violations of this requirement.

SF 2226 - Groundwater Hazard Statement

LB

Environmental Health, Recorders

This bill adds groundwater hazard statements to the list of documents that are exempt from recorded document formatting requirements.

SF 2227 - Publishing Resolutions

LB

Auditors, County Attorneys, Supervisors

This bill allows a county to publish a descriptive summary of resolutions adopted by the board of supervisors rather than the full text. Information on where an individual can obtain the full text, including office location and hours, must also be published, and the full text must also be posted to the county's internet site.

SF 2256 - Campaign Finance

KH

All Elected Officials

This bill clarifies that statements and reports filed with the ethics and campaign disclosure board must be filed electronically and adds additional situations that can be considered prohibited contributions in the name of another.

SF 2293 - Auto Dealers and Vehicle Registration

LB

Treasurers

This bill makes changes to requirements for auto dealers, including relating to records retention, warranties and recalls, and obligations to franchisees. The bill also changes the date by which the program to allow for electronic applications for titling and registration, and for funds transfers for vehicles must be established from January 1, 2018 to July 1, 2019. If the program is not established and implemented by the new deadline, a vehicle owner may apply for registration and title in a county contiguous to the home county.

SF 2325 - Security Interest Provisions

LB

Treasurers

This bill allows the discharge of a security interest in a vehicle to be noted on a notarized form or letter in addition to the option of noting the discharge on the face of the title that was previously required.

SF 2353 - Workforce Development Boards

LE

Supervisors

This bill conforms Iowa Code with federal requirements affecting the Department of Workforce Development, and state and local workforce development boards. Changes to the state Workforce Development Board include changes to conflict of interest, open meetings/open records, and gender and partisan balance policies. Changes to local workforce development boards include changes to membership and duties language, and it moves the responsibility of appointing members from the governor to local chief elected officials.

Effective date: Upon enactment (May 16, 2018)

SF 2366 - Commission of Veterans Affairs

LB

Veterans

This bill makes changes to the uses of and funds available for use in the Iowa Veterans Trust Fund. The bill also increases the members serving on the Commission of Veterans Affairs to 11, including the addition of a representative of the Iowa Association of County Commissioners and Veteran Service Officers.

HUMAN SERVICES AND PUBLIC HEALTH

HF 2285 - Supplemental Transportation Funding

C Community Services

This bill directs the Iowa Department of Human Services to submit a state plan amendment to the Centers for Medicare and Medicaid (CMS) that establishes a methodology that allows Medicaid providers in Iowa to track the actual costs of ground emergency medical transportation and use the unreimbursed portion as the state match to draw down federal funds without additional appropriations from the state. If approved by CMS, this extra funding would provide supplemental payments to service providers.

HF 2305 - Telehealth Medicine

JC

Community Services, Public Health

This bill pertains to insurance coverage for health care services that are delivered via telehealth. The bill requires insurance companies to provide the same coverage for health care services whether they are provided in person or by telehealth.

HF 2445 - County of Residence

JC

Auditors, Community Services, Supervisors

This bill permits mental health services provided by a state hospital to be billed to the mental health and disability services region instead of the county auditor. It also establishes that "county of residence" instead of "legal settlement" will be the means of remedy for legal disputes over payment between counties for all community services.

HF 2456 - Complex Mental Health Needs

JC Auditors, Community Services, County Attorneys, Sheriffs, Supervisors

This bill is based on recommendations made by the the Complex Service Needs Study Work Group on how to most effectively provide services to individuals with complex mental health, disability, and substance use disorder needs. The bill calls for the creation by mental health and disability services regions as core services:

- Six Regional Access Centers;
- Twenty-Two Assertive Community Treatment Teams;
 and
- Intensive residential service homes that provide services to up to 120 persons statewide

SF 2113 - Suicide Prevention

JC

Community Services

This bill requires that the State Board of Education adopt rules requiring school districts to adopt protocols for suicide prevention and postvention. These protocols must be based on recognized best practices nationally. Local school boards are to require that school personnel must participate in at least an hour annually of evidence-based training in suicide prevention and postvention and sets a deadline of July 1, 2019 for school boards to put this inplace.

SF 2290 - County Hospital Trustees

JC

Public Health, Supervisors

This bill makes changes to the membership of county and city hospital boards of trustees by allowing them to create a process to remove a trustee for cause and to have five or seven members. The terms of the office are now changed under this legislation from four to six years. Additional changes in the bill call for stricter attendance requirements, clarify what constitutes a quorum, and allow term limits.

SF 2334 - Hospital Licenses

JC

Community Services, Public Health

This bill permits the lowa Department of Inspections and Appeals to allow the transfer or assignment of a license that offers only behavioral health services to a person or governmental unit for the sole purpose of offering behavioral health services.

LAND USE AND ENVIRONMENTAL HEALTH

HF 631 - Hunting and Fishing License Fees

B Conservation, Recorders

This bill authorizes the Natural Resource Commission to establish rules and set fees for the issuance of hunting, fishing, and fur harvesting licenses. Previously, the fees were set in code and required a legislative change. The commission must evaluate fees at least every three years, and a fee cannot be increased more than five percent in a given year. The bill also makes changes to the revenue generated from the wildlife habitat fee, but the 50 percent minimum for agreements with county conservation boards remains.

HF 2258 - Flood Protection Project Costs

LB Auditors, Emergency Management, Supervisors, Zoning

This bill adds reimbursements for advanced funds for approved projects to the list of authorized expenditures from the governmental entity's flood project fund. The bill applies to projects approved by the flood mitigation board before, on, or after the effective date.

HF 2281 - Fish Confinements

LB Environmental Health, Supervisors, Zoning

This bill provides a different animal unit capacity (AUC) equivalency factor to smaller fish for purposes of determining a confinement's AUC. The factor remains 0.001 for fish weighing 25 grams or more and is reduced to 0.00006 for fish weighing less than 25 grams.

Effective Date: Upon enactment (April 4, 2018)

HF 2371 - Honeybees

KH Supervisors, County Attorneys, Conservation

This bill creates an exemption under the lowa Torts Claim Act related to honeybee hives on municipal property.

HF 2422 - Noxious Weeds

JC Conservation, Supervisors

This bill adds "eradication" to the list of authorities county boards of supervisors have in the control of weeds.

SF 512 - Water Quality Improvement

JC Conservation, Environmental Health, Supervisors

This legislation invests over \$280 million over the next 12 years for water quality improvement efforts. The bill is funded with the creation of an excise tax on metered water, which is currently a sales tax and goes into the general fund, along with revenue from gaming proceeds.

SF 2311 - Utility Matters

B Environmental Health, Supervisors

This bill makes changes to the regulation and oversight of gas and electric public utilities. The bill modifies the authority of the Iowa Utilities Board (IUB) and makes changes to certain timelines requiring action by IUB. The bill requires rate-regulated utilities to pass on to customers any reduction in the utility's federal corporate income tax. The bill exempts electric cooperatives with fewer than 10,000 customers from rate regulation and prohibits IUB from requiring energy efficiency plans that would result in annual costs in excess of two percent of the utility's annual rate revenue.

Effective date: Upon enactment (May 4, 2018) for sections addressing federal tax savings and energy efficiency plan cost limitations.

SF 2390 - Food Fees

JC Environmental Health, Public Health

This bill raises food fees for county food inspection programs which will allow counties to maintain existing inspection programs at a local level and restore some programs that went back to the lowa Department of Inspection and Appeals due to the lack of funding.

PUBLIC SAFETY

HF 2254 - E911 Telephone Systems

JC Emergency Management, Sheriffs

This bill makes the following changes to the Emergency 911 Telephone Systems Program in Iowa:

- Maintains the collection and the distribution of the E911 Wireless surcharges;
- Maintains the E911 Wireless surcharge fund formula distribution to public safety answering points (PSAP);
- Eliminates the cap on the amount of funding for PSAP consolidation grants; and
- Creates a new shared service environment operated by Iowa Homeland Security and Emergency Management that PSAP's could voluntary utilize.

Effective date: Upon enactment (April 4, 2018) except the removal of the cap for PSAP grants which is effective July 1, 2018.

HF 2255 - Community-Based Correctional Facilities

KH

Sheriffs, County Attorneys

This bill adds community-based correctional facilities to the list of types of buildings in which it is illegal to bring contraband.

HF 2302 - Rescue Vehicles

KH Sheriffs, County Attorneys, Emergency Management

This bill adds to the definition of rescue vehicles to include vehicles equipped with hazardous material or emergency management equipment for the purpose of allowing such vehicles to be exempted from certain traffic laws in specific emergency situations and conditions.

HF 2304 - Stationary Vehicles

KH

Sheriffs, County Attorneys

This bill makes clarifying changes related to the appropriate ways to approach emergency and non-emergency standing vehicles and adds fines for violating the laws related to approaching non-emergency stationary vehicles.

HF 2338 - Driver's License Suspension I

LB

County Attorneys, Sheriffs, Treasurers

This bill removes certain driver's license suspension periods for individuals convicted of operating while intoxicated and requires the installation of an ignition interlock device for all holders of a temporary restricted license issued because of this conviction. The bill also strikes restrictions and limits on the use of a temporary restricted license and provides that the holder may operate a vehicle in the same manner as the holder of a Class C driver's license. The bill applies to temporary restricted licenses issued after July 1, 2018, and holders of those issued prior can apply for a re-issuance that would be subject to the restrictions in the bill.

SF 481 - Sanctuary Jurisdictions

KH

All County Officials

This bill requires local governments to comply with and assist with the enforcement of all immigration laws, including detainer requests from immigration and customs enforcement. A local entity is prohibited from adopting or enforcing a policy, or taking any action, which discourages the enforcement of immigration laws. Federal immigration officers must be permitted to enter and conduct enforcement activities at a jail or other detention facility. Each state or local law enforcement agency is required to: 1) formalize in writing any unwritten policies relating to immigration laws; and 2) update the agency's policies to require each officer or employee to fully comply with this bill. Any person may file a complaint with the lowa attorney general alleging a local government has violated this bill. If the attorney general finds that the complaint is valid (including that the violation was intentional), the attorney general is authorized to file a civil action in district court, and the local entity will be denied all state funds for the fiscal year that begins after the date on which a final judicial determination of the violation is made. The only exception is that funds for the provision of wearable body protective gear for law enforcement shall not be denied. The bill also contains a process for local governments to petition to become eligible for state funds prior to the expiration of the fiscal year.

SF 2201 – National Guard Matters

LB

County Attorneys, Sheriffs, Veterans

This bill authorizes the adjutant general of the Iowa National Guard to establish a self-funded morale, welfare, and recreation activity similar to the programs and activities operated by U.S. military branches. The bill also requires a civilian law enforcement agency that receives notification from the National Guard of allegations of certain criminal offenses committed by one member of the National Guard against another member to assign a case number and to report back to the National Guard the results of the investigation or the reason no investigation was conducted.

SF 2235 - Critical Infrastructure Sabotage

JC County Attorneys, Emergency Management, Engineers, Sheriffs, Supervisors

This bill creates a new crime relating to the damage and "sabotage of critical infrastructure." This is defined as "an unauthorized and overt act intended to cause and having the means to cause, and in substantial furtherance of causing, a substantial and widespread interruption or impairment of a fundamental service rendered by the critical infrastructure." The penalty for this crime is a class "B" felony punishable by up to 25 years in prison and a fine between \$85,000 and \$100,000. The categories that would be deemed critical infrastructure would be: electrical, gas, oil, petroleum, telecommunications, wastewater, and water supply infrastructure.

PUBLIC SAFETY

SF 2321 - Weapons that Direct an Electric Current

KΗ

Sheriffs, County Attorneys

This bill allows adults (18 years and older) to conceal and carry weapons that direct an electric current, as long as such weapon does not generate a projectile that directs an electric current. For minors (under 18 years old) carrying a weapon that directs an electric current is a simple misdemeanor.

SJR 2007 - Driver's License Suspension II

LB Co

County Attorneys, Sheriffs, Treasurers

This joint resolution expresses opposition to state law adopted to meet the requirements of federal law relating to driver's license suspensions for drug offenses. Under federal law, states must comply or lose federal highway funds. However, a state can pass a resolution and the governor can certify that the state does not wish to comply, and federal highway funding will not be withheld.

Effective date: Upon enactment (enrolled March 21, 2018). No Governor signature required

TAXATION AND FINANCE

HF 2378 – Construction Equipment Sales Tax

LB Supervisors

This bill exempts from the sales and use tax the purchase of construction equipment that will subsequently be rented or leased out.

HF 2480 - Manufactured Housing Program Fund

LB Supervisors

This bill creates the Manufactured Housing Program Fund under the administration of the Iowa Finance Authority (IFA) for the purpose of providing funds to financial institutions to finance the purchase of manufactured homes on leased land by individuals. IFA is authorized to transfer up to \$1 million annually in unobligated funds from other revolving loan funds.

HF 2500 - Workforce Housing Tax Incentive Program

LB

Supervisors

This bill authorizes the Iowa Economic Development Authority (IEDA) to extend the three-year housing project completion deadline by up to one year for developers that have received credits under the Workforce Housing Tax Incentive Program. The developer must apply for the extension before the initial deadline and show good cause for the extension.

SF 2155 - Local Operating Funds

LB

Supervisors, Treasurers

This bill authorizes a political subdivision to invest accrued public funds in excess of 33% of operating funds in certificates of deposit that mature within 63 months. Funds not in excess of 33% of operating funds must still comply with the previous restriction and can only be invested in instruments that mature within 397 days.

SF 2255 - State Auditor Matters

LB

Auditors

This bill amends certain provisions relating to the auditor of state. The bill provides that the auditor of state may conduct a review of state agencies concerning state or federal funds at the request of a member of the legislature. The bill allows the auditor of state to conduct an examination rather than an audit of city or township finances when an application for an audit is received from the required number of taxpayers, if it is determined an examination is sufficient.

SF 2388 - Telecommunications Property Assessment

Assessors, Auditors, Supervisors

This bill makes changes to the assessment and taxation of telecommunications property. Over a three-year phase-in certain telecommunications property, including cables, wires, poles, and other transmission equipment will become exempt from property taxation. The property will be assessed at 75% of actual value in Assessment Year 2019, 50% in Assessment Year 2020, 25% in Assessment Year 2021, and will be completely exempt beginning in Assessment Year 2022. Telecommunications property will also move from central assessment by the Department of Revenue to local assessment by the county or city assessor.

SF 2400 - Local Government Risk Pools

LB Auditors, Supervisors

This bill adds library districts to the list of entities defined as a municipality for the purpose of participating in a local government risk pool. The bill also expands what may be covered by the risk pool to include loss of property and any other risk associated with the operation of the municipality.

Effective date: Upon enactment (May 16, 2018)

SF 2417 - Income Tax Reform

LB

All County Officials

This bill provides significant changes to lowa's income and sales tax systems. Among the changes, the bill reduces individual and corporate income tax rates, reduces the number of individual income tax brackets, couples lowa's tax code with most federal tax provisions, and phases out federal deductibility. The bill modifies or eliminates several tax credits and deductions. The bill expands the sales and use tax to include online sales, digital products, subscription services, ride sharing services, and lodging facilitation services. Most provisions apply to income tax years beginning January 1, 2019.

TRANSPORTATION

HF 2195 – State Transportation Commission

B Engineers

This bill adjusts the terms of office for members of the State Transportation Commission from May 1 of the appointment year through April 30 of the expiration year to July 1 of the appointment through June 30 of the expiration year. The bill takes effect upon enactment and applies retroactively to current commissioners by extending the terms to June 30 of the expiration year.

Effective date: Upon enactment (April 2, 2018)

HF 2196 – Texting While Operating a Commercial Motor Vehicle

JC County Attorneys, Sheriffs

This bill updates lowa Code to keep it consistent with federal regulations prohibiting a commercial motor vehicle operator from texting or using a hand held electronic device.

HF 2197 - Commercial Driver's License Testing

LB Treasurers

This bill repeals the 2019 sunset of a provision allowing the Department of Transportation (DOT) to designate third-party entities to administer the commercial driver's license driving skills test. The repeal allows DOT to indefinitely continue to designate third-party entities for this testing.

HF 2233 - Public Construction Liens

LB

Engineers, Supervisors

This bill makes changes to mechanic's liens and public construction liens. The bill requires a provider of labor, materials, services, or transportation to a subcontractor to provide notice within 30 days of first providing service or materials in order to have a claim on the retainage kept by the public entity. The 30-day requirement does not apply to highway, bridge, or culvert projects.

HF 2256 - County Bridge Reports

LB

Engineers

This bill repeals the 2019 sunset of required reports on county bridges that were mandated as part of the fuel tax increase in 2015. The bill also requires the Department of Transportation to develop a report on the impact of electric and hybrid vehicles to the Road Use Tax Fund and proposed funding alternatives.

SF 449 - Cattle Guards

LB

Engineers, Supervisors

This bill allows a landowner to install a cattleguard on a Class B or Class C secondary road as long as the road ends at a dead end, exits to a secondary road, serves no residence, and is located in a flood plain. The landowner must also own the land on both sides of the road, and the reason for the installation must be that fencing is continually affected by flooding. The bill also provides requirements for the installation, maintenance, and repair of the cattle guard, and the liability insurance held by the landowner.

Effective date: Upon enactment (April 17, 2018)

SF 2163 – DOT Snow Removal Equipment Lights

LB Engineers

This bill strikes the July 1, 2019, repeal of provisions allowing the use of blue and white lights, in conjunction with amber lights, on certain snow removal and ice treatment equipment operated by the Department of Transportation, thus allowing the continued use of such lights.

SF 2271 - Motor Carriers

LB

Sheriffs, Supervisors

This bill makes changes to the application and use of certain motor carrier certificates issued by the Department of Transportation and places restrictions on taxicab services. The bill also clarifies that in addition to the state-issued taxicab service passenger certificate, a taxicab service must also be in compliance with all applicable regulations of the local jurisdiction in which they are operating.

HF 2491 - Agriculture and Natural Resources Appropriations

B All County Officials

This bill makes appropriations from the general fund and other funds for agriculture and natural resources programs for FY 2019 and includes policy provisions.

From the General Fund 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	\$3,000,000 (no change)
To the Department of Natural Resources (DNR)	
For flood management and dam safety	
 Of this amount, up to \$400,000 may be used to install stream gauges for tracking for compiling necessary data to improve flood frequency analysis. 	g and predicting flood events and
 The \$375,000 reduction in the General Fund appropriation is made up for with a Environment First Fund (see below). 	\$375,000 appropriation from the
From the Environment First Fund	
To the Department of Agriculture and Land Stewardship (DALS)	
For the conservation reserve enhancement program (CREP)	\$1,000,000 (no change)
 Permits DALS to use these funds in combination with other Environment First Fur 	nd (EFF) monies to match federal
funds provided from the federal Wetlands Reserve Enhancement Program.	
For flood and erosion control, water quality, and conservation	
For soil and water conservation administration	\$3,800,000 (no change)
For the soil and water conservation cost share program	
 This appropriation is to be used for administration of soil and water conservation water conservation districts. 	programs and to support soil and
 Of this amount, \$490,000 is appropriated to the Loess Hills development and cor 	
For the Water Quality Initiative Fund	
To the Iowa Resources Enhancement and Protection (REAP) Fund	\$12,000,000 (no change)
 Of this amount, \$2 million is dedicated to the maintenance and operation of state are allocated according to the REAP distribution formula. 	parks before the remaining funds
To the Department of Natural Resources (DNR)	
For water quality monitoring	\$2,955,000 (no change)
For regulation of animal feeding operations	
For air quality monitoring	
Tot all quality mornioring	
From Various Special Funds	
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)

HF 2492 - Justice System Appropriations

All County Officials

This bill makes appropriations from the general fund and other funds to the justice system for FY 2019 and includes policy provisions.

To the Department	of	Corrections
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For reimbursement for county confinement of state prisoners	\$1,575,092 (no change)
For offender mental health and substance abuse treatment	\$28,065 (no change)

To the Department of Homeland Security and Emergency Management

For E911 Communications\$250,000 (no change)

This appropriation from the E911 Emergency Communications Fund is for costs associated with implementation, support, and maintenance of the functions of the E911 program manager and for an annual state audit of the fund.

Miscellaneous Policy Provisions

Prohibits an individual from operating an unmanned aerial vehicle in, on, or above a county jail, municipal holding facility, juvenile detention facility, correctional facility, or prison unless the person has permission from the facility or is operating for a commercial use. Violation of this law is a Class D felony.

HF 2493 - Economic Development Appropriations

All County Officials

This bill makes appropriations from the general fund and other funds for various economic development programs for FY 2019 and includes policy provisions.

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 lowa's councils of governments \$200,000 (+\$25,000)

The program appropriation for FY 2018 was reduced by \$10 million in SF 2117. The \$2.25 million reduction represents

the portion not restored for the FY 2019 budget.

To the Department of Workforce Development

For the workforce development board and field office operations.......\$7,945,650 (no change)

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......\$1,492,452 (+\$150,000)

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

HF 2494 - Transportation, Infrastructure, and Capitals Appropriations

Engineers, Supervisors, Treasurers

This bill makes appropriations for FY 2019 from the Road Use Tax Fund (RUTF) and the Primary Road Fund to the Department of Transportation (DOT).

From the Road Use Tax Fund (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) For costs associated with the statewide interoperability network......\$497,191 (new appropriation)

This payment was previously funded by the Rebuild Iowa Infrastructure Fund (RIIF) and the E911 Fund. It is now funded through Road Use Tax Fund (RUTF) and the Primary Road Fund (see below).

From the Primary Road Fund

HF 2495 - Judicial Branch Appropriations

County Attorneys, Supervisors

In addition to making appropriations for the judicial branch for FY 2019, this bill includes a number of policy provisions and intent statements. 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 2502 - Standing Appropriations

LB All County Officials

This bill makes appropriations for property tax credits and other programs, implements miscellaneous policy provisions, and moves funds to the Cash Reserve Fund.

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 service exemption refund as required by law. The bill 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 the Agricultural Land Tax Credit, Commercial/Industrial Replacement Claims, and Business Property Tax Credit being a specific limited amount.

•	Homestead Tax Credit	\$135,071,538
•	Agricultural Land Tax Credit	\$39,100,000
•	Elderly and Disabled Tax Credit	
•	Military Service Exemption Refund	
	Commercial/Industrial Replacement Claims	
	Business Property Tax Credit	

Cash Reserve Fund

The bill transfers \$113.1 million from the General Fund to the Cash Reserve Fund to replenish the fund after previous year transfers to the General Fund. This is an increase of \$2 million from the amount approved for FY 2019 in Standings during the 2017 legislative session.

Miscellaneous Policy Provisions

The bill:

- Amends SF 449 to specify that cattle guards installed on or before April 25, 2018, will not be ordered uninstalled or found in noncompliance if the service classification of the road is changed. Effective upon enactment and applies retroactively to April 17, 2018.
- Eliminates requirement that a construction vehicle receive route approval from a local jurisdiction for travel on non-primary roads when operating under the maximum gross weight table for primary highways. Construction vehicles must still comply with weight restrictions on bridges.
- Clarifies consumer merchandise pre-emption language to prohibit any action that contradicts state law, whether a requirement or a prohibition.
- Requires state and local election officials to accept a tribal identification card issued by a federally recognized Native American tribe or nation as a form of voter identification.
- Prohibits wind energy conversion property approved by the Iowa Utilities Board (IUB) on or after July 1, 2018, from qualifying for the 90% industrial property rollback if it already qualifies for the special assessment for wind energy conversion property contained in Iowa Code §427B.26.
- Repeals lowa Code §901.5(10) relating to suspension of a driver's license for drug offenses. This repeal takes
 effect upon the governor certifying opposition to the state complying with federal law on this matter and certifying
 the legislature adopted a resolution stating the same (see SJR 2007).

SF 2117 - FY 2018 Budget Adjustment

LB All County Officials

This bill provides current fiscal year supplemental appropriations and current fiscal year de-appropriations. Under the bill, fiscal year 2018 appropriations are reduced by a net total of \$23.3 million, with significant reductions to the board of regents, community colleges, department of education, department of public health, department of human services, department of revenue, department of corrections, the judicial branch, and the High Quality Jobs Program.

Effective date: Upon enactment (March 28, 2018)

SF 2414 - Rebuild Iowa Infrastructure Fund (RIIF) Appropriations

I B

All County Officials

This bill makes infrastructure-related appropriations from a number of sources to various state departments and agencies for FY 2019.

From the Rebuild Iowa Infrastructure Fund (RIIF)

To the	Department	of Cultural	Affaire
TO the	Department	oi Culturai	Allairs

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

To the Department of Natural Resources

To the Department of Agriculture and Land Stewardship (DALS)

To the Department of Transportation

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 Judicial Branch

For furniture and equipment for the Polk County Justice Center.....\$1,464,705

From the Technology Reinvestment Fund

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) For the upgrade of the local government budget and property tax system\$ 600,000 (no change)

SF 2416 - 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 2019 and includes policy provisions.

To the Iowa Public Information Board.....\$339,343 (+\$16,145)

From the Road Use Tax Fund

\$120,400 is appropriated from the Address Confidentiality Program Revolving Fund to the Secretary of State's Office for administration of the Address Confidentiality Program (Safe at Home).

In addition to the appropriations, the bill requires that the first \$750,000 in fees collected in FY 2019 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 also requires the Department of Revenue to prepare and issue a State Appraisal Manual at no cost to counties and cities.

SF 2418 - 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 2019 and contains various policy provisions.

General Fund AppropriationsTo the Department of Aging

For case management for the frail elderly, adult day services, and other services	\$11,042,924 (+\$448)
To the Department of Public Health	
For addictive disorders treatment and prevention/cessation programs	\$24,804,344 (-\$2,002,859)
For strengthening local health care delivery systems	\$2,907,776 (-\$181,487)
To the University of Iowa to expand/improve MH/DS workforce	\$0 (-\$110,656)
 For psychologists in urban and rural mental health professional shortage areas 	\$48,069 (no change)
To local boards of health for services that promote healthy aging	\$7,662,464 (-\$535,414)
For the Healthy Opportunities for Parents to Experience Success (HOPES) program care	\$734,841 (no change)
For infectious diseases prevention and care	\$1,796,426 (+\$150,000)
For public protection	\$4,095,139 (-\$100,000)

- Of this amount, \$304,700 (no change) is to be credited to the emergency medical services fund.
- Of this amount, \$504,796 (-\$12,186) is for childhood lead poisoning prevention, testing, and remediation.

To the Department	of Veterans Affairs
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For the Iowa Veterans Home\$7,162	,976 (-\$65,164)
For the county commissions of veterans affairs fund	000 (+\$42,075)

To the Department of Human Services (DHS)

From moneys received under the federal Temporary Assistance for Needy	y Families (TANF) block grant
For child and family services	\$32,380,654 (no change)

From the General Fund

For medical assistance (Medicaid)	\$1,337,841,375 (+\$53,435,635)
For state supplementary assistance	\$10,250,873 (-\$121,785)
For child and family services	
For group foster care maintenance and services	
For decategorization service funding pools and governance boards	\$1,717,753 (no change)
For shelter care and child welfare emergency services	\$8,096,158(no change)
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 it 	n NE Iowa (formerly the substance
abuse and mental health services administration grant)	\$851,595 (-\$285,000)
 For continuation of a system of care grant in Cerro Gordo and Linn Counties 	\$235,000 (no change)
For continuation of a system of care grant in Polk County	\$211,872 (no change)
For the state mental health institute at Cherokee	\$13,870,254 (no change)
For the state mental health institute at Independence	\$17,513,621 (no change)

Miscellaneous Policy Provisions

The bill makes the following changes related to MH/DS regions:

- Updates lowa Code to eliminate last remnants of state cases. Changes have been made for the last two years and should not impact funding or services.
- Cleans up MH/DS regional language regarding Polk County (since it no longer needs authorization to form its own region), but in so doing eliminates the ability of any other one-county region to be formed.
- Eliminates the ability to waive the three-county minimum requirement for the creation of an MH/DS region (with the exception of existing single-county region) and eliminates exceptions for counties to join non-contiguous regions.
- Allows the DHS director to authorize a new region to be formed by counties wanting to leave the County Social Services Region and establishes the following minimum requirements: a population of at least 100,000; include a city with a population of more than 24,000; meet all core service requirements; file compliance information by February 1, 2019; and be in full operation by July 1, 2019.

- Requires the DHS director to work with counties having difficulty joining a new region and allows the DHS director to assign a county that has not joined a region by February 1, 2019.
- Clarifies how recalculations of expenditure targets will be handled. This applies to all regions, but was needed for newly forming regions. States that the regional per capita expenditure target is the sum of all county base expenditure amounts, divided by the population of the region, beginning July 1, 2019 but maintains that the statewide per capita expenditure target cannot be exceeded.
- Beginning July 1, 2020, the regional per capita expenditure target amount for the region shall equal that which was in place July 1, 2019. Per capita expenditure targets can no longer be increased in the region. Changes to regions are effective upon enactment.
- Allows Polk County MH/DS region to use other county funds to fund MH/DS services if the MH/DS levy is not sufficient. They must report on this use by September 1, 2019. This is in addition to the \$6.5 million Broadlawns agreement for combination of in kind/cash to help with funding shortfall.

The bill makes the following changes related to Managed Care Oversight:

- Increase by \$1.5 million to pay for the MCO oversight provisions in the bill.
- Requires MCOs to pay claims accurately as required by their contracts with the state.
- Requires MCOs to give the reason for the full or partial denial in a manner consistent with national industry best practice guidelines.
- Requires MCOs to correct any errors it finds in its systems "within a reasonable timeframe" determined by DHS, and to fully reprocess claims affected by the error within 30 days of corrections to system.
- Requires MCOs to give 60-day <u>written</u> notice to affected individuals when there is a program or procedural change, as determined necessary by DHS.
- Requires DHS to develop a list of changes that require this 60-day notice by July 1, 2019 and may include billing/collection procedures, provider network provisions, member/provider services, and prior authorization.
- Requires DHS to have dedicated provider relations staff to assist Medicaid providers in resolving billing conflicts with MCOs including claims denials, technical omissions, and incomplete information.
- Requires provider relations staff to report any observed trends evidencing fraudulent claims or improper reimbursement to DHS for further review.
- Requires DHS to adopt rules to require MCOs to include PAs and ARNPs as primary care providers for the purposes
 of population health management.
- Directs DHS to develop and requires the use of standardized Medicaid provider enrollment forms and uniform Medicaid provider credentialing used by MCOs.
- Directs MCOs to authorize and reimburse for at least three days of court-ordered substance-related disorder treatment or mental health services before medical necessity criteria can be applied.
- Requires DHS to maintain and update Medicaid member eligibility files in a timely manner and consistent with national industry best practices.
- Requires DHS to use an independent external quality review vendor to randomly sample decreased level of care
 determinations to make sure the MCOs are using national industry best practices and appropriate medically necessary
 services are provided. A report on findings due is due December 15, 2018 that includes a plan to address findings.
- Requires DHS to annually review all appeals dismissed, withdrawn, or overturned to determine negative patterns
 or trends.
- Members whose appeals are subject to this analysis shall have their services continued for up to 90 days while the new assessments are being done. DHS is to report these findings biannually.
- Requires DHS to convene a Health Home Work Group with health home providers and MCOs to review health homes, including an analysis of the relevant parts of the state plan amendment, review of current health home system (including rationale for changes), development of clear and consistent delivery model that is linked to program-determined outcomes and data reporting requirements, and a work plan to be used in communicating with stakeholders about the operation and administration of the programs. DHS is to report on the work group's findings, recommendations, and any actions taken before December 1, 2018. Clarifies that the Health Home Work Group's activities do not interfere with DHS's ability to enforce the current Medicaid state plan amendment.

2018 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.

SSB 1186/HF 575 - Bottle Bill Repeal I

SF 10 - Bottle Bill Repeal II

SF 12/SF 28 - County Compensation Boards

SF 57 - Road Improvement Liability

SF 2027 - Veteran Driver's License

SF 2052 - Firearms in County Courthouses

SF 2081/SF 2420 - Backfill Phase-out

SF 2267 - Urban Renewal Districts I

SF 2338 – Exercise of Religion

SF 2346 - Ballots/Political Ads

HSB 511 - Local Budget Certification

HSB 521 – DPS Officer Power

HSB 678 - Backfill Phase-out II

HSB 681 - Urban Renewal Districts II

HF 106 – REAP Allocation Formula

HF 2017 - DPH Elimination

HF 2055 - Raw Milk I

HF 2056 - Raw Milk II

HF 2057 - Raw Milk III

HF 2063 – Urban Renewal Districts III

HF 2117 – Records for Public Defenders

HF 2123 – County Supervisor Districts

HF 2313 – Raw Forest Vehicles (included in Standings)

HF 2369 - Referendum Times

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

SSB 3082 – Assessing Abatement Costs

SSB 3207 - Tree and Forest Advisory Council

SF 158 – Government Notice

SF 407/HF 590 - Electronic Devices While Driving

SF 2006/HF 2086 - CAFO Siting I

SF 2009/HF 2081 - Master Matrix Committee

SF 2019/HF 2082 – CAFO Permit Hearings

SF 2049/HF 2084 - CAFO Manure Notifications

SF 2075 – Medicaid Coverage

SF 2119 - Medicaid MCO Credentials

SF 2120 – Medicaid MCO Billing

SF 2140 - Medicaid Assessment Appeals

SF 2144/HF 2182 – Delinquent Parking Tickets

SF 2156/HF 2155 - Bottle Bill Expansion

SF 2218 - Abandoned Buildings

SF 2261 - CAFO Siting II

SF 2264 - CAFO Siting III

SF 2351 - Mental Health and Disability Services

SF 2369 - County of Legal Settlement

SF 2387 – Sioux/Plymouth MH/DS Region

SF 2394 - Increasing Fines and Civil Charges

SF 2401 – Boat Registration

HSB 649 - Drainage District Risks

HF 2032 - Psychiatric Bed Tracking

HF 2131 - Hotel/Motel Taxes

HF 2142 - Integrated Health Homes

HF 2149 - County Share of Fees

HF 2154 - Drones Over Prisons (included in Standings)

HF 2210 - Pumping Stations

HF 2220 – Fireworks Sales

HF 2221 - Absentee Ballot Timelines

HF 2310 – County Courthouse Custody

HF 2314 - Fireworks Violations

HF 2430 – Vehicular Homicide

HF 2433 - County GO Bonds

HF 2462 – DHS Programs

HF 2476 - Commercial Drivers Licenses Fee

HF 2479 – Township Fire Levies

HF 2483 - DHS Medical Services

NOTES

2018 LEGISLATIVE POLICY COMMITTEE MEMBERS

Committee Chair: Eric Stierman, Dubuque County Treasurer and ISAC 2nd Vice President

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Lori Elam, Scott County Shane Walter, Sioux County

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County Attorneys

Darin Raymond, Plymouth County Matt Wilbur, Pottawattamie County

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Engineers

Lyle Brehm, Tama/Poweshiek County Dan Eckert, Dickinson County

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