# Summary of Legislation

passed by the
76th General Assembly
Second Session

**1996**

IOWA STATE ASSOCIATION OF COUNTIES

*Counties: Recording History to Preserve the Future*

IOWA 150 Celebrate Our State 1846 • 1996

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# MISSION:

To promote efficient and economically sound county government for the citizens of Iowa.

*25 Years of Service to County Government.*

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# INTRODUCTION

In 1996, the counties of Iowa saw many important public policy decisions made by the 76th General Assembly. ISAC registered to lobby on 255 bills this year. This summary contains 107 bills affecting counties which passed during the legislative session. Last year, by comparison the summary contained 120 bills.

Since it has worked so well in the last few years, this summary continues the organizational layout by steering committee topics. Our "1996 Policy Statements and Legislative Objectives" book was also organized this way, so we thought it would make sense to be consistent.

Generally, bill summaries should be easy to find, since steering committee topics are so distinct. For example, a bill dealing with county prisoners would obviously be found under "County Corrections and Law Enforcement."

However, there are some occasions where a bill could logically fit into more than one steering committee. An example would be HF 2399-General Assistance Eligibility. This bill limits county general assistance benefits to persons who are *lawfully* in the county. The summary could fit under the "Health and Human Services" category, however, since it deals with a legal issue, it is found under "County Corrections and Law Enforcement."

In anticipation of situations such as this, we have cross-referenced those bills that could fit under more than one steering committee. This should help you find bills of interest to you.

If you still can't find a bill you are looking for, there are two indices in the back of the book. One is organized by affiliate. For example, if you are a recorder, you can look under "Recorder" and find topics with bill and page numbers affecting your office. A second index listing all bills in numerical order with a short title and page number is also included.

**Please note that the shaded areas are those portions of bills that have been item-vetoed by the Governor.**

As always, this summary is <u>not</u> intended to report on every bill down to the greatest 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 we might want on a given 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 Public Information Office at (515) 281-5129.

The initials of the person(s) who summarized the bills appear at the end of each individual summary. Their initials are:

JE - John Easter
TF - Tricia Fazzini
SKL - Sandy Longfellow
RM - Robert Mulqueen
WP - William Peterson
CP - Cris Plocher
ALR - Anita Richards
TS - Todd Sadler
DV - David Vestal
DAW - Deb Westvold

A special thanks is also in order for Holly Herman, ISAC administrative secretary, who compiled all of this information to create this book.

Finally, we are pleased to acknowledge the efforts of the Iowa General Assembly for its hard work in developing public policy favorable to counties. We strongly encourage county officials to thank their legislators for a job well done.

We always want to improve this summary book. After you've read this one, please let us know what you think. We have included a colored tear-out comment sheet in the middle of this book. Please fill it out and return it to us as any comments or suggestions you have would be greatly appreciated.

# ISAC PRIORITY UPDATE

At the ISAC Fall School of Instruction last November, the general membership approved a series of policy statements and legislative objectives for the 1996 session of the 76th General Assembly of Iowa.

These policies and objectives originated in the seven ISAC Steering Committees, and then were approved by the ISAC Board of Directors before being voted on by the general membership. In addition, the Board identified five objectives as "top" priorities for ISAC. The entire package was in the theme of "Counties: Recording History to Preserve the Future."

While all of the policy statements and legislative objectives established the work program for ISAC staff, the top priorities received special attention in 1996. The update below will give you some idea of what happened to our top priorities in the legislative session.

If there is a particular issue that you think should be an ISAC policy or objective for 1997, the ISAC legislative process begins again with the Steering Committee meetings this September in Des Moines. You are all encouraged to come and participate.

**Animal Feeding Operations:** In response to a growing concern by local citizens, the county officials of Iowa sought stronger county involvement with the state in regulating animal feedlots. Therefore, one top ISAC priority for 1996 was to seek a county role in such activities as testing and monitoring of well systems, confinement inspections with DNR, inspection of drainage tile lines, banning of irrigation guns under certain circumstances, and greater authority of operation siting through zoning.

More than 20 bills were introduced in the House and Senate pertaining to animal feeding operations. Many addressed small aspects of the problem while others had broader policy implications. After thorough discussion in January and February, legislation dealing with the issue of local control of large livestock confinement facilities passed the Senate by mid-session.

As approved, SF 2037 enhanced local authority in two ways. First, it gave counties the authority to zone livestock confinement facilities of over 650,000 lbs. live animal weight. In addition, this authority was extended to include smaller operations which would not be eligible for the family farm tax credit. Second, SF 2037 gave counties the authority to establish a "confinement feeding operation siting ordinance," which would allow for the creation of a "confinement feeding operation site commission." The commission would review each proposal for the building or expansion of a confinement facility and recommend approval or disapproval to the county board of supervisors. Such a commission could be established in both zoned and unzoned counties.

This proposal, along with a number of House bills, failed to make it out of any House committee and thus died for the year. Legislation was passed in the 1995 session (HF 519) to provide for state regulation of confinement facilities. Many House members feel that it is important to allow HF 519 time to work before changing the process it created.

While there were many proposed solutions in these bills, there was one common element among all of them: some form of enhanced local control. This appears to be a reflection of is a growing public sentiment toward stronger local involvement. Progress was made on this issue.

**Mental Health Growth and Liability:** Two major problems in the mental health system resulted from Governor Branstad's line item vetoes in SF 69 from the 1995 legislative session. The issues were

measuring and paying for growth in the system and limiting fiscal liability for counties under the fixed budget process. Both issues were solved.

The General Assembly acted quickly on the growth issue with passage of SF 2030. This action was necessary for counties to calculate their FY97 budgets. SF 2030 contained a process for the state to annually calculate and budget for growth in the mental health system. In addition, SF 2030 permitted counties to advance the base yearfor their fixed budget limit from 1994 to 1996.

Several attempts were made to solve the liability issue before a solution was found. House members resisted passage of the "catch-all" approach where counties would not be obligated to provide any funding or service beyond their fixed budget, as Governor Branstad said he would veto such legislation. Instead, a more defined approach was included in HF 2427 where counties may control their expenditure obligations for each MH/DD mandate through their single point of entry system and their mental health management plans.

**Federal Block Grant Implementation:** In an effort to respond to the federal plans for "devolution" through the block grant process, ISAC proposed legislation to bring structure, order and accountability to the state implementation of new federal block grants, should they come.

HF 2256 was passed to require joint state-county planning for services, use of existing service delivery systems, reasonable transition time, local flexibility while preserving program goals, capped administrative costs, prohibition of cost shifting to counties, and prohibition of supplanting of funds. In addition, the legislation was amended to require legislative notification of new fiscal impacts resulting from federal block grants and program review by the Administrative Rules Review Committee.

The Iowa Association of School Boards, the League of Cities and many other groups joined ISAC in securing passage of this legislation. While the devolution revolution seems to be slowing to an evolutionary pace in Washington at the present time, HF 2256 will be in place in the Iowa Code should the need become urgent once again.

**Courthouse Security:** In response to a growing need for increased security in county courthouses, the ISAC Board identified the need for a new revenue source to provide funding for security equipment and staff costs. Several proposals were considered during the last two legislative sessions, and the final plan came into focus only a few days before the end of the 1996 session.

Earlier in the year, SF 2352 was enacted to permit collection of county jail room and board costs by the sheriff from jail prisoners. The legislative fiscal bureau estimated potential statewide revenues from this source to be $35 million. In the final days of the session, a plan was crafted between ISAC, the Governor's Office, and the sheriffs' and supervisors' associations to provide that moneys collected in each county collected would be deposited in the county general fund, and up to 60% would be earmarked for courthouse security and infrastructure for jail and detention purposes. The sheriff would submit a plan for the use of the funds to the board of supervisors for consideration and approval in the normal budget process. This proposal was amended into the Ninth Budget Bill (SF 2470) in the last night of the session.

**County Driver's License Expansion:** Expansion of the county driver's license program has become one of the more controversial issues in the legislative arena. Since this new service for the public in southwest Iowa has been so successful, the ISAC Board included expansion of it as a top priority this year. Home rule is at the core of the issue as the program would only be available to those counties that want it.

Several bills to expand the program passed the entire Senate while another passed the House Local Government Committee. However, key House members skillfully roadblocked the proposal from being considered on the House floor. The Department of Transportation and a number of road and labor interest groups have continuously opposed the plan on the contention that expansion would be an additional cost to the RUTF. ISAC believes that on a county by county basis in the rural areas, RUTF dollars would be saved when served by the county treasurer's office in lieu of the DOT traveling teams.

Legislative support for expansion is strong. There is no doubt that the issue will be back. At this point, it is obvious that what is needed is strong statesmanship to bring the parties together to craft a positive solution. The opportunity for leadership is great!

# AGRICULTURE AND RURAL AFFAIRS

**SF 2375 - Defense Against Public Nuisance Charges Against Livestock Confinement Operators and Chronic Violators**

Supervisors, Attorneys

This Act changes the statutory language concerning the presumption that an animal feeding operation is not a public or a private nuisance. It adds a new subsection to §657.11, which states that the rebuttable presumption that an animal confinement feeding operation is not a nuisance does not apply to holders of controlling interest in such operations classified as chronic violators. The presumption that they are not a nuisance shall apply after their removal from the chronic violator classification by the DNR.

The person is classified as a chronic violator if he or she has committed three or more violations. In relation to each violation, they must have been subject to either a DNR civil penalty of $3,000 or more or a court order or judgment brought by the Attorney General after referral by the DNR. Each violation, to apply to this definition of a chronic violator, must occur within five years of the prior violation. If fewer than three violations occur within five years, the chronic violator status is removed.

Violations which are brought to bear in this act must be at least one of:
1) Construction or operation of an animal feeding operation structure in violation of the statutes or the DNR administrative rules for construction or adoption;
2) False statements or misrepresentations to the DNR in application for a construction permit;
3) Failing to obtain a construction or operation permit from the DNR;
4) Causing, in the operation of an animal confinement feeding operation, water pollution, by intention or by failure to deal with pollution caused by an act of God;
5) Failing to submit to the DNR a manure management plan.

Effective Date: July 1, 1996 RM

**SF 2446 - Agriculture and Natural Resources Appropriations**

Conservation Directors, Environmental Health Specialists, Supervisors

This bill appropriates $46.4 million and 1,413 FTE positions for FY97 from the General Fund to DALS and DNR, and also provides appropriations from the Organic Nutrient Management Fund for research and conservation activities. The appropriation is an increase of $1.6 million and 14.8 FTE positions compared to estimated FY96.

**Dept. of Agriculture and Land Stewardship**

Soil Conservation Division

- Soil Conservation Districts ..... $5,951,591 (5.9% increase)
  ..... 172.3 FTE (4 FTE decrease)

Of the amount appropriated, $330,000 shall be used to reimburse commissioners of soil and water conservation districts for administrative expenses. Moneys used for the payment of meeting dues by counties shall be matched on a dollar-for-dollar basis by the soil conservation division.

**Dept. of Natural Resources**

Environmental Protection Division

- Environmental Protection ..... $1,920,509 (17% increase)
  .....214.5 FTE (7.5 FTE increase)

Of the amount appropriated and the number of FTE positions authorized, at least $374,600 and 9.0 FTEs shall be used to support the regulation of animal feeding operations. Also, 1.0 FTE shall be used to support the administration of the waste tire management fund, as provided in §455D.11C (1996 Iowa Acts, HF 2433).

Resources Enhancement and Protection (REAP)

- REAP General Appropriation ..... $9,000,000 (12.5% increase)

Notwithstanding the amount of the standing appropriation to the REAP fund under §455A.18(3), there is a general appropriation made from the General Fund to REAP (in lieu of the appropriation made in §455A.18) that shall be allocated as provided in §455A.19.

**Codified Changes**

Section 31 of the bill amends Iowa Code §455A.18(3), to reduce the annual standing appropriation from the General Fund to the REAP fund from $30 million to $20 million for each fiscal year beginning July 1, 1997 and ending June 30, 2021. However, if moneys from the lottery are appropriated to the fund, the amount appropriated under this subsection shall be reduced by the amount appropriated from the lottery.

Effective Date: July 1, 1996 (Except Section 31 of the bill takes effect on July 1, 1997) RM, CP

**SF 2464 - Housing Development - See County Administration and Organization**

**HF 2177 - Economic Development Areas and Century Farms**

Supervisors, Auditors

Section 1 amends Code §403.17 by providing that an area designated as an "economic development area" cannot include land which is part of a century farm unless the owner of the farm agrees that it be included. For the purposes of this section, a century farm is defined as a farm in which at least 40 acres has been held in continuous ownership by the same family for 100 years or more.

Section 2 provides that this Act applies to economic development areas designated before or after this statute's effective date.

Effective Date : July 1, 1996 RM

**HF 2187 - Addition of Property to a Rural Water District**

Supervisors, Auditors

Amends Code §357A.14 by stating that, in addition to owners of property outside of a rural water district 30% of the owners of property lying within the outside perimeter of a proposed addition to a rural water district may petition the county auditor to be attached to the district.

Effective Date: July 1, 1996 RM

**HF 2297 - Payment of Levee & Drainage District Warrants**

Auditors, Supervisors

Levee and drainage district warrants that are not paid for want of funds are not covered by Iowa Code chapter 74.

Effective Date: July 1, 1996 TF

The bill establishes an Anatomical Gift Public Awareness Advisory Committee within DPH and specifies the duties, responsibilities and membership of the committee.
Effective Date: July 1, 1996 JE

**SF 2245 - IPERS**

All County Officials

The IPERS bill was divided into five divisions:

Division I - Iowa Public Employee Retirement System
Division II - Teachers' Pension and Annuity Retirement Systems
Division III - Public Safety Peace Officer's Retirement, Accident, and Disability System
Division IV- Statewide Fire and Police Retirement System
Division V - Judicial Retirement System

This summary will address only Division I changes.

Several sections of Iowa Code chapter 97B were amended. They are as follows:

Section 11 clarifies that if a total contribution deducted from the employee wages and the amount paid by the employer is less than one dollar for a calendar quarter, the contributions shall not be deducted or paid for that quarter, and the member will not receive credit for membership service during that quarter.

Section 15 gives the department the ability to adopt interim written policies and procedures to conform with federal law until administrative rules can be adopted.

Section 17 allows departmental records to be paper, magnetic, or electronic form, including optical disk storage.

Section 25 clarifies that a retirement application shall not be amended or revoked after the first retirement allowance is paid. Also, a member's death during the first month of entitlement shall not invalidate an approved application for retirement.

Section 39 identifies the members protection against legal actions seeking transference or assignment of benefits. The section does allow certain exceptions.

Section 41, subsection 13A defines "regular service' as service for an employer other than special services.

Section 41, subsection 14A defines "retirement" as that period of time beginning when a member who has filed an approved application for a retirement allowance has survived into at least the first day of the member's first month of entitlement and ending when the member dies.

Section 41, subsection 15, paragraph b clarifies that a leave of absence authorized under the Family and Medical Leave Act of 1993 is considered a leave of absence authorized by the employer.

Section 41, subsection 16A defines "special services" as service for an employer while employed in a protection occupation (such as a sheriff or deputy sheriff.)

Section 41, subsection 18, paragraph b establishes the "three-year average covered wage" will be computed as follow for members who retire in the year shown and whose wages are in excess of the

# COUNTY ADMINISTRATION AND ORGANIZATION

**SF 2062 - Code Editor's Bill - See County Corrections and Law Enforcement**

**SF 2071 - Advisory Commission on Intergovernmental Relations**

Supervisors

Recreates the ACIR (abolished July 1, 1995) with same duties, members, etc. as old ACIR. Sunsets July 1, 2002.

Effective Date: July 1, 1996 TF

**SF 2074 - City Hospital Trustees**

Auditors

If a city has adopted an ordinance to increase the number of hospital trustees from three to five and finds that four of the five trustees' four-year terms expire in the same year, the date of expiration of one of the members shall be extended two years by lot. The terms of office for a trustee elected at a general or city election shall begin at noon the first day in January that is not a holiday or Sunday. Terms of office of trustees elected during a special election shall begin at noon on the 10th day after the special election that is not a Sunday or holiday. Terms of office for trustees shall terminate at noon the first day of January (that is not a Sunday or holiday) or until their successor is elected and qualified. Trustees elected at special elections shall serve the remainder of the unexpired term.

Effective Date: July 1, 1996 WP

**SF 2110 - Anatomical Gift Fund**

Treasurers

This legislation establishes an anatomical gift public awareness and transplant fund under the control of DPH. The fund is to consist of moneys remitted by the county treasurer or by the DOT that were collected through the payment of a contribution made by an applicant for registration or renewal of registration of a motor vehicle. For each application for registration or renewal, the county treasurer or the DOT shall request on a written form, and, if the application is made in person, through verbal communication, that an applicant make a voluntary contribution of one dollar or more to the anatomical gift public awareness and transplantation fund. The moneys collected shall be remitted to the Treasurer of State for deposit in the fund. The director shall adopt rules to administer this new section of the Code.

The bill provides that the moneys in the fund are to be distributed as grants to state agencies or nonprofit entities for the purpose of conducting public awareness projects; to hospitals for public awareness projects, referral protocols, and related administrative expenses; and to hospitals on behalf of patients for the costs related to transplants.

Cost of benefit enhancements can be covered within the current contribution rates. Lifting the ceiling on the covered wage will increase employer and employee costs, distributed as follows:

Table Showing the Costs of the IPERS Bill

| Classification | Employer | Employee |
|---|---|---|
| State | $ 2,391,194 | $ 1,538,681 |
| School | 2,751,152 | 1,770,307 |
| County | 610,831 | 393,056 |
| City | 712,140 | 458,247 |
| Other | 275,138 | 177,045 |
| **Total Cost** | **$ 6,740,455** | **$ 4,337,336** |

Several studies and proposals are required. They are as follows:
-Establishing a defined contribution option and converting to a defined contribution plan
-Contribution rates for employees and employers
-Disability retirement systems for sheriffs, deputy sheriffs, and others
-Including members in a protection occupation division
-Organizational structure of the IPERS
-Comprehensive examination of the plan design for the IPERS.

Effective Date: July 1, 1996 WP

**SF 2252 - District Associate Judges**

All County Officials

This bill amends Iowa Code §602.6301, regarding the number and apportionment of district associate judges. The number of district associate judges is still determined by the same formula as before, based on county population. But under this amendment, a county will not lose a district associate judgeship solely because of a reduction in the county's population.

Effective Date: Upon Enactment DV

**SF 2259 - Certificate of Title for a Documented Watercraft**

Recorders

Section 1 of the legislation creates Code §462A.77(3)(b), which provides that the owner of a vessel documented with the U.S. Coast Guard is not required to file an application for certificate of title and is exempt from existing provisions of law regarding transfer or repossession of a vessel (§62A.82) and exempt from provisions regarding perfection of titles and security interest (§462A.84).

Section 2 adds a new subsection to §462A.82 (Water Navigation Regulations: transfer or repossession of vessel) providing that if a vessel is documented with the U.S. Coast Guard, the owner must mail or deliver proof of documentation to the county recorder. This action will cancel the owner's certificate of title. This transaction does not require a title tax.

Effective Date: July 1, 1996 RM

amounts listed below. If the members "three year average coverage wage" at the time of retirement is greater than the amount shown in column 2, the average will be calculated using the members' highest wage years shown in column 3, and not exceeding the maximum amount shown in column 4.

Table for Computation of the "Three-Year Average Covered Wage"

| **Column 1** Calendar Year Retirement | **Column 2** Wage in Excess of | **Column 3** Years Used in Average | **Column 4** Maximum Wage |
|---|---|---|---|
| January 1, 1997 | $48,000 | 4 | $48,000 |
| January 1, 1998 | $52,000 | 5 | $52,000 |
| January 1, 1999 | $55,000 | 6 | $55,000 |
| January 1, 2000 to December 31, 2002 | $55,000 | 7 | $55,000 |

The covered wage ceiling was lifted to comply with the amount established by the IRS. This provision will take effect in January 1, 1997. This will also affect the salary used in calculating retirement benefits.

Several sections were amended to clarify that individuals could not participate simultaneously in multiple state public employee retirement systems in this state.

Section 42 clarifies that a deferred compensation plan is not a retirement system.

The Rule of 92 is replaced with the Rule of 90 in FY97. The Rule of 90 is to be replaced by the rule of 88 in FY98 or later when the actuary determines the IPERS fund can absorb the costs. Under the Rule of 90 or 88, the employee will be eligible to retire with no reduction for age less than 65 when the sum of the employee's age and years of service equal 90 or 88. This rule does not affect the percentage multiplier based on years of service; that is, 30 years of service is required to receive 60% of the three-year average covered wage.

The bill provides for dividend increases for retirees in November 1996. Beginning in FY98 and for person retired before July 1, 1990, the dividend adjustment will be equal to the lessor of (a) 80.0% of the increase in the consumer price index, (b) a percentage that the actuary determines the IPERS fund can absorb, or (c) 3.0%. The department must implement the Rule of 88 before this change is implemented.

For persons retired before July 1, 1990, the bill sets the minimum monthly pension benefit for a retiree with 10 years of service at $200, and increases the minimum monthly pension benefit by $10 for each year of service from 11 to 30 years of service, up to $400.

The bill provides credit of 1.0% for each year of service beyond 30 years up to a maximum of 5.0%, bringing the total possible percentage multiplier to 65.0%.

The bill establishes a pension benefit formula that calculates the pension benefit proportionately to the amount of service covered by regular IPERS, the Protection Occupations, and as a Sheriff, Deputy Sheriff, or Airport Firefighter.

The bill modifies the interest rates paid on members' contributions accounts to equal the one-year interest rates for certificates of deposit plus 1.0%.

**SF 2260 - Soil and Water Conservation District Commissioners**

Auditors, Conservation Directors.

Section 1 of this Act amends Code §161A.5 by providing that soil and water district commissioners elected or appointed after July 1, 1996 shall serve four-year terms. (They have been serving six-year terms.) The section further is amended by a provision that, if a commissioner is absent for 60% or more of the commission's monthly meetings during any 12-month period, the other members of the commission may declare that seat to be vacant by a unanimous vote. (Filling a vacancy on a district soil and water conservation commission is provided for in existing language in §161A.5.)

Section 5 creates §161A.73(1)(e), which states that the Division of Soil Conservation within the DALS must provide a new voluntary financial incentive program consisting of allowing cost share funds to be used for the same water protection purposes that are supported by the Soil and Water Enhancement Account within the REAP program (§455A.19) or the Water Protection Practices Account within the Water Protection Fund (§161C.4). The financial incentives (i.e. the cost share) shall not exceed 50% of the cost of such practices or 50% of the actual cost.

Effective Date: July 1, 1996 RM

**SF 2367 - Monetary Claims Against the State**

Treasurers, Assessors, Auditors, Supervisors

This bill amends Iowa Code §§25.1 and 25.2 to allow for claims against the state, pertaining to outdated invoices, bills or services furnished, to be submitted directly to the agency against whom the claim is made, for approval or rejection. The state agency shall report its recommendations concerning the claim to the special assistant attorney general for claim investigation and provide the state appeal board with notification of the claim received and action taken on the claim by the state agency. Claims denied by an agency shall be forwarded to the state appeal board for further consideration. The state appeal board shall adopt rules setting forth the procedures and standards for resolution of claims by state agencies.

The bill also amends §421.38 to provide that claims will not be allowed by the IDRF if the claim is presented after three months from its accrual or if the appropriation or fund available for paying the claim has been exhausted or proven insufficient. Several exceptions to the time limitations are allowed.

Effective Date: April 8, 1996 CP

**SF 2455 - Iowa Tax System Administration - See Taxation & Finance**

**SF 2464 - Housing Development**

Supervisors, Recorders

This legislation is the result of discussions that took place during the 1995 legislative session during debate over a bill which created the real estate improvement districts and, further, the result of the findings of the housing summit conference produced during the summer of 1995 by ISAC and the Iowa League of Cities at the request of the legislature.

Division I of this measure deals with amendments to §358C (Real Estate Improvement Districts).
Section 2 amends §358C.3 by adding that each proposed district trustee must disclose financial interest in any commercial concern involved in developing the real estate improvement district.

Section 4 adds a new subsection to §358C.10 which makes the same disclosure provisions concerning any candidate to fill a vacancy as a district trustee as is put forth in section 2, above.

Section 5 adds new subsections to §358C.13 which provide added duties to the district trustees including maintenance of official records, including bonded indebtedness, providing public notice prior to each board meeting and making it policy that trustees may not prohibit the construction of manufactured homes in a real estate improvement district.

Section 8 adds new subsections to §358C.17 by stating that a special assessment for a real estate improvement district must be recorded in the county in which the district is located. This section also provides that a real estate improvement district shall have a lien on the benefited property only in the amount of special assessment installments which are due. A lien for the mortgage for construction of or the purchase of housing on the property benefited by improvements within a real estate improvement district and against which a special assessment is levied has precedence over a special assessment which has been levied by a real estate improvement district but not yet due. The section spells out other matters involving liens and special assessments.

Division II deals with changes in Iowa Code chapter 403 (Urban Renewal).

Section 16 amends §403.5 by providing that, as a condition of a local government's approval of an urban renewal plan, improvements related to housing and residential development be encouraged and that such actions will encourage industrial and commercial enterprises and that such a renewal area provide for housing for low and moderate income families.

Section 18 adds to §403.9 by stating that before a local governing body can begin to issue bonds it must give public notice and hold a public hearing. At such a hearing, the local governing body must receive oral or written objections from residents or property owners from that locality. The section also provides for appeal procedures after a decision is made about the issuance of bonds. Such appeals must be made within 15 days of the decision about a bond issue is taken.

Section 19 also amends §403.9, by declaring that bonds may be sold at not less than 98% of par value at public or private sale.

Section 20 amends §403.10 by striking existing language dealing with federal government guarantees on such bonds.

Section 21 amends §403.17 by adding to the definition of "economic development area" public improvements related to housing and residential development.

Section 23 strikes §403.19(7). This subsection states that a county may use tax increment financing on industrial property within an urban renewal area only.

Section 24 creates new §403.22 (Financing public improvements related to low income housing and residential development). This section says that, in an economic development area, a city or county must assure that any residential development include assistance for low and moderate income family housing. It specifies what percentage must be provided for low and moderate income housing, with differing requirements for cities or counties below or above 15,000 population.

Division III deals with provisions of Code chapters 331 (County Home Rule Implementation), 364 (Powers and Duties of Cities), and 657A (Abandoned or Unsafe Buildings -- Abatement by Rehabilitation) by changing various sections and subsections to allow counties many of the current powers and duties of cities with respect to use of abandoned buildings for rehabilitated housing.

Division IV makes changes in statutes dealing with the disposal of county property or the purchase by a county or a city of property to be used for housing.

Section 30 amends §331.361 by providing for disposal of county property assessed for residential or commercial multi-family use through the public request for proposal process.

Section 31 creates new §446.19A. This section states that a city or county may purchase abandoned property assessed as residential or commercial multi-family housing which did not sell at tax sale for the amount due. The city or county must verify to the county treasurer that the property is likely to become a public nuisance and that it is suitable for rehabilitated housing for low or moderate income families. The city or county may sell the certificate of purchase to low or moderate income families or to organizations that assist such families.

Division V describes the process for counties and cities to use in receipt of and distribution of funding to be used for residential development.

Section 33 creates a new subsection to §16.100 (Iowa Finance Authority: housing improvement fund program). This language provides that moneys from the real estate transfer tax distributed to counties must be distributed on a per capita basis. In order to receive this funding for housing, a county must be a member of a housing council which will consist of a county's supervisors and the mayor of each incorporated city in that county, or their designee. A housing council may be multi-county and may be formed as a 28E organization, or via a council of governments. A housing council's function must be the coordination of housing and residential development programs in that locality. This might have to do with new housing or rehabilitated housing or establishing a housing trust fund. The council will be responsible for completing a housing needs assessment, if a current one is not already available. Funds received by counties under this act must be used for housing programs. Housing needs assessments may be paid for with funding under this program. Funds not obligated by a housing council within one year of receipt must go to the Iowa Finance Authority's housing improvement fund. Counties which receive these funds must account for their use and report this use to the DED and the Iowa Finance Authority each year by December 15.

Section 34 amends §428A.8 by explaining the mechanism for utilizing the real estate transfer tax for local government housing programs. The county recorder must send to the Treasurer of State 82.75% of the real estate transfer tax receipts each month, 17.25% of that still being retained by the county. (Of every dollar of the real estate transfer tax collected, 17.25 cents stay with the county, 33 cents come back to counties for use by the housing council, 22 cents go to the Iowa Finance Authority's housing improvement fund and 27 cents go to the state General Fund.)

Division VI adds to §§331.441 and 384.24 the establishment or funding of programs as part of a housing project to the definitions of "essential county purpose" and "essential corporate purpose" for cities.

Division VII creates new §404A.1 which states that the county board of supervisors in a county of less than 20,000 population may adopt an ordinance providing that property acquired for housing development continue to be assessed in the same manner as it was prior to such acquisition until the property is sold (for a housing use) or five years from the date of subdivision, whichever is shorter. In a county of 20,000 or more, this tax assessment period is until the property is sold or three years, whichever is shorter.

Division VIII amends Code chapter 404 (Urban Revitalization Tax Exemptions).

Section 38 of the bill adds to existing Code language what, for a county, must be included in a revitalization area specifically not only industrial property, but commercial property, residential property and commercial property which includes apartments. A county may not allow a tax exemption under this section for the above properties if they are located within a city limits.

Section 40 provides that the actual value of the property upon which the housing improvements have been made must be either the amount on the assessment rolls the year the development or improvement work began or the price paid by the owner if the improvements were begun within one year of purchase.

Section 41 states that the above provision applies to tax exemptions for improvements begun on or after January 1, 1995.

Division IX consists of an appropriation of $1 million to the Iowa Finance Authority is included in this legislation to be used in organizing housing councils. If this money is not obligated for housing councils by June 30, 1997, it is transferred to the housing improvement fund within the Iowa Finance Authority.

Effective Date: Divisions I, II, VIII and IX take effect upon enactment. RM
Divisions III, IV, VI and VII take effect July 1, 1996.
Division V takes effect July 1, 1997.

**SF 2470 - Standing and Other Appropriations**

All County Officials

This Act relates to public levy, expenditure, and regulatory matters and makes standing and other appropriations as follows: a total supplemental appropriation for FY96 of $8.8 million, a total appropriation of $14.8 million for FY97, an allocation of excess lottery revenues from FY95 and FY96, and $3.2 million from other funds.

**Division IV - Lottery Transfer**

Section 14 of the bill distributes excess lottery revenues received in FY95 for use in a variety of areas during FY97 and FY98.

**Of interest to counties is an appropriation of $150,000 to the DNR for grants to assist local communities with removal of waste tires from facilities located within a city's limits.**

Section 15 of the bill distributes excess lottery revenues received during FY96 for use in a variety of areas during FY97 and FY98. Some of the appropriations of interest to counties are as follows:

- Dept. of Public Health.....$50,000

The appropriation to the DPH is for program support to assist counties in testing private wells and waters of the state for pollution caused by confinement feeding operations. Counties may submit an application to the DPH to participate in the state assistance program. Defines testing area. ISU shall adopt necessary standards, protocols, and criteria for testing by counties. The program shall be administered by the county's board of health or the board's designee. Describes testing procedure.

- Dept. of Natural Resources.....$185,000

The appropriation to the DNR is for testing of animal feeding operations and their structures, including confinement feeding operations and structures. Testing shall be for the purpose of determining the extent of contamination of the state's groundwater and surface water.

## Division V - Technical Amendments

Sections 21 through 24 of the bill amend Iowa Code §321.34 (as enacted by 1996 Iowa Acts, HF 514, section 4) that provides technical amendments to the fee structure and procedures for Iowa heritage special license plates and education license plates.

Section 25 of the bill amends Iowa Code §321.66(2) (as amended by 1996 Iowa Acts, SF 2266, section 7) to restrict the exemption of Pearl Harbor and purple heart license registration plates from displaying the county name to only those issued prior to January 1, 1997.

Section 29 of the bill amends Iowa Code §542B.27 (as enacted by 1996 Iowa Acts, HF 2318, section 2) pertaining to licensure of a professional engineer or land surveyor.

## Division VI - State Appropriations for FY96

Section 43 of the bill provides an appropriation to the statewide fire and police retirement system for the implementation of the voluntary benefit programs as provided in 1996 Iowa Acts, SF 2245. The statewide fire and police retirement system shall reimburse the state for the appropriation provided from contributions to the voluntary benefit fund:

- Statewide Fire and Police Retirement System ..... $75,000

Section 46 of the bill provides an appropriation to the DHS for replacement of federal social services block grant funding that is subsequently reduced by the federal government (allocated in Iowa Code §208.10(3)(d) and (g)) for local administrative costs and other local services and for local purchase of services for persons with MI/MR/DD.

- Replacement of Federal Social Services Block Grant Funds ..... $1,600,000

## Division VII - State Appropriations For FY97

Section 49 of the bill appropriates money from the Iowa public employees' retirement fund to IPERS for costs associated with the following areas:

- Studies and Reports (required in 1996 Iowa Acts, SF 2245) ..... $60,000
- Proposal for Establishing a Defined Contribution Option ..... $25,000

IPERS, in consultation with the public retirement systems committee, shall develop by September 1, 1997, a proposal concerning various alternatives and their cost for establishing a defined contribution option for members of the retirement system.

Section 53 of the bill provides an appropriation to the E-911 communications council for the implementation, support, and maintenance of the E-911 communications council (established pursuant to §34A.15 as enacted by this Act; see section 64 of the bill):

- E-911 Communications Council ..... $70,000

## Division VIII - Other Statutory Provisions

Section 61 of the bill creates Iowa Code §8A.2 that establishes an innovation zone board within the council on human investment in order to enable counties, cities, and school districts to establish

community partnerships and redirect existing public funds to achieve improved outcomes for children and their families by way of participation in local innovation zone plans. Describes the responsibilities of the innovation zone board and membership guidelines. Establishes the steps needed to be taken by a local jurisdiction seeking to develop and implement an innovation zone plan. (Refer to section 77 of the bill pertaining to the repeal of the innovation zone board on June 30, 1998)

Section 63 of the bill amends §34A.3 broadening the voting membership of a county's joint 911 service board pertaining to political subdivisions and private safety agencies under contract with a political subdivision.

Section 64 of the bill creates the E-911 communications council and establishes membership guidelines and responsibilities of the council. The council consists of the following 11 members: one person each, appointed by: the commissioner of public safety, the ISSDA, the Iowa association of chiefs of police and peace officers, the Iowa EMS association, the Iowa association of professional firefighters, the Iowa firemen's association, the Iowa chapter of the national emergency number association, the Iowa chapter of the association of public safety communications officials-international incorporated, the IEMDA, and two persons appointed by the Iowa telephone association to represent large and small companies.

Section 66 of the bill amends §232.2, Supplement 1995, to define a "chronic runaway" as one who is reported to law enforcement as a runaway more than once in any month or three or more times in a year.

Section 67 amends §232.19 pertaining to when and by whom a child may be taken into custody.

Sections 68 and 69 of the bill create new sections in the Iowa Code dealing with chronic runaways. §232.195 enables a county, multi-county, or nonprofit organization to develop a runaway treatment plan to address problems with runaways and submit the plan for funding approval to the DHR's division of criminal and juvenile justice planning. Describes what the plan must contain. §232.196 provides for the establishment of a runaway assessment and treatment center by a county, multi-county, or nonprofit organization. Specifies the operation procedures and services needed to be provided by the center. Delineates the procedure to be followed dealing with runaways.

Section 71 of the bill satisifies one of ISAC's top priorities for 1996. It amends Iowa Code §356.7 (1996 Iowa Acts, SF 2352, section 1) to specify the distribution of moneys collected by the sheriff and credited to the county general fund resulting from the charge to a prisoner for room and board provided to the prisoner while in custody of the county sheriff. 60 percent of the moneys collected shall be used for the following purposes: courthouse security equipment and law enforcement personnel costs, infrastructure improvements of a jail including new or remodeling costs, and infrastructure improvements of juvenile detention facilities, including new or remodeling costs. Provides a decision-making plan and process for the use of the funds.

Section 72 of the bill makes a corrective change to §602.8107 regarding collection of fines, penalties, fees, court costs, and restitution to include correctional fees assessed pursuant to §§356.7 and 904.108.

Section 73 of the bill amends §476.1D(10), Code Supplement 1995, to extend the definition of a competitive long distance telephone company by defining "intralata interexchange services" to include those interexchange services that originate and terminate within the same local access transport area. Due to legislation passed in the 1995 session, competitive telecommunications corporations are exempt from new purchases of M & E. However, the utilities board was not able to grant the M & E tax exemption to Iowa Network Services, because the working definition of "competitive long distance phone company" inadvertently excluded INS. Therefore, this legislation is specifically intended to include INS into the competitive long distance telephone company categorization.

Section 74 of the bill amends Iowa Code §613.17 that extends the concept of a person rendering emergency care or assistance without compensation to include a person involved in a workplace rescue arising out of an emergency or accident. In such a case that person shall not be liable for any civil damages for acts or omissions occurring around the place of an emergency or accident, unless such acts or omissions constitute recklessness.

Section 75 of the bill amends Iowa Code §710.8 that prohibits a person from harboring a runaway child with the intent of allowing the runaway child to remain away from home against the wishes of the child's parent, guardian, or custodian. This provision does not apply to a shelter care home which is licensed or approved by the DHS.

Section 77 of the bill repeals Iowa Code §8A.2(2) and (4) (as enacted by this division of this Act) on June 30, 1998, relating to the innovation zone board.

**Division IX - Economic Development and Related Appropriations and Statutory Changes**

**Dept. of Economic Development**

Community Development Division

- Community Assistance Program.....$578,943

Provides an appropriation for salaries, support, maintenance, designated FTE positions, and related purposes for administration of the community economic preparedness program, the Iowa community betterment program, and the city development boards.

- Community Assistance Program.....$50,000

There is also appropriated from the rural community 2000 program revolving fund established in §15.287 to the community assistance program for the purpose of the community economic preparedness program.

- Main Street/Rural Main Street Program .....$413,530
- Rural Development Program .....$711,181

Provides an appropriation for salaries, support, maintenance, designated FTE positions, and related purposes for rural resource coordination, rural community leadership, rural innovations grant program, and the rural enterprise fund. In addition, allocating $100,000 for the purposes of the microbusiness rural enterprise assistance program under §15.114.

- Rural Development Program .....$351,000

There is also appropriated from the rural community 2000 program revolving fund to the rural development program, including the rural enterprise fund and collaborative skills development training.

- Community Development Block Grant and HOME.....$403,974

Appropriation for administration and related federal housing and urban development grant administration for salaries, support, maintenance, designated FTE positions, and related purposes.

- Councils of Governments..... $228,000

..... **($50,000 of which was vetoed)**

There is appropriated from the rural community 2000 program revolving fund to the Iowa's councils of governments for planning and technical assistance to assist local governments in developing community development strategies for addressing long-term and short-term community needs. From the appropriation, $50,000 is targeted for distribution on a per capita basis to each council of governments.

- Housing Development Fund .....$1,300,000

Provides an appropriation for technical assistance to communities of all sizes and local financial institutions to help meet local housing needs and to provide and transfer matching funds for the HOME program.

**Division X - Special Registration Plates -- Surviving Spouse**

Section 101 of the bill provides for the DOT to allow the surviving spouse of a person who was issued POW license plates pursuant to §321.34(8), to continue to use the special plates, subject to registration of the special plates in the surviving spouse's name and upon payment of the annual registration fee. The exception is if the surviving spouse remarries.

**Division XI - County Provisions**

Sections 102 restores language inadvertantly repeated by SF 69 to amend §331.424 to expand the use of county supplemental levies (obligated by statute) to pay for the costs of inpatient or outpatient substance abuse admission, commitment, transportation, care and treatment at a state mental health institute or a community-based public or private facility or service.

Section 103 of the bill amends §331.424A(4) (as amended by 1996 Iowa Acts, SF 2030, section 1) to exclude the mental health services fund levy from the appeal provisions of §§331.426 and 444.25B or to any other provision in law authorizing a county to exceed, increase, or appeal a property tax levy limit.

Section 104 amends §426B.1, Code Supplement 1995, by adding a new subsection that appropriates annually from the state's property tax relief fund to the DHS, that supplements the medical assistance appropriation for future fiscal years, $6.6 million to be used for the nonfederal share of the costs of services provided to minors with mental retardation under the medical assistance program to meet the requirements of §249A.121(4).

Section 105 of the bill amends §444.25A(2), Code Supplement 1995, to make a corrective change pertaining to the exemption of the emergency management levy from the property tax limitations law.

Sections 106 through 109 of the bill amend §444.25B, Code Supplement 1995, which relates to the property tax limitations law for FY98. The bill sections respectively pertain to an adjustment made to the property tax limitations calculation, exemption of the MH/MR/DD services fund from the tax limitations, an adjustment to the property tax limitations law unusual need price index, and adjustment to the MH/MR/DD services fund allowable levy.

Effective Date: July 1, 1996 (Except for Sections 101 and 102, which take effect upon enactment) JE, RM, BP, CP, DV

**HJR 11 - Limitation on Fines**

All County Officials

This joint resolution would amend §11 of Article I of the Iowa Constitution regarding fines. Currently, this section limits the criminal offenses which may be summarily tried without indictment or the

intervention of a grand jury to those offenses less than felonies where the punishment does not exceed $100 or imprisonment of 30 days. Under the amendment, all offenses less than felonies could be summarily tried without indictment or the intervention of a grand jury where the punishment does not exceed 30 days.

Effective Date: Under Article X of the Iowa Constitution, this amendment must be approved by the next general assembly, and then submitted to a vote of the general population. DV

**HF 334 - Election Provisions for School District Instructional Support Programs**

Auditors

Amends Code §257.18 by removing the requirement that a school board call for an election on instructional support no later than December 1 of the base year.

Effective Date: July 1, 1996 RM

**HF 2081 - Legalizing Notarial Acts**

Recorders

This bill provides that a defective notarial act completed more than 10 years earlier is valid, legal, and binding as if the instrument had been properly acknowledged. Presently, §586.1 provides for such notary acts performed before 1970.

Effective Date: July 1, 1996 WP

**HF 2190 - Publication of Ordinances**

Auditors, Supervisors

This bill satisfies an ISAC steering committee legislative objective by allowing counties to publish summaries of ordinances instead of the full text. Legal descriptions of property included in ordinances must be described in full. Summaries should avoid use of technical, legal or unfamiliar terms, unless definitions are provided in the summaries. Fees for publication of summaries will be established by the superintendent of printing, after consultation with newspaper industry and affected local governments.

Effective Date: July 1, 1996 TF

**HF 2229 - Unemployment Insurance**

Auditors, Supervisors

This bill permits DES to deduct and withhold federal and state income tax from unemployment benefits if the claimant chooses. It also adds language that treats reimbursable and contributory employers the same when selling or otherwise transferring a part of the employer's business or enterprise. The bill provides that the unemployment compensation fund will pay the cost of an individual's benefits instead of the employer who has purchased or otherwise received part of a previous employer's business.

The bill also allows the Division of Job Service to send contribution rate notices by regular mail. New provisions clarify what occurs when governmental or nonprofit reimbursable employers sell their entire business. It allows an acquiring employing unit to assume the position of a reimbursing governmental

unit with respect to the liability to pay the division for reimbursable benefits based upon the governmental entity's payroll.

The bill eliminates the Job Service Advisory Council and makes changes to limited liability corporation responsibilities.

Effective Date: July 1, 1996 WP

**HF 2256 - Federal Block Grant Implementation**

All County Officials

This bill fulfills one of ISAC's top priorities for 1996. When and if the federal government provides for block granting of funds, this bill requires that each state agency affected shall develop a block grant plan detailing program changes. The block grant plan shall be developed as follows:

a. The primary goal shall be to attain savings for the taxpayers and avoid shifting costs from the federal to state and local level.

b. State agency planning meetings shall be held jointly with officials of the affected political subdivisions and affected members of the public.

c. The plan shall address proposed expenditures and accountability measures and be published to provide the public with opportunities for review and comment.

d. Preference shall be given to existing delivery systems capable of delivering the required services. If the system is not capable, the plan will identify those delivery systems that were rejected and the reasons. If a block grant is replacing a categorical grant, the state shall allow the political subdivision adequate transition time to accommodate changes. State agencies shall allow political subdivisions the flexibility to implement services within the context of a broad national objectives.

e. State administrative costs shall not exceed those allowed under federal limits.

f. A federal mandate that is eliminated or waived for the state shall be eliminated or waived for a political subdivision.

g. Federal block grants shall not be used to supplant existing funding by the state.

State agencies are required to send copies of proposed block grant plans to the legislative fiscal committee and the appropriate appropriations subcommittee chairpersons. The plans are required to be adopted in accordance with chapter 17A.

Effective Date: Upon Enactment WP

**HF 2299 - Filing of Instruments by County Recorders**

Recorders

Initiated by the Iowa County Recorders Association, this act amends Iowa Code §331.606(1) by giving the recorders the option of numbering documents by beginning with number one on the first working day of the calendar year and continuing to number them consecutively until the last working day of the calendar year.

Effective Date: July 1, 1996 SKL

**HF 2383 - Free Deer and Turkey Hunting Licenses to Landowners and Tenants**

Recorders, Conservation Directors

Amends Iowa Code §483A.24 (Fishing and Hunting Licenses: when license not required - special licenses) by striking subsections 2, 3, 4, 5, 6, and 7. The bill provides new definitions for "family member," "farm unit," "owner" and "tenant." It provides that, upon application, the DNR shall issue annually, without fee, one deer or one turkey license, or both, to the owner of a farm unit or to a member of the owner's family, but not to both. Such free licenses might also be issued to a tenant or to a member of the tenant's family, but not to both. Such licenses shall be valid only on the farm unit for which the applicant qualifies and shall be equivalent to the least restrictive licenses issued under §481A.38. The farm owner or tenant need not reside on the farm to qualify to hunt on that farm.

In addition to such a free deer hunting license, the farm owner or family member or tenant or family member may purchase another deer hunting license.

The measure also provides that the director of the DNR shall provide up to 25 nonresident deer and wild turkey hunting licenses as requested by a majority of a committee made up of the majority leader of the Senate, the speaker of the House, and the director of the DED, or their designees.

Effective Date: July 1, 1996 RM

**HF 2407 - Computer Software Access**

All County Officials

Section 1 gives the legislative council (e.g., 24 legislators, including the president of the Senate and the speaker of the House) the authority to establish policies for the distribution of information which is stored by the general Assembly in an electronic format, and to establish policies regarding electronic versions of the Iowa administrative code, administrative bulletin and the session laws.

Section 9 requires the administrative code editor to publish the administrative bulletin every other week "unless the administrative Code editor and the administrative rules review committee determine that an alternative publication schedule is preferable."

Section 14 amends Iowa Code chapter 22, the open records law, to clarify that a county which maintains a geographic computer data base is not required to permit access to or use of 1) the geographic computer data base by any person except upon terms and conditions acceptable to the county supervisors or 2) data processing software developed by the county.

Section 15 adds extensive language to Iowa Code chapter 22 regarding access to county data processing software. The section begins by defining "access," "computer," "computer network," "data," and "data processing software." The section then provides that a government body may provide, restrict, or prohibit access to data processing software developed by the government body, "regardless of whether the data processing software is separated or combined with a public record."

A government body shall establish policies and procedures to provide access to public records which are combined with its data processing software. A government body may establish payment rates and procedures required to provide access to data processing software. The payment amounts shall be determined as outlined in this section.

Section 16 amends Iowa Code §22.7 to specifically provide that data processing software, as defined in §22.15, developed by a governmental body, is confidential and not subject to the open records law.

A government body may apply for any legal protection necessary to secure an interest in data processing software, including a copyright, patent, trademark or any trade secret protection under chapter 550.

Effective Date: July 1, 1996 DV

**HF 2422 - Sales and Use Tax Exemption for State or County Fairs**

Auditors, Supervisors

The gross receipts from sales or services rendered, furnished, or performed by the state fair organized under chapter 173 or a fair society organized under chapter 174 are exempt from state sales and use tax.

Effective Date: July 1, 1996 WP

**HF 2426 - Urban Renewal Debt Certification Date Change - See Taxation & Finance**

**HF 2429 - Indigent Defense**

Attorneys

This bill amends Iowa Code §13B.4 to provide that the state public defender is authorized to contract with county attorneys to provide collection services related to court-ordered indigent defense restitution of court-appointed attorney fees or the expense of a public defender.

Effective Date: Upon enactment and is retroactively applicable to July 1, 1995. DV

**HF 2448 - Criminal History Data - See County Corrections and Law Enforcement**

**HF 2486 - Federal Block Grants Appropriation**

Auditors, Care Facility Administrators, Community Services Directors, Public Health Nurses, Sheriffs, Supervisors

This Act appropriates $127.8 million in federal funds, made available from federal block grants and other federal grants, and allocates portions of federal block grants to the appropriate state agencies for federal fiscal year beginning October 1, 1996 and ending September 30, 1997. This is a decrease of $2.6 million (2%) in appropriations compared to FY96. The legislation also provides procedures if federal block grants or funds are more or less than anticipated. The following appropriated funds are the same as the previous year, unless indicated otherwise:

**Dept. of Public Health**

- Substance Abuse ..... $11,190,416
- Maternal and Child Health Services ..... $6,949,058
- Preventive Health and Health Services ..... $1,783,899

**Dept. of Human Services**

- Community Mental Health Services ..... $2,829,397

- Child Care and Development ..... $8,633,742 (3.9% increase)
- Social Services ..... $30,379,684
  - Administrative ..... $1,844,952
  - Field Operations ..... $11,034,866
  - Child and Family Services ..... $1,650,509
  - Child Care Assistance ..... $1,365,329
  - Local Administrative Costs & Other Local Services ..... $1,170,281
  - Community-Based Services ..... $147,084
  - MH/MR/DD/BI Community Services (Local Purchase) ..... $13,038,763

**Office of the Governor (Drug Enforcement & Abuse Prevention)**

- Drug Control and System Improvement Grant Program ..... $5,657,000 (6.8% increase)
- Stop Violence Against Women Grant Program ..... $750,000 (new)

**Dept. of Education**

- Education ..... $0 ($4.1 million in FY96)

**Dept. of Human Rights**

- Community Services ..... $4,216,399
- Low-Income Energy Assistance ..... $23,976,768

**Dept. of Economic Development**

- Community Development ..... $31,501,000

Sections 14 -16 of this legislation provide for state agencies to receive federal and non-state funds and the ability to receive additional funds based upon the purposes set forth in the grants, receipts, or conditions accompanying the funds, unless otherwise provided by law. The Governor is required to prorate the funds to various programs on the same percentage basis as specified in this Act, if funding received from the federal government is less than or exceeds the amount appropriated.

**Contingent Provision**

Section 55 of the bill requires that HF 2256 (federal block grant provisions bill, Iowa Code §8.41(3)) take precedence over sections 14 and 15 of this bill, regarding new or revised federal block grant provisions which affect local governments.

**LIHEAP Funding -- Disconnection Prohibition**

Section 56 of the bill requires the Iowa utilities board to issue an order prohibiting the disconnection of services to households receiving funds from the Low Income Home Energy Assistance Program and having below 150% of the federal poverty level.

**Cultural Affairs -- Federal Actions**

Section 57 of the bill requires the DOM to review federal actions and funding impacting the DCA and to make department restructuring recommendations to the Governor and the General Assembly prior to the 1997 legislative session.

**Welfare Reform Block Grant**

Section 58 of the bill requires the DHS to apply for funds from the welfare reform block grant if the federal government establishes an early implementation date and certain conditions are met. Provisions of this section shall apply only to programs, funding, and policies of the FIP and the JOBS program. The bill also allows the DHS to adopt administrative rules upon review and consent of the administrative rules committee.

**Federal Funding Study**

Section 59 of the bill requests the legislative council to establish an interim study committee, during the 1996 interim, to review federal block grants and funding issues.

Effective Date: July 1, 1996 CP

# COUNTY CORRECTIONS AND LAW ENFORCEMENT

**SF 284 - Forged Documents**

Sheriffs, Community Services Directors, Attorneys

Section 2 amends Iowa Code §715A.2(1) and provides that possession of a forged document authorizing a person to stay or be employed in the United States is a class "D" felony.

Section 4 adds Iowa Code §715A.2A, "accommodation of a forgery," which provides that an employer is subject to civil penalties if the employer either hires or continues to employ a person knowing that the person is not authorized to work in the United States. Civil penalties can range from $250 to $10,000, depending on the number of violations. An employer shall also be assessed costs and attorneys' fees.

Effective Date: July 1, 1996 DV

**SF 482 - Forfeitures**

Sheriffs, Attorneys

This 57-page bill repeals and replaces Iowa Code sections 809.6 - 809.14 related to the seizure and forfeiture of private property.

Division I creates the Iowa Forfeiture Reform Act, which among other things details the property seizure requirements for local law enforcement officials.

Division II creates the Iowa Ongoing Criminal Conduct Act.

Division III creates the Iowa Money Laundering Act.

Division IV creates the Iowa Financial Transaction Reporting Act.

Division V includes conforming amendments.

Effective Date: July 1, 1996 DV

**SF 2062 - Code Editor's Bill**

Sheriffs, Supervisors, County Attorneys, Emergency Management Directors

Sections 3-6 amend chapter 85 relating to workers' compensation, and clarify that the workers' compensation statute covers personal injuries to volunteer emergency rescue technicians sustained at any time from the time they are summoned to duty until the time those duties have been fully discharged.

Section 17 amends Iowa Code §610A.1 to clarify that county jail inmates must pay in full all fees and costs associated with filing a lawsuit. This amendment clarifies that this requirement applies to inmates in county jails, as well as DOC prisoners and city jail inmates.

Section 18 amends §610A.4 to clarify that a county shall have the right to set off the cost of incarceration of a county jail inmate against any monetary obligation owed to an inmate. This amendment clarifies that this requirement applies to inmates in county jails, as well as DOC prisoners and city jail inmates.

Effective Date: July 1, 1996 DV

**SF 2114 - Sentencing Task Force**

Sheriffs, Supervisors

Section 5 of this bill requests that the legislative council establish a task force to study currently available sentencing and incarceration options. The task force may review issues including the availability of jails beds and the potential impact of the use of split sentencing on jail bed space. The task force is to include one county supervisor and one county sheriff or deputy. The task force shall not hold any meetings prior to November 5, 1996, and shall submit findings and any recommendations in a report to the General Assembly by January 1, 1997.

Effective Date: July 1, 1996 DV

**SF 2153 - Law Enforcement Certification**

Sheriffs

This very narrow bill is a "legalizing act" to address a unique problem. It adds a new subsection to Iowa Code §80B.11, related to law enforcement officer certification by the Iowa Law Enforcement Academy, and provides for certification through examination for individuals who have successfully completed the FBI national academy, have corrected vision of 20/20 or better, and were employed on or before January 1, 1996 as a police chief in an Iowa city with a population of 20,000 or more.

Effective Date: July 1, 1996 DV

**SF 2208 - Sex Offender Registry**

Sheriffs, Attorneys

This bill amends Iowa Code §692A.5 to require that if a person required to register with the sex offender registry is released from jail, and refuses to register, the sheriff shall immediately notify a prosecuting attorney of the refusal to register. The prosecuting attorney may bring a contempt of court action.

This bill also requires that records regarding the persons requesting registry information shall be maintained for 10 years.

Effective Date: July 1, 1996 DV

**SF 2211 - Fingerprinting Requirements**

Sheriffs, Attorneys

This bill narrows the requirement in Iowa Code §690.2 that the sheriff of every county take the fingerprints of all unidentified dead bodies in their jurisdictions and all persons taken into custody for than a commission of a serious misdemeanor. Under this bill, the sheriff has no duty to take the

fingerprints of those taken into custody for a serious misdemeanor under Iowa Code chapters 321 (Laws of the Road) or 321A (Motor Vehicle Financial Responsibility).

Fingerprints are to be taken of juveniles who violate drunk driving laws or if the crime committed would be an aggravated misdemeanor or felony if committed by an adult.

Effective Date: July 1, 1996 DV

**SF 2269 - Domestic Abuse**

Attorneys, Sheriffs

Section 1 of this bill amends Iowa Code §331.756, requiring county attorneys to prosecute misdemeanor domestic abuse cases.

Section 2 expands the jurisdiction of district associate judges to enter temporary or emergency orders of protection in domestic abuse cases.

Section 5 establishes a two-year domestic abuse treatment pilot program in one county selected by the Iowa Supreme Court.

Effective Date: July 1, 1996 DV

**SF 2289 - OWI Facilities**

Sheriffs, Supervisors, Attorneys

This bill strikes and replaces Iowa Code §904.513 regarding the assignment of OWI violators to treatment facilities. As before, a court may order an offender held in jail if there is insufficient space at a community residential facility.

Upon request, a county shall provide temporary confinement for offenders allegedly violating the conditions of assignment to a program under this chapter, with the reimbursement rate negotiated with each county.

The bill strikes a clause which allowed a court to order an offender released on personal recognizance or bond if there was insufficient space in a community-based correctional program.

The bill also strikes a previous clause which allowed the DOC to transfer an offender to Oakdale until space is available in a community-based correctional program.

The bill also strikes a previous clause which provided that if an offender fails to satisfactorily perform in a community-based correctional program, the offender shall be transferred to Oakdale for classification and reassignment.

Effective Date: July 1, 1996 DV

**SF 2299 - Permits to Carry Weapons**

Sheriffs

This bill amends chapter 724 and provides that when the language in §724.6 allows a "peace officer" to obtain a professional permit to carry weapons, that includes a reserve officer as defined in §80D.1A.

Effective Date: July 1, 1996 DV

**SF 2352 - Jail Room and Board Fees**

Sheriffs, Supervisors, Attorneys

This bill amends chapter 356, regarding county jails, to allow county sheriffs to charge inmates who are 18 years of age or older for room and board. It also provides for the filing of a reimbursement lien. The filing of such a lien creates a lien in favor of the sheriff in any of the inmate's personal or real property identified in the lien. Funds collected go to the county general fund. Note: after passage of this bill, the legislature adopted language in SF 2470 providing that up to 60% of the funds collected may be used for courthouse security, jail infrastructure and/or juvenile detention infrastructure as proposed by the sheriff and approved by the supervisors. For more information, see the summary of SF 2470.

Effective Date: July 1, 1996 DV

**SF 2381 - Dependent Adult Abuse/Providing Penalties**

Community Services Directors, Attorneys, Sheriffs, Public Health Nurses

This bill relates to dependent adult abuse and provides penalties. The bill establishes a State Dependent Adult Protective Advisory Council as well as local or regional multidisciplinary teams to assist in assessing needs and providing services to dependent adult abuse victims. County attorneys are specified as members of the local multidisciplinary team. The bill requires peace officers to act to prevent additional abuse, to notify the dependent adult of their rights with regard to protection from continued abuse, and to assist the dependent adult in obtaining medical treatment necessitated by the dependent adult abuse. Provision of protective services for dependent adults may be court ordered. The bill specifies reporting of dependent adult abuse to law enforcement authorities when an assessment reveals dependent adult abuse which might constitute a criminal offense. Penalties provided range from a Class "C" felony to a simple misdemeanor for various criminal charges of dependent adult abuse.

Effective Date: July 1, 1996 ALR

**SF 2399 - Child Abuse Assessment Pilot Projects**

Attorneys, Sheriffs, Community Services Directors, Public Health Nurses

This bill addresses the management of child abuse reports in pilot project areas where an assessment-based approach rather than an investigative approach is used. DHS is directed to notify the appropriate county attorney of the report and shall commence assessment of the reported abuse within 24 hours of the receipt of the report. The length of time allowed for completion of the report is extended to 20 business days. The department is required to provide the written report to the county attorney and the juvenile court. The department is also directed to work with representatives of local law enforcement to develop a protocol for joint investigative processes. The bill allows the removal of the name of a

perpetrator of abuse who is age 14 through 17 from the central registry upon a finding of good cause.

Effective Date: Upon Enactment ALR

**SF 2405 - Protection Orders**

Sheriffs, Attorneys

Section 1 amends §236.5(5) by: 1) eliminating the requirement that the copy of the protection order forwarded by the clerk of court to the plaintiff, defendant and sheriff be a certified copy (under this amendment a regular copy will suffice); and 2) eliminating the requirement that the clerk of court follow up a facsimile of a protection order, amendment or revocation with a written copy of the document within 24 hours.

Section 2 amends Iowa Code §602.8103(2) to allow clerks of court to reproduce original court records in electronic digital format. The reproduced record has the same authenticity as the original.

Section 4 amends §602.8103(4) to allow clerks of court to destroy court reporters' notes and certified transcripts of those notes in mental health hearings under §229.12 and substance abuse hearings under §125.82, 90 days after the respondent has been discharged from involuntary custody.

Effective Date: July 1, 1996 DV

**SF 2420 - Juvenile Justice**

Sheriffs, Attorneys, Community Services Directors

Section 2 amends Iowa Code §232.52(2)(d) and provides that custody of a child found to have committed a juvenile act may be transferred to the chief juvenile court officer for placement in a supervised community treatment program. The chief juvenile court officer may place a child in a group foster care for failure to comply with the terms of the supervised community treatment program for up to 72 hours without notice to the court or for more than 72 hours if the court is notified within 72 hours of the placement, subject to a hearing before the court within 10 days.

Section 3 amends Iowa Code §236.8 and provides that an adult may be held in contempt for violation of a protective order under chapter 232 related to juvenile justice.

Section 4 amends Iowa Code §236.11 and provides that a peace officer shall use every reasonable means to enforce an order, including a protective order under chapter 232 related to juvenile justice.

Section 5 amends Iowa Code §602.7103(2) and gives associate juvenile judges the power to issue warrants and contempt arrest warrants for adults in juvenile court proceedings.

Section 6 amends Iowa Code §665.4 to provide for fines of up to $500 and imprisonment of up to six months for contempt before an associate juvenile judge.

Section 7 amends Iowa Code §692A.2, and requires that a person required to register as a sex offender shall register commencing upon release from foster care or residential treatment.

Section 10 amends Iowa Code §723A.1 regarding criminal street gangs to include in the definition of

criminal acts" the act of "brandishing a dangerous weapon," which is defined in this amendment.

Effective Date: July 1, 1996 DV

**HF 210 - Restitution to Local Anticrime Organizations**

Sheriffs, Attorneys

This bill amends Iowa Code §910.1 regarding restitution. It authorizes a court to require that a criminal offender, as part of a restitution order, make financial contributions to a local anticrime organization which provided assistance to law enforcement in an offender's case. A local anticrime organization is defined a "an entity organized for the primary purpose of crime prevention which has been officially recognized by the chief of police of the city in which the organization is located or the sheriff of the county in which the organization is located."

Effective Date: July 1, 1996 DV

**HF 523 - Emergency Dispatcher Training**

Sheriffs, Emergency Management Directors

Section 1 amends Code §80B.1 by adding that the director of the ILEA shall promulgate administrative rules relative to minimum qualifications for instructors in "telecommunicator training schools."

Section 2 creates new Code §80B.11C which states that the director of the ILEA shall adopt administrative rules establishing minimum standards for training of telecommunicators, which is defined as "a person who receives requests for, or dispatches requests to, emergency response agencies which include, but are not limited to, law enforcement, fire, rescue, and emergency medical services agencies." In establishing such administrative rules, the ILEA director must consult with the ISSDA, the Iowa Police Executive Forum, the Iowa Association of Chiefs of Police and Peace Officers, the Iowa State Police Association, the Iowa Association of Professional Fire Fighters, the Iowa Emergency Medical Services Association, the joint council of Iowa fire service organizations, DPS, the Iowa chapter of the Association of Public Safety Communications Officials-International, Inc., the Iowa chapter of the National Emergency Number Association, the Emergency Management Division of DPD, and DPH.

Effective Date: July 1, 1996 RM

**HF 2107 - HIV Testing**

Sheriffs, Attorneys

This bill provides for the performance of an HIV-related test on a deceased individual when a significant exposure has occurred, if written consent has been received from specifically authorized individuals, such as the spouse or legal guardian of the deceased person. This bill also allows the release of the test results to persons who secure the required written release.

Effective Date: July 1, 1996 DV

**HF 2303 - Hazardous Materials Transportation - See Transportation**

**HF 2316 - Sexual Predators**

Sheriffs, Supervisors, Attorneys, Community Services Directors

This bill creates new Iowa Code §910A, providing enhanced penalties for those convicted as sexual predators. Crimes would include such things as sexual abuse and sexual exploitation. A person convicted of a sexually predatory offense which is a serious or aggravated misdemeanor, who has a prior such conviction, shall be sentenced to and shall serve twice the maximum sentence for the offense. The bill also repeals chapter 709C, which required that a sexual predator be committed to DHS custody. Under this bill, custody will be with DOC.

Effective Date: July 1, 1996 DV

**HF 2399 - General Assistance Eligibility**

Community Services Directors, Supervisors

This bill amends Iowa Code §252.25, requiring that a person be in the county "lawfully" as a condition of eligibility for county general assistance.

Effective Date: July 1, 1996 DV

**HF 2448 - Criminal History Data**

Sheriffs, Supervisors

This bill increases public access to criminal history records maintained by the State of Iowa. It will allow county supervisors, or other prospective employers, to check for an individual's possible criminal history on a statewide basis.

Section 1 amends the public records law regarding criminal identification files of law enforcement agencies. While records of current and prior arrests have been public records, Iowa Code §22.7(9) is now expanded to provide that criminal history data is also public as well.

Section 3 provides that the DPS may provide criminal history data to any person upon written application on a form provided to law enforcement agencies. A person other than the DPS shall not disseminate criminal history data maintained by the DPS to persons who are not criminal or juvenile justice agencies.

Unless otherwise provided by law, access to criminal history data by a person or public or private agency does not create a duty to examine the criminal history data of an applicant, employee or volunteer.

Section 4 allows the DPS to charge a fee to conduct criminal history data checks. The previous limit of $20 was struck by this amendment. This section also provides that if a potential employer requests in writing that an applicant submit a certified copy of the applicant's criminal history data, the cost for that copy shall be paid by the employer, not the applicant.

Section 7 prohibits a criminal justice agency or a peace officer from disseminating intelligence data (defined in Iowa Code §692.1(13) as "information on identifiable individuals compiled in an effort to anticipate, prevent or monitor possible criminal activity"), which has been received from the DPS or from any other source, outside the agency or peace officer's agency unless certain conditions are met.

Effective Date: July 1, 1996 DV

**HF 2456 - Victims' Rights**

Attorneys, Sheriffs

Section 3 amends Iowa Code §904.108(6) by requiring that if a person has escaped from a state correctional institution or a person convicted of a forcible felony has escaped from a work release facility, the DOC shall issue an announcement regarding the escape to law enforcement authorities within 25 miles of the point of escape.

Section 4 amends Iowa Code §910A.1 by adding a definition of "victim impact statement."

Section 5 amends Iowa Code §910A.5 to provide that a victim, or the victim's representative, may orally present a victim impact statement at the sentencing hearing.

Sections and 7 add several new items that a county attorney must disclose to a victim registered with the county attorney's office, including the date, time and place of trial.

Effective Date: July 1, 1996 DV

**HF 2458 - Intermediate Criminal Sanctions**

Sheriffs, Attorneys

This House Judiciary Committee bill provides reforms to the indigent defense laws. It also deals with the definitions, policies and procedures related to the development and implementation of judicial district intermediate criminal sanction plans. Such plans are to be developed and used at the discretion of community-based correction and court officials. Ideas behind these changes are an outgrowth of the Intermediate Criminal Sanctions Task Force. If the changes are followed and used by judicial district officials to establish intermediate sanctions plans, it is supposed to assist in the planning and management of state, district and county correctional resources.

Section 15 of this bill adds §901A, a "corrections continuum" consisting of level one sanctions such as fines and community service to level five sanctions such as prison or jail for more than 30 days.

Section 17 amends Iowa Code §907.3(2) to provide that a court may assign the defendant consistent with the "corrections continuum" if an intermediate criminal sanctions plan and program have been adopted in that judicial district.

Section 24 establishes an interim committee to study issues concerning the provision of legal representation to indigents. The interim committee shall consider input from various groups, including the county attorneys association. The interim committee shall submit a report and recommendations to the general assembly by January 1, 1997.

Effective Date: July 1, 1996

DV

**HF 2462 - Motor Vehicle Records**

Treasurers, Sheriffs

This bill amends §321.11, related to motor vehicle records, and brings Iowa law into conformance with the federal Driver's Privacy Protection Act of 1994. Under this bill, all such records, other than those made confidential under federal law, shall be open to public inspection during office hours.

The IDOT shall provide in clear and conspicuous manner on forms for issuance or renewal of driver's licenses, titles, registrations, or nonoperator's identification cards an opportunity for an individual to prohibit disclosure of personal information to the general public. Information on vehicular accidents, driving violations, and driver's status or a person's zip code shall remain public.

The IDOT shall not release personal information to a person, other than an officer or employee of a law enforcement agency, if the information is requested by the presentation of a registration plate number. However, a law enforcement agency may release the name, address, and telephone number of a motor vehicle registrant to a person requesting the information by the presentation of a registration plate number "if the law enforcement agency believes that the information is necessary to prevent an unlawful act." A person seeking the information shall state in writing the nature of the unlawful act that the person is attempting to prevent.

Effective Date: September 13, 1997 DV

**HF 2472 - Justice System Appropriation**

Attorneys, Sheriffs, Supervisors

This legislation appropriates, for FY97, $333.3 million and 6,607.5 FTE positions to the DOJ, DOC, Judicial Dept., Office of Public Defender and Indigent Defense, Iowa Law Enforcement Academy, Parole Board, Department of Public Defense, and the DPS. This appropriation is an increase of $33.1 million (11%) and 201.3 (3.1%) FTE positions compared to the estimated FY96 appropriation. Of specific interest to counties are the following provisions:

**Dept. of Justice**

Prosecuting Attorney Training Program

Section 1 of the bill appropriates moneys to the DOJ for the prosecuting attorney training program to cover salaries, support, maintenance, designated FTE positions, and related purposes:

- Prosecuting Attorney Training Program ..... $250,000 (90.3% increase)
  ..... 6 FTEs (2 FTE increase)

In addition, the Attorney General shall provide state matching funds from moneys retained from property forfeited pursuant to §809.13 as follows: up to $41,000 for the prosecuting attorney training program and/or the prosecuting intern program, and up to $10,000 for the office of the prosecuting attorneys training coordinator to use for continuation of the domestic violence response enhancement program. Counties participating in the prosecuting intern program shall match the state funds. The prosecuting attorneys training program shall use a portion of the funds appropriated for educating and training prosecuting attorneys in alternative dispute resolution techniques.

Environmental Crimes Investigation and Prosecution

Section 2 of the bill makes an appropriation up to $20,000 from the environmental crime fund of the DOJ to the DOJ. The funding consists of court-ordered fines and penalties arising out of prosecution of environmental crimes to be used at the discretion of the Attorney General for the investigation and prosecution of environmental crimes, including reimbursement of expenses incurred by the cooperation of county, municipal, and other local governmental agencies.

Veterans Advocate

Section 25 of the bill provides that the Attorney General shall appoint an attorney to the office of veterans advocate. The advocate shall be an honorably discharged member of the armed forces of the U.S. and serve a term of four years. Describes the duties of the veterans advocate.

Task Force Implementation

Sections 39 and 40 of the bill provide the establishment of a state task force on local corrections infrastructure and crime prevention, utilizing moneys appropriated to retain an independent consultant to provide technical assistance and staffing in program development:

- Task Force Implementation ..... $150,000

The state task force shall include representation from the division of criminal and juvenile justice planning of the DHR, the DOC, the DOE, and UNI's criminology program. Local task forces shall be formed in each judicial district to formulate recommendations for corrections, juvenile justice, and school-based infrastructure projects. Local task force membership shall include, but not be limited to, a variety of designated local officials. Describes local and state task force procedures. The state task force report is to be submitted by December 1, 1996 to the studies committee designated by the legislative council. The study committee shall submit its report to the general assembly by January 1, 1997, and include consideration of establishing a grant program and funding mechanism for these projects.

**Dept. of Corrections**

Administration

Section 7 of the bill makes an appropriation to the DOC for reimbursement to counties for temporary confinement of work release and parole violators, as provided in §§901.7, 904.908, and 906.17 and for offenders confined pursuant to §904.513:

- County Temporary Confinement ..... $237,038 (same as FY96)

Correctional Facility

Section 23 provides for the DOC to construct a 750-bed medium security correctional facility for men. Bonds shall be issued under provisions of Iowa Code §§16.77 and 602.810A to finance the facility construction, at a cost not to exceed $36 million. The prison construction projects may be considered as one project for purposes of bidding, negotiating, and contracting.

**Judicial Dept.**

Section 9 of the bill provides the following:

Counties installing new telephone systems shall provide those systems to all judicial department offices within the county at no cost.

The offices of the clerks of district court shall operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

The judicial department shall provide a report semi-annually to the joint appropriations subcommittee on the justice system and to the LFB specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system (ICIS) and specifying how it improves the collection process.

In addition, a report is required by January 15 of 1997 and 1998, indicating whether the new counties added to the system in the previous fiscal year have reduced uncollected court fines and fees by 50% as a result of being added to the system.

Enhanced Court Collections Fund -- Distribution

Of the moneys collected and deposited in the enhanced court collections fund created in §602.1304, the first $857,500 deposited in the fund during FY97 shall be expended for use by ICIS.

- ICIS ..... $857,500 (same as FY96)

**Law Enforcement Training Summit -- Study**

According to section 37 of the bill, the Iowa League of Cities and ISAC are requested to convene a law enforcement training summit during the 1996 legislative interim to examine modifications and alternatives to Iowa's current regulations concerning law enforcement training and training resources. Requested participants in the summit include: the Iowa police executive forum, Iowa chiefs of police association, the ISSDA, and other interested groups concerned with law enforcement training. The legislative council is requested to create a study committee to receive the recommendations of the law enforcement training summit and to determine whether changes should be made to Iowa's laws regarding law enforcement training.

Effective Date: Sections 1, 16, 23, and 32 take effect upon enactment, Remaining sections take effect July 1, 1996

CP, DV

# ENVIRONMENT AND LAND USE

**SF 2165 - Hunting Preserves and Ungulates**

Conservation Directors, Recorders

Amends Code §484B.10 (Hunting Preserves: season - hunting license) by providing that the owner of a hunting preserve must establish a hunting season for non-native, pen-reared ungulates.

[Note: An "ungulate" is a hoofed animal.]

Effective Date: July 1, 1996 RM

**SF 2260 - Soil and Water Conservation District Commissioners - See County Administration & Organization**

**SF 2375 - Defense Against Public Nuisance Charges Against Livestock Confinement Operators and Chronic Violators - See Agriculture and Rural Affairs**

**SF 2446 - Agriculture and Natural Resources Appropriations - See Agriculture and Rural Affairs**

**HF 111 - Swimming Pool Inspection**

Environmental Health Specialists

Amends Code §135I.2 by stating that inspection of swimming pools **does not** apply to a swimming pool or spa operated by a homeowners' association which represents 72 or fewer units **if** the association's by-laws (which would apply as well to rental arrangements for units) 1) include an exemption from the requirements of this chapter of the Code, 2) provide for inspection by an entity other than state or local government health inspectors and 3) assume liability for the pool or spa's operation.

Effective Date: July 1, 1996 RM

**HF 2258 - Benefited Recreational Lake District**

Conservation Directors, Environmental Health Specialists

This bill amends §357E.2 to allow residents of a recreational lake area to form a district for the purpose of improving water quality. The board of trustees of a benefited recreational lake district is authorized to acquire real estate or interest in real estate and may take action to promote or improve water quality.

Effective Date: July 1, 1996 CP

**HF 2383 - Free Deer and Turkey Hunting Licenses to Landowners and Tenants - See County Administration and Organization**

**HF 2408 - Mine Reclamation**

Conservation Directors, Engineers, Supervisors

This legislation makes changes to the definitions and provides that mining includes both surface and underground mining and defines those terms. Time guidelines and hearing procedures concerning the suspension, revocation, or refusal to issue a license are included. The bill also provides administrative penalties on operators, including political subdivisions, for violations of an order issued by the administrator to cease or take corrective action concerning a practice which constitutes a violation of the laws dealing with mines. Civil penalties for violations are increased from $5,000 to $10,000.

Effective Date: July 1, 1996 JE

**HF 2433 - Waste Tire Management**

Supervisors, Environmental Health Specialists, Engineers

This measure creates a waste tire management program by providing the funding to counties, regents institutions and waste tire processors and by stating the mechanisms for these funding streams for disposing of waste tires.

Section 1 of the act amends Code §321.52A by setting forth the creation of the Waste Tire Management Fund within the state treasury and states that this fund shall begin July 1, 1996 and continue in operation until FY02, when the funds derived from the $5.00 surcharge on vehicle certificates of title shall go to the Road Use Tax Fund.

Section 2 amends Code §455D.11 by stating that the DNR shall adopt administrative rules regarding storage and disposal of nonpneumatic and processed tires.

Section 3 creates Code §455D.11C, which creates the Waste Tire Management Fund. Unspent balances in the fund at the end of each fiscal year must be retained in the fund and not revert to any other fund. Moneys from this fund spent by the DNR in closing or bringing into compliance a waste tire site and later recouped by the DNR must go back to the fund. Moneys from the fund must be used for A) the DNR's administrative costs, B) contracts awarded by the DNR for bringing waste tire sites or stockpiles into compliance with §455D.11 or for processing waste tires, C) grants to county boards of supervisors, D) grants to regents institutions, E) grants to tire processors.

Section 4 creates Code §455D.11D, which establishes the Waste Tire Management Grant Program. The program will allocate grant moneys from the Management Fund to boards of supervisors in participating counties or to their designees which might include public or private entities for which a grant is approved to be used for establishing and administering a local waste tire management program. The Waste Tire Management Program funds shall amount to the following:

FY97 --- $700,000
FY98 --- $1,000,000
FY99 --- $1,000,000
FY00 --- $1,000,000
FY01 --- $1,000,000
FY02 --- $700,000

Such grants shall be allocated to counties which apply and are approved by the DNR as follows (by population):
less than 60,000 shall be granted not more than $15,000
60,000 and 110,000 - not more than $30,000
110,000 and 200,000 - not more than $50,000
200,000 or more - not more than $65,000
The DNR may award additional funds if a county has special waste tire problems.

County supervisors must submit an annual application for these funds by August 14. Such applications must be approved or denied by the DNR by October 1. Funds shall be allocated by January 1. Each county granted funds from this program must designate a site or sites for waste tire collection and must receive such tires without charge. Each participating county is encouraged to promote a local waste tire program, to engage private and non-profit entity participation and to local funding to supplement the Management Fund grant. The board of supervisors (or its designee) which receives such a grant may limit the number and type of waste tires to be accepted and may also limit the entities from which a site will accept tires. Each participating board of supervisors must submit an annual report to the DNR to include 1) expenditures, 2) volume of tires collected, 3) recommendations for improvement of the grant program. Funds not spent but encumbered by a participating county at the end of the year may be kept by that county if they submit application for another grant. If a county does not receive continued approval and unspent and unencumbered funds remain, the county must return them to the state.

Section 5 creates Code §455D.11E, which encourages the regents institutions (the state universities) to use waste tires for, among other uses, tire derived fuels. Up to $100,000 may be awarded to these institutions to offset the costs of using tire derived fuels.

Section 6 creates Code §455D.11F, which defines "passenger tire equivalent," "site of end use," and "tire processor." This section of the act provides that any tire processor which processes more than 250,000 waste tires per year at a site within the state of Iowa may be awarded not more than 20 cents per passenger tire equivalent processed and delivered to the point of end use. Not more than $300,000 per year will be available for this purpose. A single processor may not receive more than $20,000 per fiscal year. A processor with a pending enforcement action by the DNR is ineligible for such funding.

Section 7 creates Code §455D.11,G which encourages retail tire dealers which currently charge a tire disposal fee to include the fee within the sales price of new tires.

Section 8 creates Code §455D.11H, which repeals sections 3 through 7 of this act as of July 1, 2002.

Section 9 requires the DNR to adopt administrative rules for the beneficial use of whole or processed tires in consultation with members of 1) the Iowa Society of Solid Waste Operators, 2) a major farm organization, 3) ISAC, 4) the Consulting Engineers Council, and 5) two people actively engaged in tire processing. This committee must review, as a part of the rules writing process, available scientific engineering research on beneficial uses of whole or processed tires. This section is repealed June 30, 1998.

Section 10 states that, if any provision of this act is held to be invalid, this will not affect the validity of the other provisions of the act.

Effective Date: July 1, 1996 RM

# HEALTH AND HUMAN SERVICES

**SF 73 - Social Worker License**

Community Services Directors, Care Facility Administrators, Public Health Nurses

This bill provides for the licensing of social workers and establishes three levels of licensing depending upon education and experience. The bill amends existing statutes and makes applicable the general health practice provisions regarding the establishment of a board, the imposition of fines and penalties, license revocation and suspension and the specification of a title.

Bachelor social workers provide psychosocial assessment and intervention through direct contact with clients or referral of clients to other qualified resources for assistance. Bachelor level activities include performance of social histories, problem identification, establishment of goals and monitoring of progress, interviewing techniques, counseling, social work administration, supervision, evaluation, interdisciplinary consultation and collaboration, and research of service delivery, including development and implementation of organizational policies and procedures in program management. Bachelor social workers must possess a bachelor's degree in social work, pass an examination given by the board, and conduct all professional activities in accordance with standards for professional conduct established by the board. Bachelor level licensing is not mandated.

Master social workers are qualified to perform the practice of bachelor social workers and provide psychosocial assessment, diagnosis, and treatment, including but not limited to performance of psychosocial histories, problem identification and evaluation of symptoms and behavior, assessment of psychosocial and behavioral strengths and weaknesses, effect of the environment on behavior, psychosocial therapy with individuals, couples, families, and groups, establishment of treatment goals and monitoring progress, differential treatment planning, and interdisciplinary consultation and collaboration. Master social workers must possess a master's or doctoral degree in social work, pass an examination given by the board, and conduct all professional activities in accordance with standards for professional conduct established by the board. Master level licensing is mandated.

Independent social workers are qualified to perform the practice of master social workers as a private practice. Independent social workers must possess a master's or doctoral degree, pass an examination given by the board, conduct all professional activities in accordance with standards for professional conduct established by the board, and have engaged in the practice of social work, under supervision, for at least two years as a full-time employee or for 4,000 hours prior to taking the exam given by the board.

The bill contains transition provisions for applicants applying for a license prior to July 1, 1998. Bachelor social workers are eligible to be licensed if they possess a bachelor's degree in social work or an undergraduate degree and 4,000 hours of employment experience in the practice of social work. Master social workers are eligible to be licensed if they possess a master's degree in social work or a graduate degree and has 4,000 hours of employment experience in the practice of social work, or employment performing master level social work duties and have 4,000 hours of employment experience in the practice of social work as of July 1, 1998. Independent social workers must possess a valid license to practice social work pursuant to chapter 154C issues prior to July 1, 1996, or possess a master's or doctoral degree in social work and have two years or 4,000 hours of postgraduate degree employment experience in the practice of social work.

The bill allows qualified members of other professions to provide services of a social work nature consistent with the accepted standards of their profession, provided they do not use the title of social worker.

Effective Dates: July 1, 1996, except Social Work Licensing Board - July 1, 1998 DAW

**SF 454 - Elderly Certified Assisted Living**

Community Services Directors, Public Health Nurses, Care Facility Administrators

This bill establishes an assisted living program within the Department of Elder Affairs. It also provides for program implementation and penalties. The DEA is required to promulgate rules to provide for the certification and monitoring of the assisted living program. The bill directs DHS to take necessary actions to allow a certified or accredited assisted living program to be a provider of personal care services under the medical assistance home and community-based services waiver for the elderly. The program is implemented following the establishment of a funding source for implementation and administration.

Effective Date: July 1, 1996 DAW

**SF 2030 - Mental Health and Property Tax Relief**

Supervisors, Auditors, Community Services Directors

SF 2030, passed early in the 1996 session, was one of the cleanup bills required as a result of SF 69, which passed during the last days of the 1995 legislative session. The bill provides a mechanism for identifying growth which was one part of the ISAC priority relating to the mental health system. The second part of the priority related to liability and was addressed in HF 2427.

SF 2030 contained provisions in five major areas:

1. Base Year. The base year for mental health expenditures was established in SF 69 as FY94. Gov. Branstad's line item vetoes removed the mechanism for determining system growth. SF 69 required counties to adopt fixed budget for FY97 based upon FY94 expenditures. The end result was that two years of inflation and growth would not be recognized and counties would be faced with severely cutting services to clients because of the shortfalls in their FY97 fixed budgets. SF 2030 gave counties the option of choosing FY94 actual expenditures or FY96 budget as the base for their fixed budgets. The county had the obligation of notifying the DOM if it wanted FY94 actual instead of FY96 budget.

2. Growth. The bill also established an "allowed growth" process. The State County Management Committee is required to study growth in MH/DD services and make a recommendation to the Governor. The Governor is required to consider the recommendation in preparing his proposed budget for the upcoming fiscal year. The General Assembly must annually appropriate funds for growth. The Governor would then have an option of approving or disapproving the amount of growth. The growth provision will apply to budgets going into effect on July 1, 1997.

3. Appeals. The deadline for submitting appeals for property taxes in excess of the property tax limitation was extended from March 1 to March 15, 1996. This is for the FY97 budget only. The extension was designed to help counties comply with the budget delays resulting from the lateness of legislative action.

4. County Management Plan Submission Date. County were given the ability to apply for a 30-day extension beyond the April 1, 1996 deadline for filing of the Mental Health Management Plans. The extensions were to be granted for extraordinary circumstances as determined by the director of DHS.

5. Appropriations. The bill also carved out $6.6 million of the $78 million designated for property tax relief. This left $71.4 million for distribution to the counties for FY97 mental health/property tax relief purposes. The $6.6 million will be used to pay for the nonfederal share for ICF/MR and HCBS waiver services for minors.

Effective Date: February 8, 1996 WP

**SF 2167 - Assaults on Health Care Providers**

Emergency Management Directors, Public Health Nurses, Sheriffs, Attorneys

This bill broadens Iowa Code §708.3A, prohibiting assaults against different types of health care providers. Previously, the law had prohibited such assaults against a limited class of emergency health care providers. This amendment expands the law to include all "health care providers," defined for purposes of this section as including an emergency medical care provider as defined in Iowa Code chapter 147A or a person licensed under Iowa Code chapters 148, 148C, 148D, 150, 150A, or 152, who is providing or attempting to provide emergency medical services, or health services in a hospital.

Assault of a health care provider, with the knowledge that the victim is a health care provider, and with the intent to inflict a serious injury, is a class "D" felony.

Effective Date: July 1, 1996 DV

**SF 2204 - Vocational Rehabilitation**

Community Services Directors

This bill relates to the operation of the Division of Vocational Rehabilitation and provides consistency with the most recently amended version of federal law. The bill also names the northwest section, which is the evaluation facility of the Jesse M. Parker Building, the Juliet Saxton Center.

Effective Date: July 1, 1996 TS

**SF 2213 - Prevention of Disability Policy Council and Technical Assistance Committee**

Community Services Directors, Supervisors

This bill extends the sunset on the Prevention of Disabilities Policy Council and Technical Assistance Committee. The committee is to oversee the planning, implementation, and evaluation of coordinated strategy for the prevention of disabilities among state departments.

Effective Date: March 28, 1996 TS

**SF 2235 - Licensing for Nursing Facilities**

Supervisors, Community Services Directors, Care Facility Administrators

This bill provides that prior to licensure of nursing facilities, the required inspection may be provided, at the option of the nursing facility, by the DIA or by the joint commission on accreditation of health care organizations if all required materials regarding the inspection are provided to the department. The bill also provides that the option of inspection by the joint commission is effective only after the passage of federal legislation which accepts inspections by the joint commission on accreditation of health care organizations for facilities which participate in medical assistance or Medicare programs.

Effective Date: July 1, 1996 WP

**SF 2294 - Multidisciplinary Community Services Teams**

Community Services Directors

This bill provides that a county or multi-county consortium of agencies providing health, counseling, economic assistance, education, law enforcement, or therapeutic services may establish a multidisciplinary team for the more effective planning and delivery of services to an individual or family. The teams would be required to comply with federal regulations regarding confidentiality. The teams are not defined as a governmental body and are not subject to the provisions of Iowa Code chapter 21 relating to open meetings. Through written confidentiality standards prepared by the teams and interagency agreements, the teams would be able to share information concerning an individual or family for the purposed of more effective planning and delivery of services. Penalties are provided for a member of the team who willfully uses or discloses confidential information in violation of the bill.

Effective Date: July 1, 1996 DAW

**SF 2301 - Lead Inspection and Abatement**

Environmental Health Specialists

Section 1 of this act creates new Iowa Code §135.105A to establish a program for the training and certification of lead inspectors and lead abaters in the private sector. The DPH must keep a list of certified inspectors and abaters available to the public and to city and county health departments. Someone certified both as an inspector and an abater cannot perform both services at the same site unless they have the consent of the site's owner or manager. DPH must also begin a training program for painting, demolition and remodeling contractors regarding lead and lead removal. Performance of lead inspection or abatement for pay without DPH training and certification is prohibited.

Section 2 creates new §135.105B,which states that the DPH may develop voluntary guidelines for development of local programs to address the needs of lead poisoned children. Such guidelines may be based upon existing local ordinances regarding children's health needs and environmental mitigation. Local governments may use these guidelines to develop local programs through a city or county health department. Such programs may be for a city, a county or a multi-county area. This is not a requirement.

Section 3 provides for the adoption of administrative rules by the DPH for training, certification, suspension and/or revocation requirements. DPH must seek funding assistance from the federal government and must set fees to pay the cost of training and certification.

Section 4 states that these provisions take effect only after DPH is accredited for training and certification from U.S. EPA. The DPH may, however, set up a temporary program prior to this.

Effective Date: Upon U.S. EPA accreditation RM

**SF 2303 - Medical Assistance Personal Liability**

Community Services Directors, Care Facility Administrators

This bill requires any personal representative or the executor of a deceased Medicaid recipient's estate to make distribution of the estate to DHS before making distribution to heirs, next of kin, or any others listed with a lower priority claim. It also removes the limit on nursing facility fines for Medicaid certified facilities that is currently in Iowa Code chapter 135C. The bill clarifies that a transfer of a homestead is exempt from application of transfer of assets provisions relating to medical assistance eligibility if the transfer is exempt under federal regulations.

Effective Date: July 1, 1996 DAW

**SF 2307 - Comprehensive Family Support/Personal Assistance Programs**

Community Services Directors, Supervisors

This bill relates to programs available to individuals with disabilities and their families within DHS and amends several sections of Iowa Code chapter 225C. It defines families eligible for these services. It also provides that the program be statewide, that DHS provide for administrative rules to coordinate eligibility processes used by other programs, and that the department assist in finding services.

The bill adds a children-at-home component where family members are assisted in finding services and vouchers are provided. The current Personal Assistance and Family Support Services Council has additional duties assigned to it. Additionally, DHS is required to coordinate juvenile justice and child welfare systems applicable to these individuals and propose revisions in eligibility for these programs. It requires the department to designate one person as central coordinator for both the Personal Assistance Program and the Comprehensive Family Support Program.

Effective Date: July 1, 1996 TS

**SF 2324 - Changes in Family Investment Program**

Community Services Directors, Public Health Nurses

Division I - Family Investment Program Waiver Request - Directs DHS to apply for waivers for the FIP and the JOBS program. The waivers are to simplify the program including the provision that the family investment agreement may be reinstated when cash assistance has been terminated for one month or less.

Division II - Family Development and Self-Sufficiency Council - The bill amends the Family Development Council to add two new members who represent the business community.

Division III - Individual Development Accounts - The bill includes language related to Individual Development Accounts (IDA) which largely clarify and streamline prior language. It increases the amount of funds an individual may deposit into the IDA - starting at 25% for a person below 150% of poverty with a sliding scale above that level.

Division IV - Food Stamp Program - The bill expands fraudulent practices to those committed using electronic benefit cards.

Division V - Immunization - The bill requires cooperation with the DPH in increasing the rate of children with immunization.

Division VI - Child Support - All new Title IV-D child support orders against minor obligors must contain an order for the obligor to attend parenting classes. Penalty for noncompliance is a minimum increase of $25 in support order.

Effective Date: Division I - July 1, 1996 or the beginning of either the first or second month following the month in which federal approval is granted. Division II - Upon Enactment The remaining divisions - July 1, 1996 ALR

**SF 2359 - Autopsy Expenses**

Auditors, Community Services Directors, Supervisors

This legislation satisifies an ISAC steering committee legislative objective. It provides that autopsy costs, or medical examiner expenses, may be recovered from the deceased's county of residence by the county conducting the investigation. In the instance of murder or wrongful death, it also permits any county conducting an investigation to recover the autopsy costs from the person determined responsible for the death.

Effective Date: July 1, 1996 JE

**SF 2381 - Dependent Adult Abuse/Providing Penalties - See County Corrections & Law Enforcement**

**SF 2399 - Child Abuse Assessment Pilot Projects - See County Corrections & Law Enforcement**

**SF 2410 - Substance Abuse Testing/Parent Visitation**

Community Services Directors, Public Health Nurses, Attorneys

This bill amends §232.77(2) by stating that a positive test result obtained prior to the birth of a child shall not be used for the criminal prosecution of a parent for acts and omissions resulting in intrauterine exposure of the child to an illegal drug. The bill requires that unless the child's life or health are at imminent risk, the court shall allow parents reasonable visitation with the child. Administrative rules adopted by the DPH pursuant to §232.73, unnumbered paragraph 2, Code Supplement 1995, are voided. The director of public health is directed to utilize the commission on substance abuse to study the effects of fetal alcohol syndrome on children and the issues associated with removal of a child from the child's home based upon substance abuse by the child's parent and to submit a written report to the General Assembly on or before January 2, 1997.

Effective Date: Upon Enactment ALR

**SF 2438 - Disability Terminology**

Community Services Directors, Supervisors

This bill makes numerous changes in terminology to various provisions pertaining to persons with certain mental and physical conditions and directs the Code editor to make similar changes. It primarily relates to terminology used to identify persons with mental illness, persons with mental retardation and persons with disabilities.

Effective Date: July 1, 1996 DAW

**SF 2442 - Human Services Appropriations**

Auditors, Care Facility Administrators, Community Services Directors, Public Health Nurses, Supervisors

This bill appropriates $743.5 million and 5,536.8 FTE positions, an increase of $19.6 million (2.7%) and a decrease of 177.8 FTE positions compared to the estimated FY 96 appropriation. These appropriations include the Family Investment Program, Medical Assistance, Child and Family Services, and programs for persons with mental illness and developmental disabilities.

The legislation continues the implementation and refinement of welfare reform, including chils support and recovery initiatives. It continues and expands managed care initiatives for Medicaid. It continues and expands services related to youth including the creation of the Iowa Healthy Kids Program, and the Family Investment Program Host Home service.

Section 1 - Family Investment Program ..... $ 34,787,255 (6% increase)

This section continues the special needs program under FIP. It permits DHS to adopt administrative rules for family investment, food stamps, and medical assistance programs to maintain the integrity of the program.

Section 2 - Emergency Assistance ..... $ 1,967,500 (11.3% increase)

This appropriation is for assistance to families with dependent children for homeless prevention. The section sets parameters and qualifications for eligibility and use of funds. Of the amount, $10,000 is allocated to the community voice mail program.

Section 3 - Medical Assistance ..... $ 366,687,988 (4.3% increase)

The Medical Assistance program includes numerous program features which:

- Continues to permit use of funds for abortions that are determined as medically necessary.
- Permits transfer of funds to DHS case management services for MH/MR/DD services under certain conditions.
- Requires that the county of legal settlement reimburse the department on a monthly basis for the nonfederal share of HCBS Waiver for adults.
- Specifies that the state shall pay the nonfederal share of the case management costs for minors with MR.
- Specifies county of legal settlement and state funding responsibilities for medical assistance services including case management, day treatment, partial hospitalization, HCBS Waiver, and ICF/MR. Permits DHS rule-making authority for implementation of these provisions.

- Continues to permit DHS to implement a pre-paid mental health services plan (Merit Contract) for medical assistance patients. Sets parameters for the plan.
- Requires the department to implement a new medical assistance home and community-based waiver for persons with physical disabilities as a means to further develop the personal assistance services program and specifies that such waiver shall not be in a manner to add additional cost to the state or counties.
- Requires pursuit for pharmacy claims for which a recipient of medical assistance may have additional third-party coverage.

Section 4 - Medical Contracts ..... $ 6,811,400 (9.4% increase)

This section requires DHS to establish performance standards for contractor for managed care services and requires that such standards be included as an addendum to the contract. It also requires that any future contract contain sanctions for failure to meet the standards.

In addition, the section requires that ant future contract disclose the profits made under the contract and the amount necessary for administrative expenses.

Section 5 - State Supplementary Assistance ..... $ 19,190,000 (0.4% increase)

This section contains some new provisions to permit up to $75,000 of the funds to be used for a rent subsidy program for adult persons with MR to encourage persons who currently reside in an ICF/MR to move to a community living arrangement.

Section 6 - Child Day Care Assistance ..... $ 12,547,100 (62.1% increase)

This program is for protective child day care assistance and state child care assistance. Eligibility guidelines and requirements are established in this section.

Section 7 - Job Opportunities and Basic Skills (JOBS) ..... $ 12,601,592 (5.6% increase)

This is designed for family development and self-sufficiency grants and to implement family investment agreements.

Section 8 - Child Support Recovery ..... $ 6,517,000 (1.9% increase)

Section 9 of the bill provides $13,769,809 in funding for Juvenile Institutions as follows:

- Toledo ..... $ 5,130,863 (3% increase)
- Eldora ..... $ 8,638,946 (1.6% increase)

The section maintains population guidelines and applies $8,000 for adolescent pregnancy prevention programs.

Section 10 - Child and Family Services ..... $ 85,460,607 (2.5% increase)

- The section establishes a statewide foster care expenditure target of $24,601,280 for group foster care maintenance and services.
- Provides $6,538,215 of the allocated funds as state match for PMICs. Permits DHS to include PMICs in the managed care contract and to transfer all or a part of the appropriation to medical assistance for this purpose.
- Continues the demonstration program to decategorize child welfare services in additional counties or clusters of counties.

- Up to $96,512 may be used for continued foster care services to children who are 18 years of age or older under specified conditions.
- Limits state funding for the establishment, improvements, operation, and maintenance of county or multicounty juvenile detention homes to $872,500.
- Permits limited use of funds for family preservation programs.
- Limits state funding of shelter care to $3,223,732. Requires DHS to develop a formula to allocate funds to the department's regions by working with the shelter care committee.

Section 11 - Community-Based Programs ..... $ 2,635,146 (.5% increase)

- Includes $736,146 for adolescent pregnancy prevention grants. The legislative council is directed to establish an interim committee to evaluate the effectiveness of current and proposed.

- Includes $846,014 for child abuse prevention grants.

Section 12 - Court-Ordered Juvenile Services ..... $3,090,000 (same as FY 96)

Section 13 provides $41,537,333 in funding for the Mental Health Institutes as follows:

- Cherokee ..... $13,581,308 (9.2% decrease)
- Clarinda ..... $ 6,172,607 (2.8% increase)
- Independence ..... $16,946,094 (3.7% increase)
- Mount Pleasant ..... $ 4,837,324 (1.6% increase)

Section 14 provides $62,029,824 in funding for State Hospital Schools as follows:

- Glenwood ..... $35,070,700 (2.1% decrease)
- Woodward ..... $26,959,124 (13 % decrease)

Section 15 - Mental Illness Special Services ..... $ 121,220 (Same as FY 96)

Section 16 - Family Support Subsidy Program ..... $1,344,000 (21 % increase)

Section 17 - Special Needs Grants ..... $ 53,212 (Same as FY 96)

Special Needs Grants must be used by a family to help cover costs for out of home placement for a family member who has a developmental disability.

Section 18 - MI/MR/DD State Cases ..... $ 5,454,000 (0.2% decrease)

Section 19 of the bill provides $16,230,000 in funding for Mental Health and Developmental Disabilities -- Community Services Fund as follows:

- Community-based MH/DD Services Fund ..... $15,951,138 (Same as FY 96)

The Community-Based Services Fund is distributed to counties based on a two-part formula, with 50 percent based on the county's percentage of the total state population and 50 percent based on the county proportion of the statewide poverty population. No more than 50 percent can be spent on any one of these population groups. In addition, at least 50 percent of this fund shall be spent on contemporary services provided to persons with a disability. The MH/DD Commission shall adopt rules describing contemporary services.

- Iowa Compass..... $ 30,000 (Same as FY 96)

- Supplemental Per Diem Contracts.....$ 248,862 (Same as FY 96)

This section also provides the local purchase of service funding from the Social Services Block Grant (SSBG):

- Local Purchase of Service .....$13,038,763 (Same as FY 96)

Local purchases of service using these dollars require that counties expend these funds based on DHS rules outlining general provisions of service administration. Eligible MH/MR/DD services are adult support, adult day care, administrative support for volunteers, community supervised apartment living arrangements, residential services for adults, sheltered work, supported employment, supported work training, transportation, and work activity. If a county has a mental health management plan which is approved by the director of DHS, the county shall be considered to have met the eligibility requirements of this section.

Section 20 - Personal Assistance--Family Support..... $ 364,000 (45.6% increase)

These funds are to be used to continue the personal assistance pilot program.

**Not more than $50,000 to be used for administration costs. A portion may be used to develop a HCBS Waiver for persons with physical disabilities and such waiver shall not be implemented in a manner that would require additional county or state costs.**

Section 21 of the bill provides following for Field Operations:

- Field Operations..... $38,483,998 (0.9% increase)
- FTEs..... 2,019.00 (+10.5 over FY 96)

Section 22 - General Administration..... $11,917,316 (9.25% increase)

**This section also contains a legislative directive that the department shall NOT implement the options for service system modification developed by the department's modification teams in response to proposed federal action and shall NOT implement other actions in response to enacted federal changes affecting the programs administered be the department unless the department is implementing a policy or action authorized in law by the General Assembly.**

Section 23 - DHS Restructuring Task Force..... $75,000

This section directs legislative council to establish a task force to develop a comprehensive proposal for changing the role and function of DHS and its programs. The goal is to improve services to Iowans through the creation of new federal, state, and local partnerships and to improve service delivery and the department's interaction with the public. The section outlines task force membership and requires consultation with other members of the public including local governments. An interim report shall be completed before convening the next General Assembly. The task force shall focus on the four DHS modification proposals.

Section 24 - Volunteers..... $ 98,000 (15.3% increase)

Section 25 of the bill pertains to Medical Assistance (Medicaid), SSA and Provider Rates:

- Continues rates for skilled nursing facilities at the same rate as in FY 96.
- The maximum rate for residential care facilities shall be $21.54 per day.
- The maximum shelter care rate shall be continued at $76.61 per day.
- Continues the reimbursement rate for ICFs/MR at the 80th percentile.
- Directs DHS to analyze and make recommendations for clarification and simplification of the cost report format, which may include standardization with the county charts of accounts.

Section 26 - Residential Services.....$ 1,300,000

The section sets limits and conditions on residential rate increases under the purchase of service reimbursement rate for adult residential services. It also establishes the formula for allocation to counties.

Section 27 of the bill provides guidelines for Appropriations Reductions of $1,560,000 for child support recovery, juvenile institutions, community-based programs, mental health institutes, state hospital-schools, field operations, and general administration.

Section 28 of the bill requires DHS to work with DED to develop new jobs in an area where a facility is being closed or reduced.

DHS is also directed to design a system of "net budgeting" for state institutions. This system will break-down revenues and expenditures so the actual amount of net state expenditures necessary can be determined. Also, state hospital-school administrators are directed to bill payers in a manner comparable to other ICFs.

Section 29 of the bill directs DHS to develop a plan for meeting national standards on caseloads for the department's social workers.

Sections 38 and 48 of the bill creates the Family Investment Program Host Homes service. The program is designed for providing living arrangements for minor parents and pregnant minors under certain circumstances. It includes definitions, conditions for participation, and funding procedures. DHS is requested to submit requests for appropriate federal waivers.

Section 40 of the bill advances property tax relief fund payments to counties from September and March, to July 1, and January 1, of each fiscal year.

Sections 41 through 47 create the Iowa Healthy Kids program. The Iowa Healthy Kids program is designed to provide health care services and comprehensive health benefits or insurance coverage to children. These sections authorize the program, establish objectives, create an advisory council, and create a trust fund.

Section 49 establishes the scope of rule making authority granted to the department for implementation of the Act. In any event, any rules adopted shall not take effect before the rules are reviewed by the administrative rules review committee under Chapter 17A.

Effective Date: July 1, 1996 except portions of Sections 4, 6, 10 and 17 which are effective upon enactment.

JE

**SF 2448 - Health and Human Rights Appropriations**

Environmental Health Specialists, Public Health Nurses, Supervisors

This legislation appropriates, for FY97, $83.9 million and 1,340.4 FTE positions to the Department for the Blind, the Civil Rights Commission, the Commission on Veterans Affairs, the Governor's Alliance on Substance Abuse, and the departments of Elder Affairs, Public Health, and Human Rights. The appropriation is an increase of $1.6 million (1.9%) and a decrease of 3.3 (0.2%) FTE positions compared to the estimated FY96 appropriation. Of specific interest to counties are the following provisions:

**Dept. of Public Health**

Emergency Medical Services

- EMS Training (State, County & Local) ..... $1,022,360 ( 0.7% increase)

Entitles an emergency responder who may be infected with hepatitis to testing and immunization. Reimbursement for this service shall be available from EMS funds.

Health Protection Division

- Lead Abatement Program ..... $39,547 ( 46.9 % decrease)

Previous year's appropriation included funding to help organize a coalition to study lead poisoning.

Family and Community Health Division

- Specialized Medical Home Care Program ..... $97,931 (same as FY96)

Provides funding for care planning and coordination of community support services for children who require technical medical care in the home.

- Maternal and Child Health Services ..... $1,001,209 (same as FY96)

Requires DPH to administer the statewide maternal and child health program, conduct mobile and regional child health specialty clinics, and conduct other activities to improve the health of low-income women and children in accordance with Title V of the federal Social Security Act.

- Office of Rural Health ..... $165,391

Provides funding for the office of rural health to provide technical assistance to rural areas in the area of health care delivery. Funding in the previous year focused on the health data commission for data research.

- Rural Health Provider Recruitment and Retention ..... $182,028 (37.3% increase)

- Public Health Nursing Program Grants ..... $2,511,871 (same as FY96)

Provides grants to local boards of health for maintenance and expansion of existing public health nursing program for elderly and low-income persons in order to prevent or reduce inappropriate institutionalization. One-fourth of the total amount shall be divided equally among the counties in the state. Three-fourths of the total amount shall be divided based on the county's proportionate share of elderly and low-income persons in the state. Sets conditions for grant process and contracting between local board of health and service providers (nonprofit nurses' association, nonprofit agencies, and local governmental bodies). Gives the DPH rule-making authority governing use of funds. Provides for the

pooling and reallocation of unused funds. Requires the DPH to annually evaluate the public health nursing programs and submit an annual report to the Governor and General Assembly.

- Home Care Aide Program Grants ..... $8,586,716 (same as FY96)

Provides grants to county boards of supervisors for the home care aide program. Emphasizes services to elderly and persons below the poverty level and children and adults in need of protective services, in order to prevent or reduce inappropriate institutionalization. Requires service provider to coordinate efforts with the integrated case management for the frail elderly program of the department of elder affairs. Establishes allocation formula distribution to counties. Outlines requirements for county boards of supervisors to qualify for home care aide funding. Sets conditions for grant process and contracting between county supervisors and service providers. Provides for the pooling and reallocation of unused funds. Gives the DPH rule-making authority governing use of funds. Requires the DPH to annually evaluate the programs and submit an annual report to the Governor and General Assembly.

- Well-Elderly Clinics ..... $585,337 (same as FY96)

Appropriation for the development and maintenance of well-elderly clinics shall be distributed by a formula. Requires local matching funds.

Health Care Providers

Requires local health care providers or nonprofit health care organizations seeking grant moneys administered by the DPH to provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

Consolidation of State Funding

Consolidation of state funding sources for public health nursing, home care aid, and the senior health program for each county shall be available for implementation beginning July 1, 1996. It is the DPH's goal to add federal funding for health promotion as federal funds become available. The DPH may include other state and federal funding sources with the understanding that local, city, or county funds not be supplanted.

**Dept. of Human Rights**

Community Grant Fund

- Community Grant Fund Appropriation..... $1,600,000 (11.1 decrease)

**Section 8 of this bill provides an additional appropriation for the community grant fund established under Iowa Code §232.190, of which $200,000 is appropriated from the unencumbered balance of the gamblers assistance fund (Section 8 of the bill).**

Effective Date: July 1, 1996 (Except Section 8, which takes effect upon enactment) CP

**HF 2230 - DIA Oversight**

Community Services Directors, Care Facility Administrators

This bill pertains to the duties of the DIA concerning liens on improper provider payments from DHS, the administration of certain health care statutes, and the conducting of audits. The bill provides that the director of the DIA is responsible for administering Iowa Code chapter 135G, concerning birth centers,

chapter 135H, concerning psychiatric medical institutions for children;, and chapter 135J, concerning licensed hospice programs. These chapters currently provide individually for DIA administration but no reference was made in Iowa Code chapter 10A, the main Code reference section for the department.

The bill also provides for the establishment of a lien in favor of the state concerning any provider payments improperly obtained from DHS that have not been repaid.

The bill eliminates the requirement that the DIA is responsible for conducting audits of real estate trust accounts and DPH contractors. They are being conducted by governing agencies.

Effective Date: July 1, 1996 TS

**HF 2256 - Federal Block Grant Implementation - See County Administration and Organization**

**HF 2259 - Sewer or Water Utility Connections**

Supervisors, Auditors, Environmental Health Specialists

Amends Iowa Code §384.38(3) language regarding the duties of a city to schedule fees to pay for the connection of property to the city sewer or water utility. Of interest to county officials is a provision which states that the changes spelled out for city officials do not apply when a city annexation plan includes annexation of an area adjoining the city and a petition from property owners has not been presented to the city council. Until annexation takes place or in the event that the annexation plan is abandoned, the state mandate contained in §455B.172(3-5), which spells out the responsibilities of the county boards of health relative to private water supplies and private sewage disposal facilities, shall not apply unless the property owner voluntarily pays the connection fee and requests connection to city sewer and water.

Effective Date: July 1, 1996 RM

**HF 2316 - Sexual Predators - See County Corrections & Law Enforcement**

**HF 2369 - Birth Stays**

Community Services Directors, Public Health Nurses

This bill provides that health insurers shall not terminate inpatient benefits or require discharge of a mother or the newborn from a hospital following delivery earlier than determined to be medically appropriate by the attending physician in accordance with guidelines adopted by the insurance commissioner.

Effective Date: July 1, 1996 DAW

**HF 2399 - General Assistance Eligibility - See County Corrections & Law Enforcement**

**HF 2427 - MH/MR/DD System**

Community Services Directors, Supervisors, Auditors

This bill relates to services provided to persons with mental illness, mental retardation, or a developmental disability and cleans up language for SF 69 which was passed last year. It fulfills part of one of ISAC's top priorities for 1996. Specific changes are detailed below.

**Division I - Mental Retardation.** This division makes a number of changes to chapter 222. It strengthens the role of the single entry point process in a number of areas including recommendations for admission to a state hospital school; and coordination of requests by the superintendent of the state hospital school for community placement of residents. The hospital school is prohibited from billing a county for a patient unless the admission is approved through the single entry point process. The bill also directs DHS to re-base the county per diem caps to those in effect in FY97 and ties future inflation of the per diem to the allowable growth factor.

**Division II - Mental Health.**

- Chapter 225 - These amendments to the Iowa Code pertain to commitment to the state psychiatric hospital and require that if the costs of a respondent's evaluation or treatment are payable in whole or in part by a county, the respondent shall be referred to the single entry point process for an evaluation and referral to an appropriate placement or services. It also specifies that observation, treatment, and hospital care can only be provided as determined through the single entry point process.

- Chapter 225C - All receipts a county receives under §225C.12 relating to partial reimbursement for local inpatient mental health care and treatment must be deposited in the county's MH/MR/DD services fund. The amendments allow the single entry point process to determine whether a community mental health center or alternative diagnostic facility performs the preliminary diagnostic evaluation required for non-emergency admission to a state MHI. An MHI that admits a person under the emergency provisions must report the admission to the entity designated by the single entry point process.

- Chapter 227. Transfers to an MHI are subject to "authorization for the transfer through the single entry point process."

- Chapter 229. Any persons whose hospitalization expenses are payable in whole or in part by a county are subject to all requirements of the single entry point process. If a court is ordering immediate custody, notice must be given to the single entry point process and if custody is to be in a facility or hospital, the court must order the person to a facility or hospital designated through the single entry point process. In addition, orders of commitment must be to a hospital or facility designated through the single entry point process. For voluntary admissions, the clerk of court is required to provide information to the county of legal settlement in a form prescribed by the council on human services, based on a recommendation by the state county management committee. The clerk of court must also determine whether or not the admission is approved through the single entry point process. The bill prohibits an MHI from billing a county for a patient unless the admission was approved through the single entry point process.

- Chapter 230. A county is not liable for costs and expenses, unless they are authorized through the single entry point process. In addition, county per diem caps at the MHI are re-based to those in effect in FY97 and future inflation of the per diem is tied to the allowable growth factor.

**Division III - Service Regulation, Information, Planning, and Payment Provisions.** This division makes changes to chapters 235A (Child Abuse), 235B (Adult Abuse), 249A (Medical Assistance), and 331 (County Home Rule Implementation).

- Chapter 230A. A county may require the release of administrative, diagnostic and demographic information necessary for aggregated reporting for services received through the single entry point process as a condition of funding of community mental health centers.

- Chapters 235A and 235B. It also provides that administrators of agencies providing services to children or dependent adults have access to certain child abuse and adult abuse information for employment purposes.

- Chapter 249A. The bill establishes time frames for DHS to submit claims to a county for HCBS waiver services. It requires the state-county management committee to make recommendations for department actions necessary to assist in the transition of individuals from ICF/MRs to HCBS waiver services. It also codifies that the state is liable for 100% of the nonfederal share of services paid under any prepaid mental health services plan. DHS is required to consult with and inform a county of legal settlement's single entry point process about the necessity for and provision of any service for which the county is required to provide a portion of the non-federal share of the Medicaid match to the maximum extent allowed by federal law. It also provides that, to the maximum extent allowed under federal law, persons will not be eligible for Medicaid services unless referred through the single point of entry process. However, counties will be billed for the nonfederal share of Medicaid services provided to persons who were not approved by the single entry point process, if federal law allows. DHS is required to formulate a work group which includes representatives of counties designated by ISAC in developing a course of action to meet the goals for submission of claims and completion of cost settlement.

- Chapter 331. The bill allows counties to pool appropriations from the MH/MR/DD Services fund with other counties or through county regional entities to pay for services. The membership of the state-county management committee is expanded to 12 voting members. A representative of AFSCME is added. The responsibilities of the state county management committee are expanded to include: recommending standards for limiting excess costs and profits and for restricting cost shifting in managed care; recommending statewide standards and monitoring methodology to determine availability of cost effective individualized services; recommending rules establishing statewide minimum standards for services and supports; and making recommendations for measuring and improving the quality of services and supports. This section also allows applications for services to be made through the single point of entry process of the county of residence. If the person has legal settlement in another county, the application should be coordinated with that county and the two counties may agree to have the single point of entry process handled by the county of legal settlement.

Effective Dates:
Upon Enactment -- Division III, Section 31 re: SCMC recommendations on ICF/MR Transition.
Majority of Bill -- July 1, 1996 JE, DAW

**HF 2486 - Federal Block Grants Appropriation - See County Administration and Organization**

# TAXATION AND FINANCE

**SF 2367 - Monetary Claims Against the State - See County Administration & Organization**

**SF 2449 - Tax Bill - Property Tax Relief, Tax Credits**

All County Officials - Especially Supervisors, Auditors, Treasurers

The last bill to pass the 1996 General Assembly was SF 2449, commonly known as the Tax Bill. The bill is comprised of seven divisions relating to tax relief, local government reimbursement, and agricultural economic development. Specifically, the bill would provide for full indexing of the income tax brackets and standard deductions; fully fund various property tax credits; change the computation of taxable income for Subchapter S corporations; and create a credit to encourage livestock production.

Division I requires the individual income tax brackets and the standard deductions to be indexed for the full amount of inflation. The effect is to prevent "bracket creep," which occurs when tax liability increases even though spending power of the taxpayer does not increase. The Division also repeals the requirement that indexing occur only when the General Fund has an ending balance of $60 million, so the brackets and standard deduction would be indexed annually regardless of the fiscal position of the State. Division I is expected to result in a decrease in revenues to the General Fund of approximately $5 million in FY97 and $12.1 million in FY98.

Division II increases the Regular Program Foundation level from 83% to 87.5%. Increasing the foundation level to 87.5% increases state aid and reduces property taxes $84.9 million in FY97. This is estimated to increase to $88.7 million in FY98. The property tax reduction would come from a reduction in the Additional Levy, also known as the Second Effort Levy. School Districts' property tax rates would be reduced at varying amounts. The highest reduction would be $2.29 to the lowest reduction of $0.05. In general, districts with the highest Additional Levy rate would get the largest reduction and districts with the smallest Additional Levy would get the smallest rate reduction.

**Division III fulfills one of ISAC's most important legislative objectives. It increases the state share of the homestead, military, and elderly and disabled property tax credits by allowing the credits to be fully funded in FY97. The legislation also includes a provision that freezes the credits at the reimbursement level. Under current law, the state reimbursement is prorated to local governments while taxpayers receive the full credit. In Division VII, the reimbursement would be prorated to taxpayers, negating any impact on local governments. Division III also includes language encouraging local governments to reduce property taxes in response to higher state reimbursement. The fiscal impact of the Division would be an increase in the standing limited appropriation of approximately $22.5 million in FY97 and subsequent years.**

Division IV includes a provision that would allow certain Subchapter S corporations to apportion income. The reduced taxes would be in the form of a credit, and would only apply to corporations that add value by processing, manufacturing, combining, or constructing personal property. The provision is expected to result in a decrease in revenues to the General Fund of $5 million beginning in FY98. This is the level at which the credit is capped.

Division V creates a livestock production tax credit equal to ten cents per "corn equivalent" fed to livestock. A corn equivalent is one bushel of corn or the nutritionally equivalent amount of other types of feed. Only operations whose owners have less that $1 million in net worth and earn more than half of their income from farming would be eligible. The provision would have no impact in FY98 and would

only apply to cow-calf operations in the first year. Beginning in FY99, the credit will be distributed to a variety of livestock operations, but without further legislation, the credit would continue to be capped at $2 million in the aggregate.

Division VI states that the General Assembly support the Department of Education study on special education and at-risk funding. The Division also adds a goal to the study of achieving parity between the regular program foundation level and special education. Division II increases the regular program foundation level to 87.5% but special education remains at 79%.

Division VII provides that after January 1, 1997 if the appropriation is insufficient to fully fund the credit or exemption, the political subdivision shall be required to extend only that portion of the credit or exemption that is funded to the taxpayer. This will negate the fiscal impact on local governments if the tax credits are underfunded in the future. It also eliminates the paradox of the property taxpayer paying property taxes to pay their own tax credit.

**SF 2449 - Tax Bill (Dollars in Millions)**

| **General Fund Appropriations** | **FY 97** | **FY 98** |
|---|---|---|
| School Aid | $ 85.0 | $ 88.7 |
| Property Tax Credits | | |
| Homestead | 20.8 | 20.8 |
| Military/Elderly/Disabled | 1.7 | 1.7 |
| Livestock Credit | 0.0 | 2.0 |
| **Total Effect on General Fund Appropriations** | **$ 107.5** | **$ 113.2** |
| **General Fund Revenues** | | |
| Indexing | $ 5.0 | $ 12.1 |
| Subchapter S | 0.0 | 5.0 |
| **Total Effect on General Fund Revenues** | **$ 5.0** | **$ 17.1** |
| **Net General Fund Impact** | **$ 112. 5** | **$ 130.3** |

Effective Date: July 1, 1996 WP

**SF 2455 - Iowa Tax System Administration**

Treasurers, Assessors, Auditors

This bill amends various sections of the Iowa Code dealing with the administration of Iowa's tax system. The first two sections of the bill provides for electronic filing of tax returns and payments and also allows the IDRF to recover taxes refunded in error or due to willful filing of false refund claims. Sections 3 and 4 of the bill amend §§425.20 and 425.23 to revise some of the deadlines pertaining to Elderly/Disabled Low Income tax credit. Section 5 of the bill strikes subsection §427.1(27) pertaining to tax provisions for armed forces. Section 6 of the bill amends §428A.1 relating to the computation of the real estate transfer tax. The bill's last section amends §435.22 to revise some of the deadlines regarding the Mobile Home tax credit.

Effective Date: April 24, 1996 for Sections 1,2,3,4,7 (Applied retroactively to January 1, 1996) CP

**SF 2470 - Standing and Other Appropriations - See County Administration and Organization**

**HF 560 - Family Farm Tax Credit Definition Revision of "Designated Person"**

Assessors

This bill amends Iowa Code §425A.2 to expand the definition of "designated person" for purposes of the family farm tax credit to include the owner's relative within the third degree of consanguinity. The definition is also amended to include family farm corporations and partnerships if the combined stock of the corporation or ownership interest of the partnership is at least 51% owned by the designated person.

Effective Date: January 1, 1996 (applies to credit claims filed on or after this date) CP

**HF 2165 - Property Tax and Sales Tax Exemption of Industrial Machinery, Equipment, and Computers**

Auditors, Assessors, Supervisors

This bill amends several sections of the Iowa Code Supplement 1995 (§427B.17 and §427B.19) in order to treat machinery, equipment and computers (M & E) within urban renewal tax increment areas the same as if the property were located outside an urban renewal area. As a result, such property first assessed on January 1, 1995, will be exempt from property taxation; and M & E assessed prior to that date will be subject to a phase-out of assessment over a three-year period beginning in FY01. However, M & E used for funding Jobs Training Programs remain taxable. State replacements will be paid on declines in machinery and equipment valuations in urban renewal areas occurring after January 1, 1994. A city or county is allowed to appeal to the state appeal board for state assistance to meet such urban renewal TIF debt obligations under certain circumstances. In addition, the bill clarifies provisions of SF 69, which was passed and signed last year. The bill also amends §422.45(27) Iowa Code Supplement 1995, which adds a sales tax exemption for machinery, equipment and computers purchased or rented by small insurance companies and agents.

Effective Date: April 4, 1996 CP

**HF 2297 - Payments from Levee & Drainage District Warrants - See Agriculture and Rural Affairs**

**HF 2426 - Urban Renewal Debt Certification Date Change**

Auditors

This bill changes the date from December 31 to December 1 by which a city or county is required to annually certify to the county auditor the amount of debt obligations to be paid from TIF revenues and the allocation of TIF revenues to the urban renewal area.

Effective Date: July 1, 1996 CP

**HF 2491 - Pioneer Cemeteries**

Supervisors, Auditors

The bill creates a new §331.325, which deals with the control and maintenance of pioneer cemeteries. A pioneer cemetery is defined as one where there have been six or fewer burials in the preceding 50 years. A county board of supervisors may adopt an ordinance assuming jurisdiction and control of pioneer

cemeteries in the county. In lieu of managing the pioneer cemeteries, the board may establish a cemetery commission to assume the jurisdiction and management. The cost of the management of the cemeteries shall be paid from the county general fund.

New §331.424B - Cemetery Levy allows the board of supervisors to levy a county wide tax annually except in cities which have a cemetery levy, not greater than 6.75 cents per thousand. The proceeds of the tax levy go to the general fund to repair and maintain all cemeteries under the jurisdiction of he board including pioneer cemeteries. The tax limitation does not apply to the cemetery levy.

Effective Date: July 1, 1996 WP

# TRANSPORTATION

**SF 2072 - Farm Machinery Speed**

Engineers, Supervisors

This legislation adds machinery towed by a motor vehicle or farm tractor to the definition of implements of husbandry.

Effective Date: Upon Enactment JE

**SF 2085 - Handicapped Parking**

Treasurers, Sheriffs

Section 2 strikes language in Iowa Code §321.34(7), which had allowed applicants who have previously provided satisfactory evidence to the IDOT that the owner of the vehicle or the owner's child is permanently handicapped to renew their handicapped plates without furnishing additional evidence. Now there is no such exception.

Section 5 expands and rewrites the definition of "handicapped person" for purposes of this statute.

Section 6 rewrites Iowa Code §321L.2, and adds a requirement that if a person is applying for a temporary handicapped parking permit, the physician's statement shall state the period of time during which the person is expected to be handicapped and the period of time for which the permit should be issued, not to exceed six months.

In addition to handicapped registration plates, an applicant with handicapped plates may apply to the IDOT for a handicapped parking sticker to be affixed to the plates.

A handicapped person may apply for a removable windshield placard. A temporary removable placard shall be valid for up to six months, while removable windshield placards are valid for four years.

Section 7 rewrites Iowa Code §321L.2 regarding the information that must be contained on a removable windshield placard.

Section 9 amends Iowa Code §321L.4 to raise the penalty for improperly parking in a handicapped parking space from $50 to $100. Any peace officer shall have the authority to and shall enforce the provisions of this section on public and private property.

Section 14 outlines the implementation schedule for these changes. The IDOT shall begin the issuance of new permanent windshield placards and handicapped designations on motor vehicle licenses beginning January 1, 1997. After January 1, 1998, only new windshield placards issued pursuant to this bill shall be valid.

Section 17 requires the IDOT to implement the reissuance of removable windshield placards on January 1, 2001 and every four years thereafter.

Effective Date: July 1, 1996 DV

**SF 2110 - Anatomical Gift Fund - See County Administration and Organization**

**SF 2140 - Increasing the Speed Limits**

Engineers, Supervisors

This act amends Iowa Code §321.285(6) by giving DOT the power to establish a speed limit of 65 miles per hour on certain divided, multilaned highways.

Effective Date: Upon Enactment SKL

**SF 2186 - Transportation-Related Sanctions**

Treasurers, Sheriffs

Section 2 strikes Iowa Code §321.190(2) related to unlawful use of a nonoperator's identification card.

Section 3 broadens Iowa Code §321.216 regarding the penalties for unlawful use of a license to include unlawful use of a nonoperator's identification card.

Section 4 broadens Iowa Code §321.216A, regarding the acts that are prohibited under the serious misdemeanor of falsifying motor vehicle licenses and nonoperator's identification cards and forms.

Section 5 broadens Iowa Code §321.216B to make it a simple misdemeanor for an underage person to use a nonoperator's license to obtain alcohol.

Section 6 amends Iowa Code §321.218(5) and provides that a person who operates a commercial motor vehicle while disqualified commits a serious misdemeanor. Previously it had been a simple misdemeanor.

Section 8 amends §321E.16 to change the penalties related to height, weight and load restrictions.

Section 9 amends Iowa Code §321J.4(1) related to OWI and provides that if the defendant is under the age of 21, the defendant shall not be eligible for a temporary restricted license for 60 days after the effective date of the revocation.

Section 10 amends Iowa Code §321J.4(2) related to OWI and provides that if the court defers judgment for an OWI violation, and the defendant is under the age of 21, the defendant shall not be eligible for a temporary restricted license for 60 days after the effective date of the revocation.

Section 11 amends Iowa Code §21J.4(8) related to OWI, and provides that a temporary restricted license shall not be issued to persons under the age of 21 whose license is revoked under Iowa Code §§321J.4, 321J.9, or 321J.12.

Section 12 amends Iowa Code §321J.12(2) related to OWI and provides that if a defendant under the age of 21 has failed a chemical test, the defendant shall not be eligible for a temporary restricted license for 60 days after the effective date of the revocation.

Section 15 amends Iowa Code §§321.341(obedience to signal of train), 321.342 (stopping at railroad crossings), and 321.343 (buses and other vehicles required to stop at railroad crossing), changing the scheduled fine from $20 to $50.

Section 17 amends Iowa Code sections related to motor vehicle titles, including §§321.25, 321.45, 321.46, 321.48, 321.52, 321.67, and 321.104, establishing a scheduled fine of $50 for each violation.

Section 18 amends Iowa Code §805.8(2)(u) and makes unlawful use of a motor vehicle license or a nonoperator's identification card subject to a scheduled fine of $75 instead of $50.

Effective Date: July 1, 1996 DV

**SF 2266 - Temporary Registrations/Driver's Licenses**

Engineers, Sheriffs, Treasurers

This legislation allows the owner of an unregistered or delinquent-renewal vehicle to obtain a 30 day permit to drive the vehicle on the highway upon payment of a $25 fee. Owners of 50 or more commercial vehicles based in Iowa under proportional registration who make application for title to a commercial vehicle shall not be subject to the registration fee until the vehicle is operated on the highway. The registration fee for small trailers is raised from $6 to $10. Registration plates shall display the name of the county of residence except for certain special plates.

Section 321.176A permits a peace officer to operate a commercial vehicle for a law enforcement agency while on duty without having a commercial driver's license. The bill also removes certain restrictions on having both a temporary permit and a non-operator's ID. It permits the DOT to issue a temporary license while it completes its investigation before issuing an operator's license. It changes from 20 days to 30 days the advance notice to disqualify an operator of a commercial vehicle.

The fee for reinstatement of a license that was barred is set at $20. The speed below which a slow moving vehicle must have a reflective device is raised from 25 to 30 mph. The bill modifies certain requirements for oversized or special equipment when the vehicle operator obtains special permits from the DOT. A person registering an aircraft for the first time must remit the sales/use tax or proof of payment or provide evidence of exemption. The bill provides in certain instances exceptions for not indicating prior damage when transferring a motor vehicle. A person who petitions the court for reinstatement of a motor vehicle license must include a current certified copy of his/ her official driving record issued by the DOT. It also repeals the ban on operating a vehicle whose center of gravity has been altered and repeals the requirement of verification of issuance of a permit to move a mobile home.

Effective Date: Variable effective dates JE

**HF 400 - Joint Purchases of Equipment**

Auditors, Engineers, Supervisors

This bill solves one of ISAC's Transportation Steering Committee legislative objectives. It repeals §28.E.20. This section requires political subdivisions considering an equipment purchase of $50,000 or more to consider making the purchase with another political subdivision. It also requires that such consideration then be recorded in the official minutes of the governing body initiating the purchase. As a result of passage of HF 400, these requirements will no longer be mandated.

Effective Date: July 1, 1996 JE

**HF 419 - Class "C" Roads**

Engineers, Supervisors

This bill fulfills an ISAC Transportation Steering Committee legislative objective. It amends §309.57 by adding a third area service classification "C." Area service "C" roads may have restricted access and minimal level of maintenance as specified by the county board of supervisors after consultation with the county engineer. Roads may only be classified as service area "C" by ordinance or resolution upon a petition by all landowners adjoining the road. The ordinance or resolution must specify the level of maintenance effort and the persons who will have access to the road. Class "C" roads retain such status until a petition for reclassification is submitted to the board of supervisors. Class "C" roads require appropriate signage and barrier restrictions.

The bill provides language defining trespassing violations, procedures for road reclassification and limits on county liability.

Effective Date: July 1, 1996 JE

**HF 514 - Special License Plates**

Sheriffs, Treasurers

This legislation provides for special recognition plates with distinguishing processed emblems (space for rent plates) and establishes of the Iowa Heritage Fund to be administered by the State Historical Society. The bill covers the issuance of education plates and for the distribution of the funds collected by the sale of the plates.

It also establishes new registration plates. It establishes a uniform fee of $25 and an annual renewal of $5, except for handicapped ($0), heritage ($35), and educational ($35). Those vehicles eligible for the space for rent plates are passenger vehicles, pickup trucks, motor homes, multipurpose (vans, sports utility), and travel trailers. Surviving spouses may continue to use Congressional Medal of Honor and Prisoner of War plates subject to annual registration in their name, provided they don't remarry. The bill did not change collegiate, fire fighters or DNR plates. Congressional Medal of Honor plates will continue to cost $15 and ex-POWs will now pay the full registration fee plus $25 for the special plate.

The distribution of funds from issuance of education plates is through the school budget review committee with highest priority to school districts whose average transportation costs per pupil exceed the state average by 150%. The bill requires the county name to be on all plates except collegiate, fire fighters, DNR, and Congressional Medal of Honor.

Effective Date: January 1, 1997 JE

**HF 569 - Vehicle Lease Act**

Auditors, Engineers, Supervisors

Under this bill, use tax imposed on motor vehicles with gross weight ratings of less than 16,000 lbs, excluding motorcycles and motorized bicycles, which are leased for a period of 12 months or more, shall be collected based on the amount of lease payments times the number of months of the lease, plus the amount of the down payment, less the manufacturer's rebate.

Prior to the effective date of this Act, tax on leased vehicles had been based on the value of the vehicle. As a result, this legislation is estimated to have an annual negative fiscal impact on the RUTF of about $7 million. (See HF 2421 - Transportation Appropriations, to find policy changes to offset this $7 million RUTF impact.)

Effective Date: January 1, 1997 JE

**HF 2001 - Motor Carrier Safety Regulations**

Engineers

This bill extends an exemption from federal motor carrier safety regulations from January 1, 1988, to July 29, 1996, for drivers of commercial vehicles engaged in intrastate commerce who are otherwise medically unqualified. In other words, the motor carrier safety regulations under §321.449 shall not be construed as disqualifying any individual who was employed as a driver of a commercial motor vehicle engaged in intrastate commerce whose physical or medical condition existed prior to July 29, 1996.

Effective Date: Upon Enactment DV

**HF 2066 - Border City Vehicles**

Engineers, Supervisors

This legislation amends §321.457, dealing with length and weight limits to vehicles operating on the borders of Iowa. It makes technical corrections in citing federal laws and it adds the interstate system to the height and weight exemptions permitted for operation in cities along Iowa's borders.

Effective Date: Upon Enactment JE

**HF 2113 - Permanent Truck Plates**

Engineers, Sheriffs, Treasurers

This legislation provides for the issuance of a permanent registration plate for motor trucks and truck tractors licenses pursuant to Iowa Code chapter 326 in lieu of issuing an annual registration plate upon payment of the appropriate annual registration fees. Fees from three-year and five-year payments shall not be reduced or prorated.

Effective Date: July 1, 1996 JE

**HF 2140 - Motor Vehicle Fuels**

Auditors, Engineers, Supervisors

This bill makes several corrective changes to the motor fuel tax law that was enacted in HF 552 in 1995 changing the point of taxation of motor vehicle fuel. The bill corrects inconsistency between chapters 321 and 452A, amends definitions, makes technical changes correcting the timing of tax reporting periods, clarifies issues concerning fuel tax refunds and tax credits, and corrects grammatical errors.

Of particular interest to counties is section 10, which permits a governmental agency to be designated as an agent for another governmental agency for filing and receiving the refund under this new law. This item was initiated by the Iowa County Engineer's Association through ISAC.

Effective Date: Upon enactment and retroactive to January 1, 1996 JE

**HF 2207 - Transportation Commission Planning**

Engineers, Supervisors

Current law requires the State Transportation Commission to adopt annually by December 31, a plan of highway improvements to be accomplished during the next year. These improvements are to be consistent with the five-year plan. This bill provides that in any year when there is a new federal highway reauthorization formula enacted, the Commission has 90 days from the date of enactment to publish the annual plan.

Effective Date: July 1, 1996 JE

**HF 2225 - Motorcycle Rider Education**

Treasurers

Section 1 rewrites the requirements for a Class M license - valid for the operation of a motorcycle. Under this bill, a person under the age of 18 applying for such a license shall be required to successfully complete a motorcycle education course approved by the IDOT. Prior to the amendment, the approval was going to be from the Department of Education.

Section 2 shifts the oversight responsibilities for motorized bicycle education courses under Iowa Code §321.189(8)(a) from the DOE to the IDOT.

Section 3 rewrites Iowa Code §321.189(9) and places oversight for the motorcycle rider education fund with the IDOT instead of the DOE.

Effective Date: Upon Enactment DV

**HF 2303 - Hazardous Materials Transportation**

Emergency Management Directors, Sheriffs

This measure repeals the sunset (i.e., lets stand) 1991 legislation which amended Iowa Code §321.450 (Motor Vehicles and Law of the Road: hazardous materials transportation regulations) by stating that administrative rules adopted under this Code section concerning specifications of cargo tanks shall not apply to those tank motor vehicles with a capacity of 4,000 gallons or less manufactured between 1950 and 1989 and were domiciled in Iowa prior to July 1, 1991.

Effective Date: July 1, 1996 RM

**HF 2318 - Land Surveyor/Engineer**

Engineers

This legislation makes conforming changes relating to the licensure of professional engineers, and strikes language that says if an engineering or land surveying document complies with the requirements of this section, then reproductions are also deemed to be in compliance.

The bill also creates a new §542B.27 and amends §544A.15, which authorizes the engineering and land surveying examining board and the architectural examining board to impose a civil penalty upon a person who is not registered under chapter 542B or chapter 544A, and who engages in certain acts involving the practices of engineering, land surveying or architecture. The civil penalty imposed can be no more than $1,000 for each violation with each day of a continuing violation constituting a separate offense.

The board involved in imposing the penalty is permitted to consider certain identified factors in determining the amount of the civil penalty. The board must provide written notice to the person and the opportunity for a hearing on the record. The bill also establishes procedures for collecting the civil penalty. In addition, it amends sections in chapter 542B by striking references to "registered," "registrant," "registrant's," and registrations," and replacing with "licensed," "licensee," "licensee's," and "licensure."

Effective Date: July 1, 1996 JE

**HF 2350 - Vehicle Weights**

Engineers, Supervisors

This legislation relates to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles and includes certificates of title for commercial trailers in addition to motor vehicles already included. It extends length limits by the length of retractable extensions used to support the load. Auto transports may extend three feet beyond the front bumper and four feet beyond the rear bumper. The bill allows issuance of over-sized or over-weight "multi-trip" permits at $100 per permit.

Of particular interest to counties is section 4 of the bill, which adds a new paragraph to §321.463 to require approval by the Department or appropriate local authority of travel routes from a construction project or commercial plant site.

Effective Date: Upon Enactment JE

**HF 2408 - Mine Reclamation - See Environment and Land Use**

**HF 2419 - Department of Transportation Activities**

Engineers, Supervisors

This legislation will allow the DOT to acquire right-of-way for utilities when acquiring right-of-way for the state when implementing transportation projects. It requires criteria for assessing highway projects to go through administrative rules. The bill allows DOT to enter private property, after giving proper notice, for making surveys, soundings, drillings, and appraisals to determine if the property is suitable for road construction.

The bill reduces the minimum distance from dwellings and other buildings for soundings to be done in line with modern soil testing techniques. The legislation also streamlines the abandoned vehicle removal process by reducing the steps involved with the process and reducing the paperwork associated with it. The bill allows the DOT to set minimum speed limits on divided four-lane highways based on engineering and safety criteria. Presently, the minimum speed is 40 mph.

The legislation permits public bodies to pay the balance of a contract upon completion of 95% of a project. This will result in interest expense savings for DOT and others. Prior to this legislation, public bodies such as DOT retained 3% of a contractor's payment and paid interest on the retainage until a project completed a final acceptance process.

Effective Date: July 1, 1996 JE

**HF 2421 - Transportation, Infrastructure, and Capitals Appropriations**

Attorneys, Auditors, Conservation Directors, Environmental Health Specialists, Emergency Management Directors, Engineers, Sheriffs, Supervisors, Treasurers

This bill appropriates $337 million from the various funding sources for the DOT operations and infrastructure improvements for numerous state entities for FY97. The bill appropriates funds from the following sources:

- $7.8 million from the General Fun
- $29.1 million from the RUTF
- $199.2 million from the Primary Road Fund
- $103 million from the Rebuild Iowa Infrastructure Fund

**Division I - DOT**

DOT operations: The bill appropriates $229.8 million and 3,930 FTE positions to the DOT for operations and special purpose programs, a decrease of $4.4 million (1.9%) and no change in FTE positions compared to estimated FY96. The decrease is primarily the result of a general budget reduction of 2.0% for all operating divisions.

Section 2 of the bill allocates about $30 million in "off-the-top" uses of RUTF moneys for various purposes including:

- Driver's License Program.....$1,295,000

Section 4 of the bill provides for legislative oversight of certain DOT activities. It requires the DOT to provide a report to the joint appropriations subcommittee on transportation regarding the implementation of recommendations from the Governor's Blue Ribbon Road Use Fund Task Force by November 1, 1996.

**Division II - Capital Projects**

This division of the bill appropriates moneys from the Rebuild Iowa Infrastructure Fund for numerous projects among the state agencies of Iowa including DOC, and DHS.

Section 19 of the bill appropriates moneys to DOT for:

- Trails within the state .....$1,000,000

Section 23 of the bill appropriates moneys for the purpose of allocating equally among the counties for eligible county fair societies in accordance with chapter 174 for the following purpose:

County fair infrastructure repairs ..... $495,000

**Division III - Statutory Changes**

Section 25 of the bill defines "vertical infrastructure" to include only land acquisition and construction, major renovation and major repair of buildings, all appurtenant structures, utilities, site development, and recreational trails. It does not include routine, recurring maintenance or operational expenses or leasing of a building, structure, or utility without a lease-purchase agreement with the exception of the completion of Part III of the Iowa communications network.

Section 27 of the bill provides access to ICN under certain circumstances including the DPS and the DPD for the purpose of establishing and operating a shared data-only network providing law enforcement, emergency management, disaster service, emergency warning, and other emergency information dissemination services to federal, state, and local law enforcement agencies as provided in §80.9, and local emergency management offices established under the authority of §§29C.9 and 29C.10.

Sections 30, 31, 32, and 33 amend §§174.9, 174.10, and 174.12 dealing with county fairs. Specifically, these provisions set eligibility requirements for county fairs to receive state aid by requiring membership in the Association of Iowa Fairs, and by requiring application for aid through the Treasurer of State. Each county shall receive an equal share of any moneys appropriated to support one or more eligible societies conducting one or more county fairs in that county. Moneys shall be paid directly to eligible societies in each county. These provisions set payment procedures and eligibility requirements for county fair societies.

Sections 38, and 39 of the bill allocate all of the fines and fees attributable to commercial vehicle violation citations to the RUTF. This is estimated to generate about $2.5 million new RUTF dollars. This provision was included to help offset the impact on RUTF by HF 569-Vehicle Lease Act.

Section 42 shifts certain appropriations to various state departments and agencies from the RUTF to the state General Fund. This section is estimated to generate about $3.4 million new RUTF dollars. This provision was included to help offset the impact on RUTF by HF 569-Vehicle Lease Act.

Sections 46 and 47 of the bill provide for infrastructure studies. The legislative council is directed to study the issues of creating a board to evaluate and prioritize expenditure matters and of establishing a finance mechanism to provide local governments with assistance to finance infrastructure improvements and to provide a dedicating funding stream to the Rebuild Iowa Infrastructure Fund. The legislative council is further directed to establish an *interim* committee to study local infrastructure and associated bonding and state financial assistance needs. The committee is directed to assess the state of local infrastructure and the resources local governments have available to assist in providing for long-term infrastructure needs, including a study of the approval requirements for local bond referenda.

Section 51 of the bill formulates an "Access Iowa Highways" plan to enhance the existing Iowa economy and enhance its growth in the national and global marketplace by providing for early completion of the construction of the most important highways in the commercial and industrial network. DOT is directed to designate those highways necessary for this purpose. The DOT is further directed to report to the General Assembly by January 15, 1997 those highways in the commercial and industrial network identified for the access highways program and the work necessary to achieve the economic goals.

**Division IV - Physical Infrastructure Assistance Program**

Section 52 of the bill establishes a physical infrastructure financial assistance program in the DED to provide financial assistance for business or community physical infrastructure or redevelopment projects. A fund is created within the state treasury and conditions for the use of the funds for projects are listed. DED is directed to establish procedures and guidelines for the program.

Section 53 of the bill provides the DNR with direction to work with DED in to identify environmentally contaminated sites which qualify for physical infrastructure assistance.

The section coordinates the funding for cleaning up certain sites with leaking underground storage tanks.

**Division V**

Sections 57 through 69 eliminate the administrative revocation of a driver's license due to a drug conviction unless the revocation is carried out at the time of a person's sentence for a drug offense.

**Division VI**

Section 70 repeals §312.2A, allocation for trails. This provision is estimated to generate about $1 million in new RUTF dollars. This provision was included to help offset the impact on RUTF by HF 569-Vehicle Lease Act.

Effective Date: Sections 25, 38, and 39 - July 1, 1997
Division V (Sections 57 through 69) - Upon Enactment
All other sections - July 1, 1996 JE

**HF 2433 - Waste Tire Management - See Environment and Land Use**

**HF 2488 - Special Census Certification**

Supervisors, Auditors, Engineers

The results of a special census conducted in 1995 and filed with the Secretary of State for certification after 1995 shall be considered timely for purposes of determining population-based allocations of funds under Iowa Code §312.3(2) (road use tax receipts), and §405A.3 (personal property tax replacement) for FY97 and subsequent years. The special census results will be considered timely filed if they could not be obtained for filing prior to December 31, 1995, due to federal offices being closed and if they were filed with the Secretary of State within 30 days of the effective date of this Act. Action needed to be taken by May 18, 1996.

Effective Date: April 18, 1996 WP

# 1996 BILLS & ISSUES THAT FAILED

Pushing bills through the legislature is obviously important to an organization like ISAC. But sometimes the success of a legislative session can also be measured by things that did not happen. ISAC Steering Committee Policy Statements are commonly used as the principle guideline for ISAC staff in opposing legislation. The following is a list of key things that ISAC opposed that were successfully killed:

| | |
|---|---|
| HJR 14 | The Stanley Amendment |
| HF 2004 | Snowmobile Excise/Conservation Fund |
| HF 2040 | Highway Speed Limit |
| HF 2054 | Abolish County Recorder |
| HF 2092 | Vehicle Registration Plates |
| HF 2104 | Forcible Felon/Split Sentence |
| HF 2233 | Private Sewage Disposal |
| HF 2243 | Elderly Property Tax Credit |
| HF 2293 | Property Valuation Notice |
| HF 2345 | Fire/Police Drug Tests |
| HF 2479 | Housing (Change of real estate transfer fee) |
| HSB 513 | Truck Weight & Length |
| | |
| SF 2009 | Mandatory Sentences |
| SF 2040 | Truck Weight |
| SF 2077 | Disabled Veteran Exemption |
| SF 2103 | Minor Mental Health |
| SF 2108 | Flashing Amber Lights |
| SF 2189 | Delinquent Taxes |
| SF 2224 | Veterans |
| SF 2355 | Domestic Abuse Training/Prosecution |
| SF 2390 | Intermediate Criminal Sanctions |
| SF 2426 | Court Penalties |
| SF 2428 | Bailiff Services |
| SSB 2011 | Law Academy Vision |
| SSB 2017 | Newspaper Notice Rates |

Unfortunately, some key ISAC proposals failed, too. Among these items are:

| | |
|---|---|
| SF 291/SSB 2130/HF 2379 | County Driver's License Expansion |
| SF 360 | Auditor's Transfer Fees |
| SF 384 | Food Service Regulation |
| SF 392 | Voluntary Annexations |
| SF 2037 | County Feedlot Zoning |
| SF 2280/HF 2292 | Title Fees to Counties |
| SF 2365 | Reinsurance Association Exemption |
| SF 2456 | Local Emergency Funds |
| | |
| HF 150 | Local Government ICN Access (partially solved in HF 2421) |
| HF 189 | Unfunded Mandates |
| HF 2112 | Residential Valuation (Uncoupling) |
| HF 2379 | Backing Maintenance Vehicles |
| HF 2387 | Election Laws |
| HF 2425 | Drainage Districts |
| HF 2496/SF 2268 | County Treasurer's Omnibus |

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# ABBREVIATIONS

AAP ..... American Academy of Pediatricians
ACIR ..... Advisory Commission on Intergovernmental Relations
ADC ..... Aid to Dependent Children
AFDC ..... Aid to Families with Dependent Children
AFSCME ..... Association of Federal, State, County and Municipal Employees
AIDS ..... Acquired Immune Deficiency Syndrome
BME ..... Board of Medical Examiners
CDC ..... Center for Disease Control
CDL ..... Commercial Driver's License
CINA ..... Children in Need of Assistance
CLEAN ..... Committing Lottery to the Environment and Natural Resources
CON ..... Certificate of Need
DALS ..... Department of Agriculture and Land Stewardship
DCA ..... Department of Cultural Affairs
DD ..... Developmental Disabilities
DEA ..... Department of Elder Affairs
DED ..... Department of Economic Development
DES ..... Department of Employment Services
DHR ..... Department of Human Rights
DHS ..... Department of Human Services
DIA ..... Department of Inspections and Appeals
DNR ..... Department of Natural Resources
DOC ..... Department of Corrections
DOE ..... Department of Education
DOJ ..... Department of Justice
DOM ..... Department of Management
DOT ..... Department of Transportation
DPD ..... Department of Public Defense
DPH ..... Department of Public Health
DPS ..... Department of Public Safety
DRF ..... Department of Revenue and Finance
ECDB ..... Ethics and Campaign Disclosure Board
EMS ..... Emergency Medical Services
EPA ..... Environmental Protection Agency
EPC ..... Environmental Protection Commission
EPSDT ..... Early Periodic Screening, Diagnosis and Treatment
FIP ..... Family Investment Program
FTE ..... Full Time Equivalent
GAAP ..... General Accepted Accounting Principals
GIS ..... Geological Information Services
HBV ..... Hepatitis B Virus
HCBS ..... Home and Community-Based Service
HCFA ..... Health Care Facilities Administration
HIV ..... Human Immunodeficiency Virus
ICF/MR ..... Intermediate Care Facility for Mental Retardation
ICPUST ..... Iowa Comprehensive Petroleum Underground Storage Tank Fund
IPERS ..... Iowa Public Employees Retirement System
IRS ..... Internal Revenue Service
ISAC ..... Iowa State Association of Counties

ISSDA ..... Iowa State Sheriffs' & Deputies' Association
ISU ..... Iowa State University
JOBS ..... Job Opportunities and Basic Skills
LFB ..... Legislative Fiscal Bureau
LPN ..... Licensed Practical Nurse
M & E ..... Industrial Machinery, Equipment and Computers
MH ..... Mental Health
MHI ..... Mental Health Institute
MOE ..... Maintenance of Effort
MR ..... Mental Retardation
NAHA ..... National Affordable Housing Act
OB ..... Obstetrics
OWI ..... Operating While Intoxicated
PERB ..... Public Employment Relations Board
PMIC ..... Psychiatric Medical Institutions for Children
POS ..... Purchase of Service
RCF/MI ..... Residential Care Facility for the Mentally Ill
RCF/MR ..... Residential Care Facility for the Mentally Retarded
REAP ..... Resource Enhancement and Protection Fund
RFP ..... Request For Proposal
RN ..... Registered Nurse
RUTF ..... Road Use Tax Fund
SCMC ..... State County Management Committee
SHS ..... State Hospital School
SSA ..... Social Security Administration
SSBG ..... Social Service Block Grant
SSI ..... Supplemental Security Income
TIF ..... Tax Increment Financing
UNI ..... University of Northern Iowa
USC ..... United States Code
UST ..... Underground Storage Tank
WIC ..... Women, Infant, Children

In some cases, state department abbreviations may begin with an "I" to indicate an Iowa department rather than a federal department of that name.

# PLEASE HELP US!

Here is your chance to help the ISAC staff produce the best bill summary booklet possible. Please answer the following questions. We are very interested in your comments and suggestions - please use the back of this page if you need to!

1. Can you find things easily? ❑Yes ❑No

2. Do the summaries thoroughly explain the bills? ❑Yes ❑No
   If no, what is left out?

3. Should we include more bills even though they might not be as directly related to county government? ❑Yes ❑No

4. Is the index helpful? ❑Yes ❑No

5. Are our bill summaries accurate? ❑Yes ❑No

6. Did you find any specific factual errors in these summaries? ❑Yes ❑No
   If yes, please explain:

7. Do you have any specific suggestions that might help us? ❑Yes ❑No

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