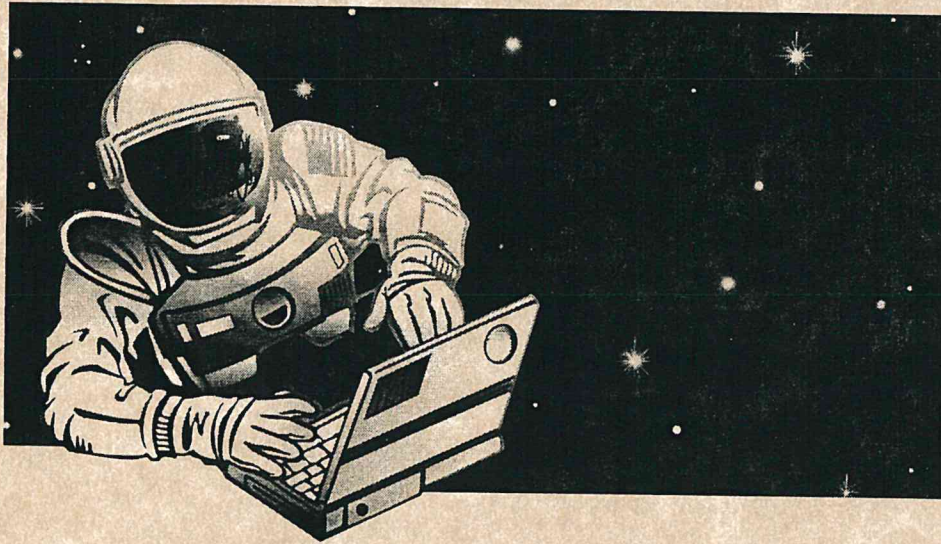


Summary Of Legislation

Passed by
78th General Assembly
Second Session



"Blazing the Trail to Better County Government"

00010





MISSION:

To promote efficient and fiscally sound county government for the people of Iowa through publications, education, advocacy, and other services.

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INTRODUCTION

In 2000, the counties of Iowa participated with the 78th General Assembly in the development of many important public policy decisions. ISAC registered to lobby on 286 pieces of legislation this year. Affiliates of ISAC also requested that "track" another 78 bills without registering to lobby on them. This summary contains 105 bills and resolutions affecting counties that passed the legislative process. In addition, ISAC notified affiliates of 413 bills on an "FYI" status, and registered on or tracked those bills only when requested to do so by the affiliates. Last year, by comparison, ISAC registered on 329 bills and the summary contained 101 items.

Since it has worked so well in the last few years, this summary continues the organizational format by steering committee topics. Our "2000 Policy Statements and Legislative Objectives" book was organized this way, so we thought it would make sense to be consistent. However, we have consolidated all appropriations bills into a new section near the back of the book entitled "Appropriations." This new section contains all of the appropriations bills that include items of interest to counties. Locating all of the appropriations bills in one place will alleviate the confusion caused by having appropriations bills scattered throughout other sections of the book.

Generally, bill summaries should be easy to find, since steering committee subjects are so distinct. For example, a bill dealing with sentencing would be found under "County Corrections and Law Enforcement." However, there are several bills that could logically fit under more than one committee. An example would be HF 2528-Condemenation. The summary for this bill contains policy dealing with the process of condemnation of property. The summary could easily fit under the "County Administration and Organization" or "Transportation" categories, however, since the bill deals primarily with land use, it is found under "Environment and Land Use."

To assist the reader, we have cross-referenced the bills that fit under more than one steering committee. And remember, all appropriations bills are now located in the new section entitled "Appropriations," regardless of the topics contained in them. If you cannot find a bill you are looking for, there are two indices in the back of this book that will help. One is organized by affiliate. For example, if you are a supervisor, you can look under the index for "Supervisors" and find topics with bills affecting your office. A second index lists all bills in numerical order with a short title and page number.

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

As always, this summary is not intended to report on every bill down to the smallest detail. As the name says, it is a "summary." While we strive for completeness and accuracy, time and space restrictions prevent us from including everything we want on a given piece of legislation. If you think a bill has some specific application for your office, please get a copy of the enrolled bill and review it in detail. You can get an enrolled bill by calling the Legislature's Public Information Office at (515) 281-5129, or via the Internet at <http://www.legis.state.ia.us>.

An effective date will appear at the end of each summary only if the effective date is a date other than July 1, 2000. In addition, the title line of each summary will include the initials of the person(s) who summarized the bill. Their initials are:

AB - Anastasia Baker
CP - Cris Plocher
DAW - Deb Westvold
DV - David Vestal
JE - John Easter
KK - Kara Kerr, ISAC Intern

Introduction

RM - Robert Mulqueen

SD - Steve DeVries, Executive Director, Iowa County Engineer's Association Service Bureau

SVK - Susan Vande Kamp, Recorder, Story County

TT - Terry Timmons, Attorney's Office, City of Des Moines

WRP - William Peterson

A note of special thanks goes to Tammy Norman, ISAC administrative secretary, for compiling all of the summaries and developing this book.

In the back of this book, we have listed the affiliate legislative liaisons. These individuals are the primary contact points between the ISAC staff and our affiliates during the session. They play a vital role in gathering and disseminating information, and in strategy development and implementation on issues of interest to counties. Please note these individuals for your affiliate and recognize them for a job well done.

We are pleased to acknowledge the efforts of the 78th Iowa General Assembly for its hard work in developing public policy favorable to counties. We strongly encourage county officials to thank their legislators as appropriate.

We always want to improve this product. After you have read this book, 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

Last summer, the ISAC steering committees met to determine the legislative objectives for our Association. The ISAC Board of Directors reviewed and approved each steering committee report and identified top legislative priorities from those reports. The entire package was then ratified by the full membership at the 1999 Fall School of Instruction.

For 2000, seven ISAC priorities were presented in the theme of "Blazing the Trail to Better County Government." While ISAC experienced many successes in 2000, no one should ever expect a legislative session to go perfectly. The 2000 session was no exception. Some ISAC top priorities were approved by the General Assembly, and others went nowhere.

Tax Limitations - In response to a renewed effort to restore some form of the property tax limitation, ISAC adopted a policy statement emphasizing preservation of home rule and local control over revenue raising ability by counties. Specifically, the policy statement supports the concept of representative government and encourages the preservation of flexibility for elected officials to make policy decisions as they deem necessary and opposes any tax and spending limits, whether statutory or constitutional, or on the state or local level.

The Iowa Farm Bureau Federation, with support from Iowans for Tax Relief, worked with legislators on HSB 666, and the Senate companion, SSB 3037, to impose an inflationary limit on county revenues while lifting the county fund levy rates. Subsequent committee bills were HF 2299, and HF 2544. As the session went on, information was gathered from counties and cities as to the impact the legislation would have if it were enacted. Since the results were so restrictive, legislative support dwindled, and the bills never made it to the floor in either chamber. A strong interest remains among many legislators to continue working on property tax reforms and ISAC is more than willing to utilize the invitation to work on meaningful and positive changes in the system. As a result, the 2000 interim and 2001 legislative session promise to be filled with discussion about property tax reforms. This presents an opportunity for counties.

Another set of proposals for a constitutional tax limitation also failed. Specifically, HJR 2006 and SJR 2006 were constitutional plans designed to require public votes on any state income or sales tax increases. This plan was recommended by **Governor Vilsack** following the defeat in June, 1999 of the constitutional amendments to place tax and spending limits on the state revenues and budgets.

Mental Health Restructuring - Mental health restructuring was identified as one of ISAC's top priorities in response to recommendations from a task force mobilized in 1998 by the Community Services affiliate. This task force identified legal settlement, statewide eligibility standards, expanded federal participation through new services and the development of a core set of services as needed reforms remaining after the passage of Senate File 69 in 1995. The needed reforms were identified through various meetings that considered input from multiple stakeholders. Accordingly, a package recommendation for policy changes pertaining to these issues was laid out in the form of House Concurrent Resolution (HCR) 113.

In order to implement the policy changes, HCR 113 would establish a legislative task force that includes county officials, legislators, providers and consumers to analyze the needed reforms. No floor action was taken during the session and the fate of HCR 113 lies with the Legislative Council. The Council is responsible for deciding the studies that will be funded and the studies that will not be funded. The Council is scheduled to make their decision on June 27, 2000.

Budget Appeal Reform - During the 1999 budget cycle, nine county and three city budgets were appealed. As a result of these hearings, several proposals to improve the system were recommended by ISAC. The proposed recommendations were 1) increase the number of signatures to petition for a hearing to 1% of those voting in the last election with a minimum of 100, 2) limit the petition to specific issues to be challenged, 3) require that budget objections be raised earlier in the budgeting process, and 4) hearings should be conducted in person rather than over the ICN. Because of the debate over the property tax limitation, legislative interest in this proposal was weak at best, and it went nowhere.

State Reimbursement for Prisoners in County Jails - Increasing costs to county property taxpayers for housing state prisoners in county jails is of growing concern to county officials. Property taxpayers in Iowa spend more than \$50 million annually for holding inmates in county jails. One top ISAC priority was to obtain increased funding for holding state prisoners in county jails, halfway houses, and county care facilities. HF 2313 was introduced to design a system for state payment for prisoners held in county jails. The bottom line is that in the 2000 legislative session, HF 2313 did not pass and state funding for this purpose was held status quo because of the lack of new revenues in the state.

Another issue, however, helped to educate legislators about the problem. The Iowa Department of Corrections proposed legislation to require counties to pay for institutional costs of pre-trial detainees held in mental health institutes and state hospital schools. A session-long battle between county officials and state Departments of Corrections and Human Services dominated the debate about system costs. HF 2519 as originally proposed and as passed by the Senate would have exposed counties to these costs. While county officials were successful in defeating this legislation, a growing understanding by lawmakers about the issue as reflected in HF 2313 was attained.

Bottle and Can Redemption - Although the bottle and can redemption law has been in effect in Iowa since 1978, there have been few, if any, amendments to the law since enactment. Some argue that the redemption value going to grocers and other redemption centers, including sheltered workshops, should be increased. It has also been argued that the deposit system should be expanded to juices and bottled iced tea. In 1999 an attempt was organized to not simply amend the existing law, but to scrap it. The industry argument was that making it more attractive to simply put all bottles and cans into curbside recycling efforts would bring more glass and metal into the recycling stream. One of the problems with this argument is that, while local curbside or dumpster recycling efforts are expanding, most of the residents of Iowa do not have services.

ISAC chose to make a priority of not only keeping the current redemption law, but of expanding it to liquid containers not currently redeemable.

During the 2000 legislative session no expansion legislation was approved. However, no measure repealing the "bottle bill" even reached a committee for consideration.

Public Health Nursing Funding - Beginning in 1996, ISAC began making the case to the Legislature that new monies appropriated to the Department of Public Health should include an increase in the funding of core functions at the local level. This, specifically, would be intended for public health nursing and for county run home health care programs. This item in the Department of Public Health's budget had not increased since 1990. Because of increased demand for public health nursing functions, including home health care, property tax dollars were, by the mid-1990s, tipping the scales as the largest source of public nursing funding.

Although small increases in that part of the Department's appropriation which made grants to county boards of health for these functions were achieved in 1997 and 1999, our goal was at least a yearly increase of \$1.5 million. Though this kind of increase was not feasible in this year's regular Department of Public Health budget, the opportunity for a sizeable increase presented itself in this year's debate on Iowa's share of the national tobacco settlement.

Major differences arose between the Department of Public Health's intention to earmark \$1.5 million of the tobacco settlement money for local public health core functions and the legislative leadership's announcement of a smaller amount. But negotiations not only resulted in the decision to devote all of the tobacco settlement funding to health programs, but in devoting that \$1.5 million to that part of the Public Health budget which goes to local public health agencies. The work of many public health nurses, members of county health boards and county supervisors made the case for more state funding succeeded this year.

Iowa Public Employee Retirement System - The IPERS Constituent Group represents a broad range of IPERS participants. The Group made a number of recommendations regarding benefit changes that were adopted by the County Administration and Organization Steering Committee and accepted by ISAC members as a top priority for 2000. Following are the changes that were ISAC priorities and approved in SF 2411:

- ❖ Enhanced disability benefits for special service members (e.g., sheriffs, deputy sheriffs, etc.) that include the presumption of heart and lung disease as a result of employment.
- ❖ Providing a four-year phase-in that reduces the number of years of service in the protection occupations from 25 to 22 years for receiving full retirement benefits.
- ❖ Modifying the dividend calculation to use 100% of the Consumer Price Index instead of 80% (the maximum increase remains at 3%).
- ❖ Enhancing the death benefit for IPERS members who die before they retire so that the death benefit is increased for beneficiaries. Raising the ceiling for higher paid employees who are subject to a reduction in the three-year average wage. The reduction is phased out and is eliminated in calendar year 2002.

The changes proposed but not adopted were the Rule of 85, fixed rate contribution for Public Safety members, and placing a ceiling on the FED (favorable experience dividend). An IPERS bill is traditionally proposed every two years, further changes will be delayed until the 2002 legislative session.

AGRICULTURE AND RURAL AFFAIRS

Note: No legislation passed pertaining to this steering committee.

**SF 2430 - Departments of Agriculture and Land Stewardship and
Natural Resources Appropriations - See Appropriations**

COUNTY ADMINISTRATION AND ORGANIZATION

SF 428 - Rent Control Ordinances

County Attorneys, Supervisors

KK

This bill amends Iowa Code section 331.304 by adding a new subsection which prohibits counties from limiting the amount of rent to be charged for leasing private residential or commercial property. This does not prohibit counties from managing residential property in which the county has an interest. Section 364.3 is amended in the same fashion for cities.

SF 2047 - Powers and Duties of County Officers Regarding County Warrants - See Taxation and Finance.

SF 2061 - Registration and Licensing Duties of County Recorder

Recorders

RM

Section one of the act amends Iowa Code chapter 321G by striking language which provides that if a snowmobile or all terrain vehicle is stored by the transferor, the transferor must provide the transferee with an affidavit filed with the Recorder at the time of delivery.

Section two amends Iowa Code chapter Ch462A by striking the specific reference to a boat registration writing fee of \$1.00. This is replaced with reference to a writing fee "specified in section 462A.53."

Section three amends Iowa Code chapter 483A by striking the county recorder from those entities which shall issue fishing and hunting licenses, including the Department of Natural Resources and license depositories. Newly included within Iowa Code section 483A.10 is the following: "A county recorder may issue licenses subject to the rules of the department."

SF 2091 - Discontinuance of a City

Auditors, Supervisors

KK

Iowa Code section 368.3 is amended by adding a requirement that a city council must adopt a resolution of intent when discontinuing a city. Following this adoption, 10 days notice will be given of a public hearing. At the hearing, the council will receive oral and written statements pertaining to the proposal. A petition may be filed to pose the question to the registered voters of the city. The county commissioner of elections will then hold a special election. The result of the election will be sent to the city development board. If approved, that Board will take control of the property of the previous city and supervise the necessary functions of the discontinuance.

SF 2092 - Veterans Preference

All County Officials

DV

This is the Code Editor's bill, which contains statutory corrections.

When the definition of "veteran" in Iowa Code chapter 35 was broadened by the Legislature in 1999, they neglected to delete the older, narrower definition of veteran contained in Iowa Code chapter 35C, regarding the veterans preference. So the two statutes conflicted, and no one knew for sure when they were deciding if someone qualified for the veterans preference whether they should look to the old, narrower definition of veteran, or the new, broader definition. Section eight of this bill strikes the old, narrow definition in 35C, and clarifies that the only definition of veteran is the new, broader one in Iowa Code chapter 35.

Section 29 of the bill amends Iowa Code section 427A.12 regarding the personal property replacement tax base. Previously, the statute said that adjustments in the base due to mergers, annexations and other changes in taxing districts or their boundaries were to be made by the Department of Management. Now the statute will provide that those changes are to be made by the Department of Revenue and Finance.

Effective Date: Upon Enactment

SF 2126 - Contraceptive Drugs, Devices, and Services

WRP

All County Officials

This bill creates a new Iowa Code section 514C.19. It requires that an individual or group policy or contract providing for third-party payment or prepayment of health or medical expenses shall not exclude or restrict benefits for prescription contraceptive drugs or prescription contraceptive devices, if the contract provides benefits for other outpatient drugs or devices. In addition, it can not exclude or restrict benefits for outpatient contraceptive services if the policy provides benefits for other outpatient services provided by a health care professional.

These provisions are required to be included in contracts that effective on or after July 1, 2000. They do apply to public bodies providing insurance under Chapter 509A.

SF 2241 - Liquor Licenses

DV

Auditors, Supervisors

This bill involves two completely separate issues of interest to counties: liquor licenses and elections.

Sections one through three of the bill amend Iowa Code chapter 123 concerning liquor licenses to toughen the laws regarding bouncers at bars, known in this bill as "designated security employees."

The bill allows counties to require that, as a condition of obtaining a liquor license, all bouncers be trained and certified in security methods. In addition, counties are allowed to require a statement from a bar indicating whether all bouncers have received training and certification.

Section 12 addresses bribery of election officials. It has always been a crime to bribe a voter. This amendment expands that, and makes it an aggravated misdemeanor to bribe, or attempt to bribe, "any precinct election official authorized by law," or "any executive officer" in relation to an election.

SF 2245 - Scheduled Fines and Lost Property - See County Corrections and Law Enforcement.

SF 2253 - Property Records

CP

Assessors, Auditors, Recorders, Treasurers

This legislation relates to certain county officers' duties relating to property transfer instruments, records of fees paid to a county, notice of certification of utility liens, and notice of mobile homes departing and entering mobile home parks.

Iowa Code section 321.45(4), is amended to add language that allows a mobile home dealer additional time to apply and obtain from the county treasurer a new certificate of title after purchasing a used mobile home or manufactured house, in the event that there is a prior lien or encumbrance to be released. In this case, the thirty-day time period to apply for certificate of title does not begin to run until the lien or encumbrance is released.

Iowa Code section 331.602(1), is amended to exempt certain instruments conveying interest in real property that involve a mortgage, mortgage release, or an assignment, from the requirement to contain the "address tax statement" which is filled out with name and mailing address. The recorder can choose otherwise to authorize.

Iowa Code section 331.902(2), is amended to change the length of time required to retain records of fees and charges collected to a three year time period, instead of permanent retention.

Iowa Code section 384.84(3), is amended to 30 days notice in advance to the account holder of a delinquent account before a lien for a city utility or enterprise service is certified to the treasurer for collection.

Iowa Code section 435.24(3), is amended to give more specific directions to mobile home park owners or managers with regard to providing an annual report to the county treasurer due by June 1 (delinquent June 30) of the homes sited in the mobile home park and listing the owner and mailing addresses of each home in the mobile home park. In addition, the owner or manager shall report any changes of homes or owners in the mobile home park, due by December 1.

Iowa Code section 448.1 is amended to provide an additional procedure for the payment of the appropriate deed and recording fees by the purchaser of the parcel sold at tax sale that is unredeemed. The treasurer shall record the deed with the recorder prior to delivering the deed to the purchaser.

SF 2302 - Public Health Programs and Issues - See Health and Human Services

SF 2303 - Civil Service Commission and Mental Health Advocate Study

AB

Community Services, County Attorneys, Sheriffs, Supervisors

Section two amends Iowa Code section 331.754 by allowing the board of supervisors to appoint an attorney to act as county attorney in case of absence, sickness or disability of the county attorney and the assistant county attorneys.

Section three amends Iowa Code section 341A.2 by allowing two members of the civil service commission to be appointed by the board of supervisors. One of the members appointed by the board of supervisors shall serve for a period of two years while the other member shall serve for a period of six years and the board shall specify the term of each member appointed. This legislation eliminates the one member appointment by the district court judge.

Section four amends Iowa Code section 341A.3 by eliminating the district court judges from the joint meeting to appoint commissioners to a combined civil service commission.

Section 19 authorizes the general assembly to establish a legislative interim study committee to review issues relating to the statutory requirements for appointing and compensating mental health advocates appointed pursuant to Iowa Code section 229.19. Findings and recommendations are to be issued to the General Assembly by January 1, 2001.

SF 2395 - Information Technology Department

WRP

All County Officials

SF 2395 creates the Department of Information Technology (DIT) as a principal department. The bill shifts various responsibilities relating to technology from other state departments to the DIT. The legislation creates within the DIT a planning division, an operations division, a consumer liaison division and an administrative division. Also established is the Digital Government Bureau that is responsible for initiating and supporting the

development of electronic commerce, electronic government, and internet applications across participating agencies and in cooperation with other governmental entities.

An Information Technology Council is created to oversee the DIT. This 17-member council is charged with the proper administration of the Department and overseeing the technology activities of participating agencies. The Council is also required to develop standards for consideration with respect to the procurement of information technology by all participating agencies.

The bill requires state agencies to begin maintaining electronic records after July 2001 and that DIT maintain those records on the Internet.

SF 2395 also establishes an lowAccess advisory council for the purpose of creating and providing a service to the citizens of this state that is the gateway for one-stop electronic access to government information and transactions, whether federal, state, or local. The bill provides for the initial appointment of the lowAccess advisory council. One member of the advisory council to be appointed by the governor shall be a county official actively engaged in the administration of a county.

Effective Date: April 25, 2000.

SF 2411 - IPERS
All County Officials

WRP

SF 2411 makes technical and substantive changes to the four state retirement systems. They are the Public Safety Peace Officers' Retirement, Accident, and Disability System (POR); the Iowa Public Employees' Retirement System (IPERS); the Statewide Fire and Police Retirement System (411s); and the Judicial Retirement System. This summary will deal with changes only to IPERS.

SF 2411 makes numerous technical and procedural changes to IPERS. Some of the technical and procedural changes include: employment as elected officials; definitions of temporary employment; changes in the definition of three-year average covered wages to be based on quarters instead of years; refinement of what is included as wages; allowing IPERS staff to seek and hold non-partisan elected offices; late fees for unpaid contributions; wage reporting; spouse's approval of changes in beneficiaries; increasing the threshold for re-employment from \$12,000 to \$14,000; adding airport security guards to protection occupations; modifying the dividend calculation to use 100% of the Consumer Price Index instead of 80% (the maximum increase remains at 3% and must be actuarially affordable); shortens the eligibility period for retroactive adjustment payments to disability retirees to 36 months (previously back to July 1, 1990); bona fide retirement clarification; direct rollovers for purchase of service credit; buy back years of service for person on Social Security or Railway Retirement Act disability; and a study of options to increase pension portability.

The significant changes are listed below:

- ❖ Raising the ceiling for higher paid employees to which the reduction formula for three-year average covered wage is applied from \$55,000 in calendar year 2000 to \$65,000 and in calendar year 2001 to \$75,000. The reduction is removed beginning in calendar 2002, and all persons retiring after that date will have an unreduced three-year average covered wage.
- ❖ Using the Rule of 88 to determine a normal retirement date for calculation on an early retirement reduction. This change will be implemented when the System can afford the change.
- ❖ Enhancing the death benefit for IPERS members who die before retirement so that the beneficiary can elect to receive the current death benefit or an amount equal to the actuarial value of the member's retirement benefit as of the date of death. The death benefit may be paid as an annuity if there is one recipient. This provision applies to members who die after January 1, 2001.
- ❖ Enhancing disability benefits for special service members that include the presumption that heart and lung disease is a result of employment. The cost of the benefit is to be paid with increased employer (60% of the cost) and employee (40% of the cost) contributions.

- ❖ Creation of a Line of Duty Death Benefit which pays \$100,000 to beneficiaries or the estate of a member who is killed or dies of traumatic injuries in the line of duty.
- ❖ Providing for a four-year phase-in that reduces the number of years of service in a protection occupation from 25 years to 22 years for full retirement benefits and increasing the credit for each individual year of service, up to eight years of additional credit, from 1% to 1.5%.
- ❖ Providing for the purchase of up to five years of credit for volunteer public service or other public employment that could have been covered by IPERS but was not. The member pays the actuarial cost of the service credit.
- ❖ Allowing patient advocates who become covered by IPERS with at least one year of service to purchase membership service prior to July 1, 2000. They can purchase credit in excess of one year of service, by paying the employer and the employee contributions, without interest, on the covered wages that would have been reported to IPERS for the applicable period of service. After July 1, 2002, these members will pay the actuarial cost of purchasing the years of service credit.

SF 2427 - Factory Built Structures**RM**

Assessors

This act amends Iowa Code chapter 103A.

Section one - changes the definition of a "factory-built structure"(in Iowa Code section 103A.3) to include the terms "manufactured home" and "modular home" to the existing term already used in the chapter, "mobile home".

Section three – Iowa Code section 103A.9 states that all factory-built structures must be installed according to locally instituted building codes or according to the state building code. Iowa Code section 103A.9 had said that governmental subdivisions (including counties) cannot require that a factory-built structure manufactured according to federal standards be renovated according to local or state building codes when that structure is being moved within the state unless "required renovation is in conformity with those specifications for the factory-built structure which existed when it was manufactured." This section strikes "within the state" from that provision. It also strikes those words from the existing provision in Iowa Code section 103A.9 for moving such a structure which is not in compliance with federal standards. (This current provision says that these structures do not have to conform to the building code when they are being moved unless they are being rented for occupancy or has been declared a public nuisance.)

SF 2428 - Department of Economic Development and Workforce Development Appropriations - See Appropriations.**SF 2433 - Government Technology (ICN Appropriations) - See Appropriations.****HF 754 - Mandated Coverage for Certain Dental Treatments****WRP**

Auditors, Supervisors

This legislation mandates coverage for anesthesia and certain hospital charges for dental services for children under five years of age who are developmentally disabled and other individuals for whom treatment in a dentist office may pose significant risk because of associated medical conditions. An insurance plan may require prior authorization of hospitalization or ambulatory surgical center for the dental care if it is required of other coverage under the contract of benefits. This applies to plans established under Iowa Code chapter 509A for public employees.

HF 2008 – Hunting and fishing Licenses.

RM

Recorders

This bill amends Iowa Code chapter 483A by defining a member of the U.S. armed forces as someone serving on active duty and who claims Iowa residency and who has filed a state income tax return for the preceding tax year.

This act further amends Iowa Code chapter 483A by stating that active duty armed forces personnel shall not be required to have a fishing or hunting license. Such a person must carry their leave papers and a copy of an earnings statement showing a deduction for Iowa income taxes while fishing or hunting. In lieu of this, a member of the U.S. armed forces may claim residency if they are registered to vote in this state.

HF 2105 - Nurse Licensure Compact

RM

Public Health Nurses

Sections one through three of this act amend Iowa Code chapter 147 by stating who may and may not be recognized to practice nursing in Iowa.

Sections four through nine amend Iowa Code chapter 152 by setting forth the terms of nurse licensure in Iowa with regard to reciprocity, procedural protections, purposes, definitions, jurisdiction, applications for licensure, adverse actions, additional authorities invested in party state nurse licensing boards, the coordinated licensure information system, compact administration, immunity, entry into force and withdrawal, construction and severability, and the compact administrator.

Sections 10 through 13 amend Iowa Code chapter 272 with reference to revocation or suspension of nursing licenses.

HF 2136 - Election Tally List

DV

Auditors, Treasurers

This 30-page omnibus bill containing non-substantive Code corrections includes several corrections of interest to county officials.

Section eight amends the text of the election board tally list required in Iowa Code section 50.16 to clarify where the candidates' names, the election board members' names, and the tally keepers' names are to be placed on the tally list.

Section nine amends Iowa Code section 50.29 regarding the certificate of election given to successful candidates. The amendment clarifies where the candidate's name is to be placed on the certificate.

Section 41 makes technical corrective changes to the tax deed described in Iowa Code section 448.2.

HF 2169 - Appointment of Emergency Management Coordinators

KK

Emergency Management Directors, Supervisors

This bill amends section 331.321 in the Iowa Code by altering the responsibility of appointing the emergency management coordinator from the board of supervisors to the local or joint emergency management commission. By doing this, section 331.321 of the Iowa Code now reflects the changes made in 1992 to section 29C.10

HF 2205 - Electronic Commerce

RM

Assessors, Auditors, Records, Treasurers

This act creates Iowa Code chapter 554D: the Uniform Electronic Transactions Act. It states that the intent of the act is to "facilitate electronic communications by means of reliable electronic records," to promote electronic commerce, to facilitate the electronic filing of documents with state and local government agencies and "promote efficient delivery of government services by means of reliable electronic records," to minimize forged electronic records, and to promote public confidence in such commerce.

County officials are encouraged to study this entire new chapter of the Iowa Code. Of particular interest to county officials are the following provisions :

Section four - This act applies to electronic records and electronic signatures relating to a transaction. This act, however, does not apply to a record of a consumer transaction "that serves as a unique and transferable physical expression of rights and obligations including, without limitation, negotiable instruments and other instruments of title where possession of the instrument is deemed to confer title."

Section five - This new Iowa Code chapter applies to electronic records and signatures "created, generated, sent, communicated, received, or stored" on or after this measure becomes effective.

Section six - This act does not require that a record or a signature be "created, generated, sent, communicated, received, stored, or otherwise processed" electronically. It states that this law applies only to transactions in which the parties have agreed to conduct by electronic means. A party which agrees to conduct such an electronic transaction may refuse to conduct other transactions by electronic means.

Section eight – This section deals with the legal recognition of electronic records, signatures, and contracts. This section states that a record or signature "shall not be denied legal effect or enforceability" only because it is in electronic form. If current law requires that a record be in writing, an electronic record will satisfy the law. The same applies to a signature.

Section nine - An electronic record that grants legal or equitable interest in real property, "including a deed, mortgage, deed of trust, pledge, security interest, or other lien or encumbrance, and any disclosure required under Iowa Code chapter 558A" shall be created using security procedures and use of a digital signature. Such a record shall not be recorded or have effect against third parties until a "duplicate paper original of the electronic record is executed in writing by the parties, acknowledged, and recorded." The burden of proof that both the paper and the electronic record are identical is on the party who submits the duplicate paper original.

Section 10 - Records must be formatted in a manner in keeping with other law. If the sender of such information inhibits the ability of a recipient to store or print this record , the record is not legally enforceable.

Section 13 - If there is a requirement that a signature or record is to be "notarized, acknowledged, verified, or made under oath," that requirement is satisfied if the electronic signature of the person authorized to perform these actions is attached to the signature or record.

Section 14 - Any requirement of retaining a record is satisfied by electronic means if that electronic document accurately reflects the information "after it was first generated in its final form" and if it is accessible for reference. This does not preclude a governmental agency (including a county) from making additional requirements for retaining records in their jurisdiction.

Section 17 – This section defines the sending and receiving of electronic records.

Section 18 – This section defines "transferable records."

Section 19 - A governmental agency shall have it in their power as to whether they will create electronic records and whether to convert paper to electronic records.

Section 20 - Except as otherwise provided in section 14, governmental agencies other than state agencies have the authority to determine whether or not, and to what extent, they will send or accept electronic records or signatures. The Secretary of State and the Department of Information Technology, in consultation with the Attorney General, may write administrative rules dealing with 1) the manner and format of electronic records, 2) the type, manner and format of electronic signatures, and 3) procedures for "preservation, disposition, integrity, security, confidentiality, and auditability" of such records. Except as noted in section 14, this law does not require a governmental agency to use or permit the use of electronic records or signatures.

Sections 22 and 23 – The use of electronic records or signatures for fraudulent or other unlawful purposes or the misrepresentation to obtain use of a "private key" for using an electronic signature is a serious misdemeanor. A second conviction would be a class "D" felony.

Section 26 - Any public body authorized to issue bonds may receive bids in an electronic means, such as the Internet, wireless communication, or fax. Electronic bids must be in keeping with the requirements of Iowa Code chapter 554D. Such a public body must determine the appropriate procedures for security and the integrity of the competitive bidding process.

Section 27 - An advisory committee is created to study issues relating to electronic filing, recording, and indexing of legal instruments dealing with real property. This committee shall include representatives of the Iowa County Recorders Association, the Iowa State Bar Association, the Iowa State Association of Counties, Iowa Title Guaranty, the Iowa Land Title Association, the Iowa Bankers Association, the Iowa Independent Bankers Association, the Iowa Association of Realtors, the Iowa Mortgage Bankers Association, and the Attorney General. This committee shall give a written report to the General Assembly by January 20, 2001. There should be a recommendation for a pilot program for electronic land transfers. The advisory committee shall report to the legislature at the end of the pilot program.

HF 2206 - Administrative Rule Waivers

DV

All County Officials

This bill establishes a procedure whereby any person, including any county, can petition a state agency for a waiver or variance from the requirements of any administrative rule. This only applies if the agency has established a waiver procedure.

An agency can grant a waiver if it finds "clear and convincing evidence" that 1)the enforcement of the rule would pose an undue hardship; 2)the waiver would not prejudice the substantial legal rights of any person; and 3)the rule is not specifically mandated by statute.

The burden of persuasion rests with those seeking the waiver. A waiver is temporary, but can be renewed if circumstances warrant. Requests for waivers shall be available for public inspection. Semi-annually, each state agency which has granted waivers shall report to the Administrative Rules Review Committee.

HF 2220 - Confidentiality of Internet Protocol Numbers

KK

County Attorneys, Recorders

This bill authorizes an individual to request, through the IowaAccess network or to a lawful custodian, a governmental body to keep their Internet protocol number confidential. Only through the person's written consent may the number be released.

HF 2239 - Limited Partnerships

Recorders

SVK

Under Iowa Code section 487.1301, a limited partnership may become a limited liability limited partnership upon a vote of the partners. The name of a limited liability partnership must end with "Registered Limited Liability Limited Partnership," "Limited Liability Limited Partnership," "R.L.L.L.P.," "L.L.L.P.," "RLLLP," or "LLLLP." Fees for both domestic and foreign applications, amendments, and cancellations are shown in Iowa Code section 487.109(1).

Effective Date: January 1, 2001**HF 2254 - Older Claims to Real Estate**

Recorders

WRP

This bill amends two Code sections relating to certain older claims to real estate. The first amendment adds Code section 614.17A to a list of related Code sections in Code section 614.19, which together address the handling of certain old claims to real estate. The amendment negates the applicability of the special statute of limitations involving actions by minors and person with mental illness. The second amendment makes certain language consistent in the two subsections of Code section 614.22 which addresses actions relating to ancient deeds and the possession of those claiming title under the deeds.

HF 2315 - Payment of Health Insurance Coverage for Retired City Employees.

Auditors, Supervisors

WRP

This legislation allows cities to provide health insurance or supplemental health coverage to retired city employees. The city is allowed to establish the rules and restrictions for participation. The city can pay the expense of such coverage from the trust and agency fund.

HF 2330 - Directional Signs at Polling Places

Auditors

RM

This act amends Iowa Code chapter 49 by stating that the county election commissioner, on election day, shall post a sign indicating the voting place at the entrance to each driveway leading to the building holding the polling place. Such a sign must be visible from the street or highway in front of the driveway but shall not "encroach" upon the street or highway.

HF 2376 - Veterans Preference in Public Employment

All County Officials

WRP

The legislation abolishes the requirement that a public employer notify an unsuccessful veteran applicant within 10 days of the refusal of employment and the requirement to list the reasons for refusal. The bill does provide that at the time of application, the applicant may request notification of refusal only or notification of refusal and the specific grounds for refusal. The notification must be sent within 10 days of the successful applicant being hired.

HF 2429 - Publication Rates

CP

All County Officials

This legislation amends many Iowa Code chapters that include the terms "list", "book", "record", or "schedule" kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer in order to include the definition of county system as defined in Iowa Code section 445.1. County system means a method of data storage and retrieval as approved by the Auditor of State. The Code Editor is directed to add this definition to the definition section of each chapter listed.

Iowa Code section 618.11 is amended to facilitate and automate the procedure for setting the fees for publication in a newspaper of any notice, order, citation, or other publication required or allowed by law. The publication fee shall be at a rate of 34 cents for one insertion and 23 cents for each subsequent insertion for each line of eight-point type two inches in length, or its equivalent. Beginning June 1, 2001, and each June 1 thereafter, the state printing administrator shall calculate a new rate for the following fiscal year as prescribed in this section and shall publish this rate as a notice in the Iowa Administrative Bulletin prior to the first day of the following calendar month. The new rate shall be effective on the first day of the calendar month following its publication. The rate shall be calculated by applying to the existing rate, the percentage change in the consumer price index for all urban consumers for the last available 12-month period published in the Federal Register by the federal Department of Labor, Bureau of Labor Statistics, reported as an increase or decrease in the rate.

HF 2431 - Lobbyist Forms

DV

All County Officials

Section one addresses an oversight regarding ethics complaints. Previously, the ethics statute said all complaints were to be filed with the county attorney in the county where the accused resides, but did not address situations where the complaint concerned the county attorney. This amendment clarifies that if the ethics complaint is against county attorney, or if the county attorney otherwise has a personal or legal conflict of interest, the complaint shall be "referred to another county attorney."

Section two clarifies that enforcement actions by the Iowa Ethics and Campaign Disclosure Board are to be filed in Polk County District Court.

Section three addresses lobbyist forms. On January 31 and July 31 of each year, any client with a lobbyist has to file a report concerning compensation paid to the lobbyist during the preceding six months. There was an exception to the filing requirement where no payments were made to the lobbyist. That exception has now been removed, so now the forms have to be filed whether the lobbyist is paid or not.

HF 2470 - Indigent Defense Costs

DV

Auditors, Supervisors

This bill relates to the payment of indigent defense costs related to juveniles. These costs statewide amount to about \$1.1 million annually.

Under the current law, the state gets the attorney bills for court-appointed attorneys in juvenile proceedings and sends the bills to the clerk of court, who in turn gives them to the auditor for payment. The county pays the attorney bills up until the county reaches its base amount, which is determined by a formula tied to a 1987 baseline adjusted for inflation. After the county reaches its base, the state pays any additional costs. HF 2470 attempts to simplify the payment process. Instead of having the county receiving bills from multiple lawyers, the state will pay the bills itself and then send one bill to the county each month. The county will only receive monthly bills until it reaches its base. After that, the state will pay the bills. According to the State Public Defender's Office, HF 2470 was intended to be revenue neutral.

HF 2486 – Residency for Fishing and Hunting Licenses

KK

Recorders

Iowa Code section 481A.76 is amended by striking the prohibition of taking fish by hand. However, the Natural Resources Commission is allowed to regulate the places, the time, and the type of fish to be taken by hand, spearing, snagging, and by bow and arrow.

Iowa Code section 481A.123 is amended to allow a person, within city limits, to take a deer within 50 yards of an inhabited building when approved by the owner and when an approved deer population control plan is in effect.

Iowa Code section 483A.1A is amended to define residency of Iowa for purposes of hunting and fishing. To be considered a resident a person must be issued an Iowa driver's license, or non-operator's card. The person must also reside in Iowa 30 days before applying for a resident license. Person who claim residency in any other state or country are to be denied a resident license.

Iowa Code section 724.1 is amended by allowing deer hunters the ability to use a mechanical device that silences the sound of a gun. This is permissible only if the person possesses a federal permit for such a device and when the city issues a deer population control plan.

HF 2531 - Emergency Medical Services/Disposition of Lost Property

RM

Sheriffs, Supervisors

This act amends Iowa Code section 135.25 by stating that money allocated by the Department of Public Health to a county for emergency medical services may be used to pay for equipment or training and education to be determined by the board of supervisors.

Sections two and three of this legislation amend Iowa Code chapter 556F by changing the procedures for handling lost property. Such property will be turned in to the county sheriff or to the chief of police in a city. The Iowa Code previously provided that such property would be turned in to the county auditor. The finder is to fill out an affidavit, as with the current law. That affidavit is to be turned in to the county auditor by the law enforcement official to which the lost property was given by the finder. Notice of finding such lost property should be posted on the door of the courthouse, as has been the case, and, in addition, at the city hall or police station if the property was found within a city. Notice must also be posted in one (rather than three) other public places in the county. If the property's value exceeds \$40, rather than the previous \$10, notice should be published once each week for three consecutive weeks in a newspaper of general circulation

COUNTY CORRECTIONS AND LAW ENFORCEMENT**SF 2015 - Sexual Predators**

County Attorneys, Sheriffs

DV

Iowa Code chapter 901A, pertaining to sexual predators, contains enhanced criminal penalties for those with prior convictions. In response to an Iowa Supreme Court decision, this bill clarifies that those prior convictions include any prior convictions, regardless of whether the prior conviction occurred before the sexual predator law was created.

SF 2031 - Sex Offender Registry

Sheriffs

DV

Section one amends Iowa Code section 692A.3 to shorten many of the sex offender registry deadlines. For instance, it provides that after establishing residence in the state a person has five days to register with the sheriff. It had been 10 days. Also, a person now has five days to notify the sheriff of a change of residence within a county. A person now has five days to notify the sheriff where the person is currently registered that he has moved out of county or out of the state.

Section three provides that a person required to register who knowingly violates any registration requirements commits an aggravated misdemeanor. The prior law had been interpreted as only applying to the failure to register initially. This amendment clarifies that the law applies to the failure to supply updated information as well.

Effective Date: Section 3 is effective upon enactment.

SF 2156 - Blue Lights on Authorized Emergency Vehicles

County Attorneys, Sheriffs

KK

This bill expands the use of blue lights to other emergency vehicles besides a fire department vehicle. Other than vehicles owned by the fire department, drivers are to further recognize red and blue lights as an authorized emergency vehicle, when the blue light is above the passenger side and is used with the red light above the driver's side of the vehicle. This bill prohibits persons from using blue lights on unauthorized vehicles.

SF 2215 - Deputy Sheriffs' Leave

Auditors, Sheriffs

DV

This bill amends Iowa Code section 341A.18 to allow a civil service officer or deputy sheriff to be a candidate for a paid, partisan office without taking a 30-day leave of absence unless a leave of absence is requested by the candidate. The law regarding leaves of absence no longer depends on whether candidate is running unopposed. There is some debate about whether the wording of the amendment means that the sheriff can require that the candidate take a leave of absence. The majority view is that this is not allowed under the amendment, and the decision is strictly up to the deputy. An Attorney General's opinion has been requested. This amendment continues to allow the use of paid vacation time to take a leave of absence under this section.

Effective Date: Upon Enactment

SF 2221 - Prosecution of Juveniles

AB

County Attorneys

This legislation amends Iowa Code chapter 232 by allowing the court to suspend a sentence of a child who pleads or is found guilty of a public offense other than a class "A" felony. Further, a child who receives a deferred judgement shall be discharged without entry of judgment upon fulfillment of the conditions of probation. In addition, this legislation allows dispositional orders entered prior to the child attaining the age of 17 (decreased from 17 years and 6 months) to automatically terminate when the child becomes 18 years of age. Dispositional orders entered after the child turns 17 years of age and prior to turning 18 years of age will automatically terminate 1 year and 6 months after the date of disposition. A child committed to a training school subsequent to turning 17 years of age (decreased from 17 years and 6 months) and prior to turning 18 years of age may be held at the school beyond the child's eighteenth birthday. However, the child cannot be held for more than 1 year and 6 months after the date of disposition.

SF 2245 - Scheduled Fines and Lost Property

DV

Sheriffs, Supervisors

This diverse bill has two operations of interest to counties.

Section one amends Iowa Code section 80.39 regarding lost property. The provisions of the law remain intact, except that the law now applies to local law enforcement agencies as well as the Department of Public Safety. If a sheriff's department comes into the possession of lost property, and the owner can be determined, the sheriff's department is required to notify the owner by certified mail. If the owner cannot be determined, then notice is supposed to be published in a general circulation newspaper.

Lost property can be returned if the owner appears, provides proper documentation and demonstrates ownership to the satisfaction of the sheriff's department.

If no owner comes forward, 90 days after the public notice is published the sheriff's department can dispose of the property by retaining it, giving it to another agency of government, giving it to charity, destroying it, or selling it at public auction. If it is sold, the proceeds go to the rural services fund.

If a county were to get sued over how it disposed of the lost property, good faith compliance with these provisions is a defense to any claim regarding the disposition of the property.

Section 18 amends Iowa Code section 331.302(4A) regarding a county adopting a portion of the Iowa Code by reference as a county ordinance. Previously, a county could only do so if the criminal penalty provided by the law did not exceed 30 days in jail or a \$200 fine. When simple misdemeanors were raised last year to a \$500 fine, this essentially invalidated Iowa Code section 331.302(4A). Now this amendment allows counties to adopt portions of the Iowa Code if the penalty provided by law does not exceed 30 days in jail and a \$500 fine. This means that counties can once again incorporate portions of the Iowa Code.

SF 2303 - Composition of Civil Service Commission and Mental Health Advocate Study - See County Administration and Organization.

SF 2324 - DNA Profiling

DV

Sheriffs

Up until now, under Iowa Code section 13.10, the only offenders required to submit to DNA profiling were those seeking probation, parole or work release. This bill extends the use of DNA profiling to include offenders upon confinement in or prior to release from a county jail, as well as those committed to the custody of the Department of Corrections.

The Attorney General shall adopt rules for the purpose of determining which offenders shall be required to submit a physical specimen. The bill lists the offenses that require the offender to submit a specimen, including murder, sexual abuse and first-degree burglary.

The Division of Criminal Investigation (DCI) shall carry out the DNA profiling of submitted physical specimens.

HF 723 - Animal Cruelty

JE

County Attorneys, Community Services, Sheriffs, Supervisors

This legislation creates a new crime of "animal torture" in Iowa Code chapter 717B. It involves the infliction of severe physical pain with a depraved or sadistic intent to cause prolonged suffering or death to an animal or livestock. Exceptions for certain actions are provided. Upon conviction, the court order shall include psychological evaluation to be paid for by the person who committed the crime. Juvenile courts shall have jurisdiction over persons under the age of 17.

HF 2172 - Polygraph Examinations

DV

Sheriffs

This amendment was an ISAC legislative objective. Iowa Code chapter 730 has always limited the list of prospective employees that can be required to submit to a polygraph examination. Those seeking jobs as peace officers and corrections officers have always been on the list. The bill amends that list to include applicants for jobs in the sheriff's office "when the applicant is being considered for a position in which the employee...has direct access to prisoner funds, any other cash assets, and confidential information."

HF 2253 - Escaped Prisoners

DV

Sheriffs

This bill amends the law regarding prisoners escaping from custody. The need for the bill arises with more prisoners being held out-of-state, and more prisoners being held in private facilities.

The bill clarifies that the crimes of escape from custody and attempted escape from custody apply regardless of whether the prisoner is in the custody of a public employee or not.

The bill also clarifies that someone can be charged with escape under Iowa law even if they escape from an out-of-state facility.

HF 2331 - Drunk Boating

DV

Conservation Directors, Sheriffs, Supervisors

With this bill, which has been proposed for years, Iowa joins 49 other states in outlawing drunk boating.

This is a very detailed, 26-page bill. In essence, it takes Iowa's drunk driving law and applies it to boats.

Section two provides that a person commits the offense of operating a motorboat or sailboat while intoxicated if the person operates a motorboat or sailboat on the navigable waters of this state in any of the following conditions: a)while under the influence of drugs or alcohol; b)while having an alcohol content of .10 or more; or c)while any amount of controlled substance is present in the person.

The penalty for first offense drunk boating is 48 hours in jail, a \$1,000 fine, prohibition on operating a boat for one year, and assignment to substance abuse evaluation and treatment.

Section three provides that a person who operates a boat under circumstances that give reasonable grounds to believe that the person is intoxicated is deemed to have given consent to drug and alcohol testing.

HF 2502 - Uniform Patrol Funding - See Taxation and Finance.

HF 2552 - Justice System Appropriations - See Appropriations

ENVIRONMENT AND LAND USE

SF 466 - Agri-Chemical Site Remediation

Environmental Health Directors, Supervisors

RM

This act establishes a mechanism and the necessary funding, in new Iowa Code chapter 161, for the cleanup of sites contaminated by fertilizers and pesticides.

The measure includes:

Section three, establishes the Agri-chemical Remediation Board under the auspices of the Department of Agriculture and Land Stewardship (DALs). The Board's seven members must include the Secretary of Agriculture or her designee, the director of the Department of Natural Resources or his designee, one representative of each of the following: agricultural chemical retailers, farmers, agri-chemical distributors, fertilizer manufacturers and distributors, and registered pesticide manufactures or distributors.

Section five, sets forth the powers and duties of the Board, including determination of eligibility for claims against the fund.

Section six, provides for a system of prioritization and classification of sites contaminated by agri-chemicals. Such contamination includes that of the groundwater, surface water, and of soils in ecologically sensitive areas.

Section seven, creates the Agri-chemical Remediation Fund in the state treasury under the control of DALs. This fund is to be composed of state appropriations and such federal and private funds as may be obtained by DALs.

Section eight, provides for the detailed content of any remediation agreement between the DALs and the "responsible person," as defined in the act.

Section nine, which provides for payment of claims for the cost of remediation against the fund.

SF 2249 - Purchasing Preference for "Bio-based" Lubricants

Engineers, Supervisors

SD

This act directs the state Department of General Services and other state agencies that purchase hydraulic fluids, greases, and other industrial lubricants to give preference to those that are bio-based, which is defined as containing at least 51% materials derived from soybean oil. Previously, the Iowa Code had only required a preference for biodegradable hydraulic fluids. The intent of these changes is to help develop markets for new products made from soybean oil.

SF 2326 - Household Hazardous Material Collection

Environmental Health Directors, Supervisors

RM

This act amends Iowa Code chapter 455E by stating that 8.5% of the tonnage fee imposed at solid waste facilities shall help pay for, in addition to toxic cleanup days and the natural resources geographic information system, the support of household hazardous waste collection and special events promoting collection of these materials.

SF 2342 - Real Estate Improvement District

CP

Assessors, Auditors, Supervisors, Treasurers

Iowa Code section 358C.1(2)(d), repeals the deadline (June 30, 2000) for creating a real estate improvement district.

This will allow real estate improvement districts to continue to be created by petition, which may be filed in the office of auditor in the county in which the proposed district is located, to request that the question be submitted to the registered voters of the proposed district of whether the territory within the boundaries of the proposed district shall be organized as a real estate improvement district. A district may acquire, construct, reconstruct, install, maintain, and repair any of the public improvements designated. A public improvement includes the principal structures, works, component parts, and accessories of things such as, underground gas, water, heating, sewer, telecommunications, and electrical connections located in streets; sanitary/storm sewers; waterworks, water mains, and extensions; emergency warning systems; public parks/recreational facilities; clearing/preparing land; pedestrian passes; emergency warning systems; street lighting; fixtures, connections, and facilities; sewage pumping stations; traffic control devices; public roads, streets, and alleys; etc.

SF 2348 - Loess Hills - Hungry Canyons Alliance

WRP

Conservation Directors, Engineers, Supervisors

The legislation relates to the Loess Hills Development and Conservation Authority and creates the Hungry Canyons Alliance. Bylaws are to be developed to govern the board of directors of the Hungry Canyons Alliance and are subject to review by the Loess Hills Development and Conservation Authority. The bill also requires state agencies to cooperate, coordinate, and consult with the Loess Hills Development and Conservation Authority and its related alliances on matters relating to the preservation and conservation of the Loess Hills.

SF 2371 - Water Quality Initiative

RM

Conservation Directors, Environmental Health Directors

This act establishes new Iowa Code chapter 466 ("Initiative on Improving Our Watershed Attributes [I on IOWA]"). Of particular interest to county officials are the following portions :

Section two - The goal of this new chapter is to "develop a comprehensive water quality program that will result in water quality improvements while reducing proposed regulatory impacts." The Department of Agriculture and Land Stewardship (DALS) and the Department of Natural Resources (DNR) shall work with federal agencies to obtain waivers and changes in federal administrative rules. The Department of Transportation (DOT) and the DNR shall work together to preserve topsoil, control erosion, and water impoundment during highway construction, and work toward restoration and management of roadside rights-of-way for prairie restoration, wildlife habitat, and erosion control.

Section four - The DNR will begin a prairie seed harvest program to assist in prairie restoration and provide for both private and public resource management.

Section five - This section establishes the Conservation Reserve Enhancement Program. Administered by the DALS, this program will restore or reconstruct wetlands to intercept tile line runoff, reduce nutrient loss, improve water quality, and enhance agricultural production practices. The program would be directed primarily toward the tile-drained areas of the state. DALS will consult and work with the Natural Resources Conservation Service and the Farm Service Agency (USDA) to carry out this program. DALS shall consult with county boards of supervisors, county conservation boards, drainage district representatives, the DNR, and soil and water conservation districts affected by this program. DALS must maintain a record of all wetlands established under this program. DALS, as part of this program, must require that wetland construction or restoration "shall not damage the value of property in any public or private drainage system without the property owner's consent."

Section seven – This section establishes a program and a fund for assistance in improving on-site wastewater (septic) systems. DNR is designated to operate this program with appropriated monies to fund a loan program for homeowners living in unincorporated areas. Administrative rules to be written by the DNR will provide for the loan program and will provide assistance to county environmental health officials to inspect on-site systems. This section also states that the DNR shall review the National Pollutant Discharge Elimination System permits and that that DNR must also expand floodplain protection education to assist local officials in floodplain management.

SF 2430 - Department of Agriculture and Land Stewardship and Natural Resources Appropriations - See Appropriations.

SF 2453 - RIIF and REAP Appropriations - See Appropriations.

HF 2333 - Emergency and Non-Emergency Medical Care Services

RM

Public Health Nurses, Supervisors

This act amends Iowa Code chapter 147A by adding to the authority of a certified emergency medical care provider. They may, beside working in a hospital, work in any other entity in which health care is ordinarily provided only when under the direct supervision of a physician. It also adds to the list of those who have the authority to act as an emergency medical care provider anyone who works in the above setting in an individual capacity in rendering lifesaving services. It further states that non-lifesaving procedures may be performed when the emergency care provider is under the supervision of a registered nurse who is not acting as a physician designee.

HF 2423 - Brownfield Redevelopment Program and Fund

RM

Supervisors, Treasurers

This act adds to Iowa Code chapter 15 five new sections, which establish a brownfield redevelopment program. Brownfield sites are defined as "abandoned, idled, or underutilized industrial or commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination." This program is to provide financial and technical assistance for the acquisition, remediation, or redevelopment of brownfield sites. Those seeking assistance from this program must first secure "sponsorship" from a city or county. Such a sponsor (i.e. a city or a county) would enter into an agreement with an applicant to offer assistance or guidance with development of the site.

Section two of the act states the criteria for 1) the agreement between the applicant and the owner of the brownfield site, 2) a cap for state assistance from the fund of 25% of the cost of remediation, 3) repayment of financial assistance from this program by the applicant upon sale of the site to someone other than the original owner, 4) information required by the Department of Economic Development (DED), and 5) what must be considered by DED in reviewing applications for financial assistance.

Section three establishes the redevelopment fund.

Section four establishes a Brownfield Redevelopment Advisory Council. This body will include among its membership the following organizations: the Department of Economic Development, the Department of Natural Resources, the Department of Transportation, the Iowa League of Cities, and the Iowa Economic Development Board. The council will advise the DED concerning awarding assistance under the brownfields program.

Section five states that the Department of Transportation shall amend administrative rules dealing with the use of RISE funds to include a rating system to apply to brownfield redevelopment. It further states that the Department of Economic Development shall amend administrative rules governing the CEBA program for the same purpose.

HF 2438 - Permitting Requirements for Hazardous Waste Facilities

RM

Environmental Health Directors, Supervisors

This measure ceases funding for the Department of Natural Resources' implementation of the federal Resource Conservation and Recovery Act (RCRA) permit program for hazardous waste facilities. Certain sections of Iowa Code chapter 455B pertaining to hazardous waste facilities are suspended, but other portions still apply as they pertain to abandoned and uncontrolled sites, used oil, and site licensing.

HF 2485 - REAP

RM

Conservation Directors, Supervisors

This act amends Iowa Code section 455A .19 by renaming the "soil and water conservation account" the "soil and water enhancement account." Regarding the REAP funds allocated to the water quality protection projects account (which is 50% of the soil and water enhancement account), this legislation strikes a provision which states that this is not to exceed \$1 million.

HF 2528 - Condemnation

TT/DV

County Attorneys, Engineers, Sheriffs, Supervisors

During its 1999 session, the Iowa Legislature enacted and Governor Vilsack signed into law HF 476, legislation which made a number of fundamental changes in Chapter 6B of the Iowa Code, impacting the procedures used by governmental bodies to purchase and condemn property for public improvement projects. During the 2000 session, at the urging of an ad hoc committee of public sector attorneys, the Legislature passed HF 2528, which is "clean-up" legislation addressing and correcting some of the problems created by passage of HF 476.

HF 2528 is a complicated, detailed, 18-page bill. It is impossible to do justice to the bill in a few short paragraphs. What follows is a summary of some of the highlights of HF 2528.

One of the major changes enacted by HF 476 last year was the requirement, found in new section 6B.2A of the Iowa Code, that governmental bodies give notice to all property owners whose properties may be acquired under power of eminent domain for a public improvement project.

HF 2528 makes a number of amendments to Iowa Code section 6B.2A. First of all, it narrows the scope of the notice and hearing requirement so that it only applies to public improvement projects on agricultural land.

HF 2528 also makes significant changes to improve the procedure for giving the notice and holding the hearing as to projects on ag land. First of all, the timing of the notice and hearing has been moved back in the public improvement process. Formerly, under HF 476, the notice had to be given and the hearing held before the project was approved. This proved to be difficult and troublesome, since at that early stage, before the project design had been finalized, counties didn't really know what properties would be affected by the project and how they would be affected. As a result, counties were giving notices to a lot of people whose properties may not ultimately be affected by the project. Worse yet, we couldn't tell them exactly how the project would affect their properties.

HF 2528 amends Iowa Code section 6B.2A to provide that the notice is to be given and the hearing held before the decision is made to fund the final site-specific design for the public improvement, or before the final route or location of the public improvement is selected. This provision now clearly allows our governmental bodies to do some preliminary design work to narrow down the possibilities—in terms of the properties affected by the project—before the notice is given.

HF 2528 also streamlines the process for giving the notice. Under HF 476, counties had to mail the notice not less than 30 days before the governing body decided to approve the project, and then if the mailed notice was returned as undeliverable, counties had to publish the notice. Under the change in HF 2528 notice is treated as if it were a standard notice of public hearing—that is, a mailed notice 30 days prior to the public hearing, and a published notice not less than 4 or more than 20 days before the public hearing.

Another problem with the notice requirement under HF 476 was that it made no provision for changes in property ownership. HF 2528 addresses that problem by amending Iowa Code section 6B.2A to provide that the notice must be given to the property owner and any contract purchasers as shown in the records of the county auditor not less than seven or more than 14 days prior to the date of hearing of the notice.

HF 476 set out in great detail what had to be included in the notice to property owners. Among the items required in both the mailed notice and the published notice was a statement of the property owner's rights, which the Attorney General had to develop and adopt by rule. The statement of rights adopted by the Attorney General by rule in October of last year is approximately a page and half in length, single-spaced on 8 ½ x 11 paper. HF 2528 amends the published notice requirement to provide that the published notice does not have to include the statement of rights. Not having to publish the statement of rights will save counties a considerable amount of money in publication costs.

HF 476 also enacted new Iowa Code section 6B.2B(1), of which requires the acquiring agency to make a good faith effort to negotiate the purchase of property before filing an application to condemn it. The problem with HF 476 is that it did not define what would constitute good faith negotiations and some feared that it would be interpreted to require that the acquiring agency offer more than the fair market value of the property. Section 6B.2B was amended to provide that an acquiring agency shall not make an offer that is less than the fair market value established by the governing body pursuant to an appraisal, but that the acquiring agency need not make an offer in excess of that amount in order to satisfy the good faith negotiation requirement.

It now also provides that good faith is established if the acquiring agency follows the acquisition policies set forth in Iowa Code section 6B.54. However, Iowa Code section 6B.54 requires that relocation assistance be provided on all projects—not just on federally assisted projects as was the case prior to passage of HF 476 last year. So an offer of relocation assistance is now a required part of a county's good faith effort.

One of the most troubling features of HF 476 was found in Iowa Code section 6B.2A(2), provided that "the authority to condemn is not conferred until the appropriate authority approves the public improvement, including the approval of any permits required by state or federal law for commencement of the project." The problem with this provision was that in some circumstances, principally involving certain environmental permits, it put governmental bodies in a "Catch-22" position – a county couldn't condemn the property until it had a permit to do the project, and it couldn't get the permit to do the project until it owned the property. In effect, this provision overturned some hard-won case law on this issue, including a case decided by the Iowa Supreme Court in October of 1999, Comes v. City of Atlantic, 601 N.W.2d 93. This provision in Iowa Code section 6B.2A was repealed and that the Legislature adopted the Supreme Court's holding in the Comes case as statutory law in Iowa Code chapter 6B. New Iowa Code section 6B.2C paraphrases the holding in Comes as follows:

"The authority to condemn is not conferred, and the condemnation proceedings shall not commence, unless the governing body for the acquiring agency approves the use of condemnation and there is a reasonable expectation the applicant will be able to achieve its public purpose, comply with all applicable standards, and obtain the necessary permits."

In Iowa Code section 6B.3, as amended by HF 2528, the applicant is required to mail the Application for Condemnation to the property owner, lienholders and encumbrances of record, and is required to publish the application as well—not less than four nor more than 20 days prior to the meeting of the compensation commission. There will be no guesswork about when to publish and when not to publish. A county must mail and publish every time, but it will also have the option of serving the application on those persons in lieu of mailing and publishing.

HF 2528 amends Iowa Code section 6B.4 by repealing unnumbered paragraph 3, which was the provision added to that Section by HF 476 in 1999 making compensation commissions governmental bodies subject to the Open Meetings Law.

HF 2528 also amended Iowa Code section 6B.14, imposing a number of additional new requirements on compensation commissions. First of all, under amended Iowa Code section 6B.14, commissioners are prohibited from communicating with the applicant, property owner or tenant regarding a condemnation prior to the meeting of the commission.

The commissioners are required to meet in open session to view the property and receive evidence, but may deliberate in closed session. After deliberations commence, the commission and individual commissioners are prohibited from communicating with any party to the proceeding, unless such communication occurs in the presence of or with the consent of the property owner and the other parties who appeared before the commission.

Iowa Code section 6B.14 was also amended to require the compensation commission to keep minutes of its meetings, showing the date, time, and place of the meetings, the members present and the action taken. The minutes, which are declared to be public records open to public inspection, are required to show the results of each vote taken and information sufficient to indicate the vote of each member present. Iowa Code section 6B.14 then goes on to provide that the vote of each member has to be made public at the open session, presumably after conclusion of closed session deliberations.

Effective Date: Upon Enactment

HEALTH AND HUMAN SERVICES

SF 2007 - Guardians' Responsibilities

AB

Community Services

Section one amends Iowa Code section 633.635 by adding that if necessitated by the physical or mental disability of the ward, the provision of professional care, counseling, treatment or services limited to routine physical and dental examinations and procedures under anesthesia is included, if the anesthesia is provided within the scope of the health care practitioner's scope of practice.

Section two defines major elective surgery and non-emergency major medical procedure as not including the provision of professional care, counseling, treatment or services limited to routine physical and dental examinations and procedures under anesthesia is included, if the anesthesia is provided within the scope of the health care practitioner's scope of practice and if necessitated by the physical or mental disability of the ward.

Section three, a new subsection, defines routine dental examinations and procedures as including preventive services, diagnostic services, restorative services, periodontal services, endodontic services, oral surgery, prosthetic services and orthodontic procedures. Routine physical examinations and procedures include examinations and procedures performed for the purpose of general treatment or diagnosis or for the purpose of treatment or diagnosis related to a specific illness, symptom, complaint or injury.

SF 2144 - Regulation and Inspection of Health Care Facilities

RM

Public Health Nurses, Supervisors

According to Iowa Code chapter 135C, such facilities are defined as a "residential care facility, a nursing facility, an intermediate care facility for persons with mental illness, or an intermediate care facility for persons with mental retardation." This act makes the following changes to that Iowa Code chapter.

Section one amends Iowa Code section 135C.16 by changing the frequency of unannounced inspections of such facilities by the Department of Inspections and Appeals (DIA) from at least one inspection for each facility within a 15 month period to one within a 30 month period.

Section two amends Iowa Code section 135C.38 by stating that an inspection made due to a complaint shall not be a general inspection "unless in the course of the complaint investigation a violation is evident to the inspector."

Section three provides that the DIA must develop a quality-based inspection system for health care facilities licensed by the state. It also states that DIA must convene an advisory committee to monitor the development of this quality-based inspection system. The DIA must also submit two reports to the Joint Appropriations Subcommittee on Administration and Regulation, to the Committees on Human Resources of both the Iowa House of Representatives and the Iowa Senate, to the governor, and to the Legislative Fiscal Bureau. One must be on the criteria used for this system and on complaint activities completed in FY2000 and in FY 2001. The second is to be on the progress of implementing such a system. Both must be submitted before August 1, 2001.

SF 2193 - Senior Living Program

AB

Community Services, Public Health Nurses

Section one adds 249H as a new chapter and entitles it "Iowa Senior Living Program Act."

Section two adds as a new section defining the legislative findings and setting forth the goal of the senior living program act as: to create a comprehensive long-term care system that is consumer-directed, provides a balance between the alternatives of institutionally and non-institutionally provided services, and contributes to the quality of the lives of Iowans.

Section three defines terms used in this chapter.

Section four creates a senior living trust fund. Monies deposited in the trust fund can only be used for purposes of the senior living program.

Section five allocates \$80 million from the trust fund, to the Department of Human Services for conversion of nursing facilities and development of long term care alternatives. Funds are also allocated in the amount necessary to cover expenses incurred annually to the Department of Elder Affairs for implementation and administration of the long-term alternative programs and for delivery of long-term care services to seniors with low or moderate incomes.

In addition, an allocation from the fund to the Department of Human Services for:

- ❖ expenses incurred in implementation of the senior living program;
- ❖ expenses incurred in administration of medical assistance home and community-based waivers and the PACE program due to implementation of the senior living program;
- ❖ expenses incurred due to increased service delivery provided under medical assistance home and community-based waivers as a result of the nursing facility conversions and long term care services development for the fiscal year beginning July 1, 2000 and ending on or before June 30, 2005.
- ❖ expenses incurred in program administration related to implementation of nursing facility case mix reimbursement under the medical assistance program.

Further, to Department of Human Services an amount to fund nursing facility provider reimbursements, to provide funding for the transition to a case mix reimbursement system, and for additional expenses incurred relative to implementation of the senior living program. Any additional funds remaining must be invested with the interest earned to be available in subsequent years,

Section six allows the Department of Human Services to award grants to an approved facility or an approved long-term care provider.

Section seven requires the Department of Elder Affairs to use monies for activities related to the design, maintenance or expansion of home and community-based services for seniors.

Section eight identifies requirements for PACE programs.

Section nine requires a county-by-county database directory be created of all health care and support services available to seniors. In addition this section requires the Department of Elder Affairs to seek funding for educational programs. An advisory committee will oversee the development of educational materials.

Section 10 requires that a caregiver support program be developed to provide access to respite care and to provide education to caregivers.

Effective Date: Upon Enactment

SF 2302 - Public Health Programs and Issues

RM

Public Health Nurses, Recorders

This act deals with a variety of public health issues related to the Department of Public Health (DPH) and other entities. Of interest to counties are the following provisions:

Sections 23, 24, and 25 strike provisions in Iowa Code section 135.107 which establish area health education centers. (This attempt at regional health and medicine education was established in the Code in 1994, but never was activated.)

Sections 27 and 28 amend Iowa Code section 141A.8 by striking subsections one and seven and substituting language which states that if a care provider sustains significant exposure on the premises of a health facility or "while engaged in rendering aid or providing transportation in circumstances which lead to the individual's presence at a health facility," the patient at that facility is deemed to have given their consent to a test for HIV. Sample and test results shall be identified only by a number.

Section 43 amends Iowa Code section 331.605 by adding language which states that the county recorder shall collect \$35 (rather than the previous \$30) for filing a marriage license. The added language provides that this fee also pays for one certified copy of the original certificate of marriage. Four dollars of this fee is retained by the county recorder.

Section 44 strikes the provision in Iowa Code section 595.13 that the officiating minister or magistrate must give the newly married couple a marriage certificate.

Section 45 creates new Iowa Code section 595.16A which provides that, upon receipt of the original marriage certificate, the recorder shall issue a certified copy of the original to the parties to the marriage.

Effective Date: Sections 43 and 45 take effect on January 1, 2001.

SF 2303 - Civil Service Commission and Mental Health Advocate Study - See County Administration and Organization.**SF 2314 - Communicable and Infectious Diseases**

RM

Public Health Nurses

This major piece of health related legislation creates new Iowa Code chapter 139A: "Communicable and Infectious Disease Reporting and Control Act." All health care providers and administrators (including members of county boards of health) are encouraged to read this act. Among the provisions of particular interest to county public health officials are:

Section three - In the event that a reportable disease is discovered within the jurisdiction of a local health department, it must be reported to both the local department and to the Department of Public Health (DPH). Any health care provider who files this report shall assist in the subsequent investigation.

Section eight - This section contains a variety of new provisions concerning child immunization. Among these are subsection six, which says that local boards of health must furnish the DPH, within 60 days of the first day of the school year, with evidence that every elementary and secondary student has been immunized. Also of note is subsection seven which states that local boards of health shall provide immunizations to those children who live in areas where no such service currently exists.

Section 12 - Local boards of health must "provide proper care, provisions, and medical attendance for any person removed and isolated or quarantined" and that such care and treatment must be paid for by the county in which the infected person has legal settlement, if that person or their legal guardian is unable to pay.

Section 14 - Services or supplies furnished under this chapter must be authorized by the local board of health or by an officer of the local board.

Sections 15, 16, and 17 - All bills incurred in establishing and maintaining quarantine must be filed with the local board of health and certified to the county board of supervisors for payment. Further provides that all such claims be paid based on local market price for such goods and services and shall be based upon ability to pay. Bills for the "terminal" cleaning of premises would not be allowed unless there is inability to pay.

Section 18 - The county board of supervisors in the county of a patient's legal settlement must pay bills incurred under this chapter for services rendered in another county.

Section 22 - This section makes detailed provisions for prevention of transmission of HIV or hepatitis B virus to patients. Sections 26 through 40 deal with control of sexually transmitted diseases (STDs) and infections. Section 29 says that the local board of health or the DPH "shall use every available means to determine the source and spread of any infectious case of sexually transmitted disease or infection which is reported." Section 30 provides that local boards of health are responsible for the examination of those suspected of having an STD, though someone under the care of a health care provider is not subject to such an examination. If those suspected of having an STD refuse to submit to an examination, the local board of health may apply to the district court for an order compelling such an examination.

Section 51 - Repeals Iowa Code chapters: 139 ("Communicable and Reportable Diseases and Poisonings"), 139B ("Emergency Care Providers—Exposure to Disease"), 139C ("Exposure-Prone Procedures"), and 140 ("Venereal Disease Control").

SF 2326 - Funding of Household Hazardous Material Collection - See Environment and Land Use.

SF 2344 - Child and Family Services

AB

Community Services

Section one amends Iowa Code section 598.12 to allow an appropriate agency instead of DHS to do investigations regarding the home conditions, parenting capabilities and other matters pertinent to the best interest of the child.

Section two amends Iowa Code section 235A.19(2)(b), Code Supplement 1999, by allowing DHS to release child abuse information prior to the conclusion of a proceeding to correct the information for statutorily authorized record checks for employment of an individual by a provider of adult home care, adult health facility or other adult placement facility care.

Section three amends 235B.6(2)(E), Code Supplement 1999, by allowing dependent adult abuse information, other than unfounded information to be accessed by the administrator of an agency providing care to a dependent adult in another state, for the purpose of performing an employment background check.

Section four amends Iowa Code section 232.2(4)(1), by allowing the placement of a child be in the least restrictive only if it is the most appropriate placement.

Section five amends section 232.2(4), Code Supplement 1999, by adding to the definition section of case permanency the provision that a designee of the department or other person responsible for placement of a child out of state shall visit the child at least once every 12 months. Additionally, if it is determined that a child cannot return home, documentation must be made of the steps taken to make and finalize an adoption or other permanent placement.

Section 15 adds Iowa Code section 237A.13 as a new section by providing eligibility criteria for the state childcare assistance program. This section also describes the settings in which services can be provided and how reimbursement rates shall be determined for those services.

Section 17 allows DHS to submit a report regarding alternatives to applying childcare reimbursement rates on a county, cluster or regional basis.

SF 2360 - Changes to DHS Administration, Case Management, and Adult Decategorization **DAW** Community Services

Division I of the bill makes numerous technical changes to state institutions regarding job titles and organization. This division allows the administrator of the MH/DD Division to work with institution administrators to establish mental health and mental retardation services, including an autism unit.

Division II changes the name of the Woodward and Glenwood State Hospital Schools to the Woodward and Glenwood Resource Centers.

Division III requires DHS to conduct criminal and child and dependent adult abuse record checks of persons who are potential employees, employees, potential volunteers, and volunteers in county cluster offices in a position having direct contact with the department's clients.

Division IV makes changes to the process for a county to follow in terminating the contract with DHS for case management services to allow a county to give 90 days notice. This division also adds Washington and Webster Counties as an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot projects. The division also requires DHS to develop data that tracks the county of residence for all individuals who received mental health or developmental disabilities services funded by medical assistance.

Effective Date: Upon Enactment.

SF 2368 - Family Investment Act (FIP) Auditors, Community Services

AB

Section one strikes Iowa Code Section 217.30(4)(C), requiring DHS to prepare and file with the county a list of the names and addresses of individuals and the amount of FIP assistance each individual received.

Section two amends Iowa Code section 239B.2 and expands eligibility by eliminating the current definition of partial and total unemployment as a disqualification for FIP.

Section three amends Iowa Code section 239B.8 by including an exemption from participation in a family agreement investment if the individual is not a US citizen or a qualified alien.

Section five amends Iowa Code section 239B.11 by allowing the diversion sub-account to be used for funding services and payments for families whose FIP eligibility has ended.

Section six amends Iowa Code section 239B.14 by allowing DHS to adopt rules to recover overpayments of assistance.

Section seven amends Iowa Code section 239B.17 by allowing participants in the JOBS program to continue to receive services and payments when their FIP eligibility ends.

Section eight amends Iowa Code section 239B.8 by exempting individuals who are not US citizens or who are aliens from participation in the JOBS program.

SF 2371 - Water Quality Initiative - See Environment and Land Use.

SF 2429 - Health and Human Rights Appropriations - See Appropriations.

SF 2435 - Human Services Appropriations - See Appropriations.

SF 2452 - Standing Appropriations - See Appropriations.

HF 723 - Animal Cruelty - See County Corrections & Law Enforcement.

HF 2153 - Drug Policy Coordination

KK

Community Services

This bill establishes a 15 member advisory council chosen by the governor that will serve four year terms. The policy coordinator will serve as the chair to this council. Furthermore, the policy coordinator will be responsible for assisting in the implementation of substance abuse strategies at local levels. This act establishes criteria for members and the functions they will serve. It also provides for a grant program for communities to apply for assistance in their substance abuse programs of which no more than five percent may be used for administrative purposes.

HF 2169 - Appointment of Emergency Management Coordinators - See County Administration and Organization.

HF 2321 - Medical Assistance Eligibility

DAW

Community Services

This bill codifies two eligibility categories that are required by federal law, but that had been implemented only under administrative rule. These are: coverage of the full Medicare Part B Premium for individuals whose income is between 120% and 135% of the federal poverty level; and coverage of payment of the home health portion of the Medicare Part B premium for eligible persons who are between 135% and 175% of the federal poverty level.

The bill also makes several changes to how transfers of assets are applied toward Medicaid eligibility, including disclaimers of inheritance and failure of a spouse to take against a will under the probate code to conform with federal law.

HF 2327 - Capital Assets, Risk Pool, MH/MR/DD Services Fund**WRP**

Auditors, Community Services, Supervisors

HF 2327 relates to county levy and expenditure authority for mental health, mental retardation and development disabilities services fund and authorizing the use of these funds for capital asset expenditures. Several provisions of the bill were amended in SF 2452 - the Standings Appropriations bill. The amendments were required because it would have been impossible to comply with the requirements in HF 2327 as passed.

"Capital assets" are real or tangible personal property with a value of more than \$10,000 and a life of more than three years. Buildings and computers are two common examples of things that would fall within this definition. If a building is funded exclusively by Fund 10, and the exclusive use of the building is to provide services payable out of Fund 10, then that practice can continue and this bill is not applicable. So if a county is funding the operation of a county supervised living facility totally through Fund 10, that is still permitted under this bill.

The focus of the bill is "mixed use buildings," i.e., situations where a capital asset such as a building is owned by the county, or is being purchased by the county through the general fund, and a portion of the building is used for a purpose payable through Fund 10. In this situation, then Fund 10 shall annually reimburse the county general fund for the use of that portion of the building.

For buildings in this category today, and for subsequent improvements thereto, Fund 10 has to pay the county general fund the "current fair market rate" for the use of its portion of the building. An independent real estate appraiser determines the current fair market rate. For mixed-use buildings acquired after **July 1, 2000**, and subsequent improvements thereto, the Fund 10 reimbursement amount paid to the county general fund shall be "in accordance with federally approved depreciation schedules." **(Special Note: This date was changed in SF 2452 - Standings Appropriations to July 1, 2001).**

A county's base year expenditure for Fund 10 (FY 94 or FY 96) is to be amended to take into account capital asset expenditures. If because of this bill a county has to spend Fund 10 money to reimburse the general fund for use of space in mixed-use buildings, the amount of that reimbursement shall be added to the county's base year expenditures.

The procedure for changing the base year expenditure is to "petition" the county finance committee by **April 30, 2000**, for approval of an adjustment in the county's base year expenditures. **(Special Note: This date was changed in SF 2452 - Standings Appropriations to December 1, 2000).**

Pursuant to this bill, if a county will have to spend Fund 10 money in FY 01 to reimburse the general fund for use of space in mixed-use buildings, the county shall re-certify the budget to adjust the levy for Fund 10 and the general services levy. The county shall complete the re-certification with the Department of Management by **May 15, 2000**. **(Special Note: This provision was deleted in SF 2452 - Standings Appropriations, since no adjustment of the FY 2001 budget is required).** Any revenues generated from a mixed-use building shall go to the county general fund.

The bill also provides that moneys remaining in the risk pool that are unexpended or unobligated at the close of the fiscal year shall stay in the risk pool and will be available for distribution in the succeeding year.

Effective Date: The bill was effective April 13, 2000 and was amended retroactively by SF 2452.

HF 2377 - Title Providing for Access to Certain Child Abuse Information**AB**

County Attorneys, Community Services

This legislation amends Iowa Code section 135.43 by adding that the child fatality review committee will be appointed on an ad hoc basis by the Director of Human Services to review the child abuse assessments which involve the fatality of a child under the age of 18. The committee shall have access to patient records and other confidential information, which may be re-disseminated in the committee's report. Prior to issuing the report, the committee shall consult with the county attorney responsible for the prosecution of the alleged perpetrator of the child fatality. Following the completion of the trial and any subsequent appeal period the committee shall issue a supplemental report detailing information that was withheld so as not to jeopardize the prosecution or the rights of the alleged perpetrator of the child fatality.

In addition, this legislation amends Iowa Code section 232.70 by adding that DHS must notify a mandatory or permissive reporter within 24 hours after receiving their report as to whether or not an assessment of the allegation has been commenced.

Further, Iowa Code chapter 235A is amended by adding a definition for near fatality and by allowing child abuse information relating to a specific case be disseminated to the governor or governor's designee, a member of the house or senate or a designated employee of the general assembly. Prior to dissemination to any of these individuals the director of the Department of Human Services must consult with the county attorney responsible for the prosecution of the alleged perpetrator of the fatality or near fatality. This section also identifies what information will not be released to an individual requesting the information. If child abuse information is released the individual receiving the information cannot re-disseminate to a person not authorized to have access to the information. If the child abuse information is not released to an authorized requestor that individual may apply to the juvenile court for an order compelling disclosure.

HF 2533 - Federal Block Grants - See Appropriations.**HF 2549 - Education Appropriations - See Appropriations.****HF 2555 - Tobacco Settlement - See Appropriations.****HF 2565 - Tobacco Initiative****DV**

Public Health Nurses

This bill charges the Iowa Department of Public Health with promoting tobacco use prevention and control through a statewide initiative.

Section three creates a commission on tobacco use prevention and control. Among the members are three members who are active as health services providers at the local level.

Section four provides that one of the duties of the commission is to take actions to develop and implement a statewide system for the initiative programs that are delivered through community partnerships.

Section eight is probably the section of primary importance to counties. It outlines how the initiative will be implemented locally through the use of community partnerships, which are defined as contracts with public agencies or nonprofit organizations. The commission is directed to draft administrative rules regarding the designation of community partnership areas.

Effective Date: Upon Enactment

TAXATION AND FINANCE

SF 2047 - Powers and Duties of County Officers Regarding County Warrants

CP

Auditors, Treasurers

This legislation amends the process for issuing warrants. New language in Iowa Code section 331.506, (1), specifies the auditor is not to issue a warrant to a drawee until the auditor has transmitted to the treasurer a list of the warrants to be issued. The list shall include the date, amount, and number of the warrant, name of the person to whom the warrant is issued, and the purpose for which the warrant is issued. The treasurer shall acknowledge receipt of the list by affixing the treasurer's signature at the bottom of the list and promptly returning the list to the auditor.

Warrant signatures could be satisfied by use of a digital signature or other secure electronic signature if the county auditor and treasurer have complied with the applicable provisions of Iowa Code section 554C (requirement of original information). The warrant list shall be preserved by the auditor for at least two years, and this could be satisfied by preserving the list in electronic form, as long as requirements of Iowa Code section 554C.205 are met. In lieu of the auditor issuing a warrant to a drawee, the auditor may issue a warrant payment order to the treasurer, who upon receipt may submit payment to the drawee through an electronic funds transfer system.

SF 2089 - School Physical Plant & Equipment Tax Levy in Urban Renewal Areas

CP

Auditors, Supervisors, Treasurers

This legislation adds new Iowa Code section 298.3 that stipulates a municipality, that has an active urban renewal area, needs to certify to the affected school district(s) by July 1 the amount of school district physical plant and equipment levy that will be necessary to pay the principal and interest on indebtedness incurred by the municipality to finance an urban renewal project, of which indebtedness was incurred before July 1, 2000. Otherwise, such school physical and equipment plant levy shall be levied solely for the use by the school district and not allocated in part for urban renewal use.

Effective Date: Applies to property taxes due on or after July 1, 2000

SF 2342 - Real Estate Improvement District - See Environment and Land Use.

SF 2418 - Township Certification of Property Taxes

CP

Auditors, Supervisors, Treasurers

This legislation amends Iowa Code section 359.17 by extending the deadline until May 1, 2000 (instead of March 15) for the township board of trustees to certify township property taxes payable in the fiscal year beginning July 1, 2000. **(Refer to HF 2492 for additional township responsibilities).**

SF 2420 - Power Utility Replacement Tax Administrative and Enforcement Amendments

CP

Assessors, Auditors, Supervisors, Treasurers

This legislation makes corrective amendments to the administrative and enforcement provisions in the new replacement tax system. The new tax system replaces the property tax with an excise tax that is imposed on the generation, transmission, and delivery of electricity and natural gas units in terms of kWh of electricity and therms of gas. These changes were approved by the Utility Task Force, which includes representatives of local governments. Contact ISAC office to receive a detailed section-by-section analysis of this legislation.

Effective Date: Upon Enactment

SF 2426 - Designation, Valuation, and Taxation of Condominiums
Assessors, Recorders

RM

This act amends Iowa Code chapter 499B as follows:

Section one amends Iowa Code section 499B.3 by saying that any declaration to convert a structure to a condominium must be filed with the city or the county at least 60 days prior to being recorded in the office of the county Recorder. This will enable the city or the county to determine that the converted structure meets the appropriate building code requirements in Iowa Code section 499B.20. If the city or the county does not have a building code, the conversion must be filed with the state building code commissioner sixty days prior to recording. The structure would then be subject to the state building code.

Section two amends Iowa Code section 499B.10 by stating that, when real property is "committed to a horizontal property regime", each individual apartment in the building will be considered a separate parcel of real property.

Section three amends Iowa Code section 499B.11 by providing that the fair market value of an apartment includes the value of its "appurtenant share" or percentage of the land, the general common elements, and the limited common elements.

Section four adds Iowa Code section 499B.20 by saying that an existing structure shall not be converted to a condominium unless it meets local building code requirements in effect on the date of conversion. Such a requirement would apply to the state building code in the event that the county or the city (where applicable) does not have a building code.

Effective Date: Upon Enactment.

SF 2438 - Water Quality Districts

Auditors, Conservation Directors, Supervisors

RM

This act amends Iowa Code section 357E by creating Water Quality Districts. Section two defines "water quality activities" as "public information dissemination, creation or maintenance of grass waterways or wetlands, dredging, bank stabilization, water treatment, water monitoring, watershed protection, activities on lands outside the district which affect water quality within the district, and any other activity which will improve water quality of a stream, river, or lake."

Section three makes provision for incorporation of a water quality district. It states that if water quality activities, including "acquisition, construction, reconstruction, enlargement, improvement, equipping, maintenance, and operation of water quality facilities for the residents of the district" would be in their interest (including for public health or water quality), the residents may incorporate a contiguous area as a water quality district. The district can be touching upon a stream, river, or lake, but cannot be on open ditches or streams maintained by drainage districts or on streams or rivers where levees are maintained by levee or drainage districts. Joint recreational lake districts and water quality districts may be formed. Trustees of both districts must submit a petition to the county board of supervisors in order to establish a combined district.

Section four says that the county supervisors must hold a public hearing on the establishment of a water quality district if they are presented with a petition containing the signatures of "the fewer of 25 property owners or 25% of the property owners" of the proposed district.

Section five provides that, once the plat is approved by the county supervisors, an election must be held in the district to approve a property tax levy of not more than 25 cents per \$1,000 of assessed value on all taxable property in the district. This levy must be renewed through an election every eight years. The levy for a combined water quality/recreational lake district cannot exceed \$4 per \$1,000.

SF 2444 - Taxation of Property Used by the National Guard**WRP**

Auditors, Supervisors, Treasurers

The bill clarifies that the property used by the Iowa National Guard or a federal agency shall be exempt from taxation unless that property is used for pecuniary profit. The bill amends Iowa Code section 427.1(2), Code Supplement 1999.

SF 2447 - Vision Iowa Program**WRP**

Supervisors

The bill establishes the Vision Iowa Program to assist communities in developing major attractions. It also restructures the existing Community Attraction and Tourism (CAT) Program and creates the School Infrastructure Program and Fund. The bill creates separate funds for each of the three programs and authorizes the State Treasurer to issue tax-exempt bonds for the Vision Iowa and School Infrastructure Programs. It establishes a 13-member Vision Iowa Board within the Department of Economic Development to oversee the CAT and Vision Iowa Programs. A county supervisor from a county that has a population ranking in the bottom 33 counties will be selected for the Vision Iowa Board.

The CAT Program is designed to assist communities in the development and creation of multi-purpose attraction and tourism facilities by providing grants, loans, forgivable loans, and loan guarantees. The criteria established for awarding assistance to projects include:

- ❖ The impact on the quality of life and the quality of attraction and tourism employment.
- ❖ The potential to generate additional recreational, cultural, and tourism opportunities.
- ❖ The potential for long-term tax-generating economic impact.
- ❖ Geographic diversity.
- ❖ The extent to which the project is primarily vertical infrastructure with demonstrated substantial regional or statewide economic impact.
- ❖ Past financial assistance under the program for the same project.
- ❖ The extent to which the project takes into consideration five specific land use planning principles.

Funding for a single project cannot exceed 50% of the total cost. The Board is required to annual reserve one-third of the moneys in the CAT Fund for cities with populations of 10,000 or less and for counties ranked among the 33 least populated.

The Vision Iowa Program will provide grants, loans, forgivable loans, pledges, and guarantees to assist communities in the development of major tourism facilities. The criteria for funding include:

- ❖ Total project cost of at least \$20 million.
- ❖ Financial and non-financial support from public or private sources of at least 50% of the total cost.
- ❖ The extent to which the project is primarily vertical infrastructure with a demonstrated substantial regional or statewide economic impact.
- ❖ Benefits to persons living outside the county in which the project is located.
- ❖ Potential to attract visitors from out of the state and to enhance recruitment and retention of young people as residents.
- ❖ The extent to which the project takes into consideration five specific land use planning principles.

Funding for a single project cannot exceed \$75 million. Total bonding authority for the Vision Iowa Fund is capped at \$300 million.

Both the CAT and Vision Iowa Programs allow school districts to join a city or county to apply for assistance. The application must demonstrate that the project to be funded will benefit both joint applicants. Applicants receiving assistance under either the CAT or Vision Iowa Programs must pay at least 50% of the cost of a standard medical insurance plan for all full-time employees of the completed project.

SF 2447 directs the Department of Education to establish and administer a School Infrastructure Program to provide financial assistance to school districts by awarding grants based upon need. A school district may receive only on grant under the program. A school district is ineligible for assistance from the School Infrastructure Program if the district has Local Sales and Services Tax revenue exceeding the statewide average sales tax capacity per pupil. Districts receiving assistance under the Vision Iowa Program are not eligible for assistance under this program.

The bill also provides that grant awards shall not exceed \$10 million in FY01, \$20 million in FY02, and \$20 million in FY03. The deposit of bond proceeds in the School Infrastructure Fund is capped at \$50 million, excluding the issuance of refunding bonds.

SF 2447 does not make any appropriations. SF 2453 deposits \$15 million in gambling revenues in the Vision Iowa Fund and \$5 million in gambling revenues to the School Infrastructure Fund. It is anticipated that the tax-exempt bonds will reduce revenues by \$274,000 per year beginning in FY02.

SF 2459 - Urban Renewal Annual Financial Report Deadline

CP

Assessors, Auditors, Supervisors, Treasurers

This legislation amends Iowa Code section 403.23(1), by changing the deadline for filing the annual financial report for urban renewal areas (if applicable), from September 30 to December 1 of each year. The municipality (city or county) shall submit this report containing the information required in Iowa Code section 403.15(5), to the Department of Management and to the county auditor.

A new subsection is added in Iowa Code section 403.23, to instruct that if a municipality does not file the annual report with the Department of Management and the county auditor by December 1, the county treasurer shall withhold disbursement of incremental taxes to the municipality until the annual report is filed beginning immediately with the next following disbursement of taxes. The auditor shall notify the treasurer if taxes are to be withheld.

SJR 2005 - Condominiums

DV

Assessors, Supervisors

There has been a lingering debate, particularly in Johnson County, about whether units that are built as condominiums but rented just like apartments should be assessed as commercial property or residential property. The developers of the condominiums want them assessed as residential property in order to take advantage of the rollback. In March of 1999 the Iowa Department of Revenue and Finance published an administrative rule regarding the assessment of condominiums. According to the rule, if the "primary intent of the owner is to sell the units," they were to be assessed as residential property, even if the units were being rented. This Senate Joint Resolution nullifies that administrative rule.

Note: Another bill which passed this session, SF 2426, also addressed this issue. It requires that in order to convert an existing structure to a horizontal property regime, the converted structure must meet local city or county building code requirements. SF 2426 is summarized separately elsewhere in this book.

Effective Date: Upon Enactment

HF 2351 - Temporary Sales Tax Exemption

CP

Auditors, Supervisors, Treasurers

This legislation amends Iowa Code section 422.45 by exempting from the sales/use tax (and also the local option sales tax) the gross receipts from the sale of an article of clothing or footwear designed to be worn on or about the human body and if the sales price of the article is less than \$100 and if the sale takes place during a period beginning at 12:01 AM on the first Friday in August and ending at midnight on the following Saturday.

During the regular session of the General Assembly convening in 2002, the appropriate committees shall review the impact and benefit of expanding this act.

Effective Date: Upon Enactment

HF 2422 - Funding of Local Housing Assistance Programs

RM

Supervisors

This act amends Iowa Code chapter 16 by stating that the Iowa Finance Authority (IFA) may use funds deemed to be surplus to give financial assistance to local housing assistance programs created to assist in providing housing to low and moderate income families. Such surplus funds from IFA cannot be used for infrastructure or for administration.

HF 2492 - Training for Fire Protection and Powers and Duties of Townships

CP

Auditors, Emergency Management Directors, Sheriffs, Supervisors, Treasurers

This legislation makes changes relating to the provision of and training for fire protection and emergency medical services and by amending the powers and duties of townships and township officers.

Iowa Code chapter 28E is amended to specify that a municipality's fire department that agrees to provide for mutual aid or fire protection service or emergency medical service for another municipality shall do so in writing. Municipality means a city, county, township, benefited fire district, or authorized agency formed under this chapter. The agreement may establish an advisory board comprised of one member of the governing body of each municipality that is a party to the agreement.

The State Fire Service and Emergency Response Council is established within the Division of Fire Protection of the Department of Public Safety (DPS). The Council shall replace the existing Fire Service Institute at Iowa State University (Iowa Code sections 266.40 through 266.46 are repealed). The Council is to consist of 10 voting members appointed by the governor, chosen from a list of names submitted by each organization: (2 members) from the Iowa Firemen's Association, (2) Iowa Fire Chiefs' Association, (1) Iowa Association of Professional Fire Fighters, (2) Iowa Association of Professional Fire Chiefs, (1) Iowa Fire Fighters Group, (1) Iowa Emergency Medical Services Association, and 1 member of the general public appointed by the governor. Also, the labor commissioner (or designee) shall be a nonvoting ex officio member. Members of the Council shall hold office starting July 1, 2000, with 4-year term.

The Council shall advise and cooperate with the State Fire Marshall and agencies concerning fire emergency services matters and develop training policy and standards for fire service training, safety, and appropriate fees. The Council shall assist in the operation of a Fire Service Training Bureau for instructing and educating the general public and fire protection personnel in the states and conducting research consistent with the needs of communities. The administrator of the Fire Service Training Bureau shall be appointed by the Commissioner of Public Safety.

New Iowa Code section 331.385 designates that a county may, by resolution, assume the exercise of the powers and duties of township trustees relating to fire protection service and emergency medical service for any township located in the unincorporated area of the county. Fire protection service and emergency medical service shall be paid from the emergency services fund of the county, created in Iowa Code section 331.424C.

Iowa Code section 331.424C authorizes a county that is providing fire protection services or emergency medical services to a township shall establish an emergency services fund and may certify taxes not to exceed 60 $\frac{3}{4}$ cents per \$1000 of taxable property value located in the township. The county has the authority to use a portion of the taxes levied in the fund for fire protection and emergency medical services.

Iowa Code section 359.17 and Iowa Code section 359.20 are amended, to require the board of township trustees to meet not less than twice, instead of once, a year. At least one of the meetings shall be scheduled to meet the requirement of preparing a budget. Also, township records and documents or accurate reproduction shall be kept by the township clerk for at least five years, with certain exceptions.

Iowa Code chapter 359 is amended to provide for more township responsibilities regarding financial and budgetary activities.

Iowa Code section 359.23 is amended to specify additional information on township financial statement. The County Finance Committee in consultation with the Department of Management shall prescribe township forms to show more specific financial statement reporting. The county auditor shall post a copy of the townships' financial statement (or summary of the statement) and also the townships' budget in a prominent place in the building where the auditor's office is located. The county treasurer shall withhold disbursement of township taxes until the financial statement is filed with the county auditor. The auditor shall notify the treasurer if taxes are to be withheld. However, the county auditor may waive the requirement that a township send a copy of the written financial statement to the auditor.

New Iowa Code section 359.49 is created specifying township budgeting procedures and proposed budget form information. The County Finance Committee in consultation with the Department of Management shall prescribe township forms to show more specific proposed budget reporting. The county auditor shall certify to the township clerk the date of posting the township budget. The clerk shall certify the necessary tax levy for the next fiscal year to the county auditor and the board of supervisors by March 15. Two copies of the detailed budget as adopted and of the certified tax levy must be transmitted to the auditor by March 15. Taxes from a township levy shall be collected but not disbursed by the county to a township until copies of the township budget are transmitted to the auditor. If a township fails to certify property taxes by March 15, the amount of taxes collected by the county on behalf of the township shall be the amount of taxes collected for the township in the previous fiscal year to the extent it does not exceed the applicable levy rate limits in this chapter.

However, the amount may not exceed the amount the township could collect based on property assessments for the fiscal year for which the township failed to certify property taxes. (**NOTE:** refer to SF 2418 also).

New Iowa Code section 359.51 stipulates a township shall keep separate accounts corresponding to the items in the township's budget. Iowa Code section 359.52 creates new language describing township disposal of property procedures.

HF 2502 – Uniformed Patrol Funding**JE**

Auditors, Sheriffs, Supervisors

This bill prohibits counties from funding any costs of the sheriff's uniformed patrol out of the rural fund, thus limiting funding for this service from the general fund, with a specified exception. The exception would temporarily permit those counties (about 12) that are already funding uniformed patrol services in FY00 to continue until the first day after the legislative session that commences after pending litigation on this matter is complete. At that time, unless otherwise changed by the general assembly, the remaining counties would be required to shift the funding of the uniformed patrol services to the general fund. The two pending cases are between Lyon and Story counties and their respective local Farm Bureaus.

HF 2513 - Uniform Commercial Code Changes**SVK**

Recorders

This bill is a part of a nationwide reform pertaining to UCC law, and each state must ratify the changes. As a part of these changes, the Secretary of State in each state will become the repository for all UCC filings, except for fixture filings which attach as liens to real estate. During this coming year, the Secretary of State's office will be defining practices and procedures and will be offering training to county recorders prior to enactment.

Effective Date: July 1, 2001**HF 2540 - Enterprise Zones****RM**

Auditors, Supervisors

Among other tax credit provisions, this act amends Iowa Code chapter 15E by adding these provisions concerning enterprise zones:

Section three provides that a county may designate an enterprise zone within an area located in one or more contiguous census tracts or "other geographic units of the county" which meet at least two of the following distress criteria:

- the area has a per capita income of \$9,600 or less.
- the area has a family poverty rate of 12% or more.
- 10% or more of the housing units in the area are vacant.
- valuations of each class of property in the designated area of the census tract is 75% or less of the countywide average for that classification.
- the area is blighted, as defined in Iowa Code section 403.17.

Section four extends application period for enterprise zone certification from July 1, 2000 to July 1, 2003.

Section five includes as an eligible housing business within an enterprise zone nonprofit organizations.

Section six adds to the list of information which eligible housing businesses shall provide to the enterprise zone commission (Iowa Code section 15E.193B) information showing the total costs and sources of project financing used for new investment directly related to housing for which the business is seeking a tax credit.

Section 9 amends Iowa Code section 15E.194, dealing with enterprise zone distress criteria, by adding that cities and counties may designate an enterprise zone any time prior to July 1, 2010 if and when a business which closes involves the loss of 1,000 full time employees (not including retail employees) or four percent or more of the county's resident labor force, whichever is lower. The enterprise zone may be established on the property of the closed business and may include an area up to an additional one-mile adjacent to the property. The area meeting this requirement for eligibility is not included in the other enterprise zone area limitations stated in Iowa Code section 15E.192(3).

Effective Date: Upon enactment, except for section 1, which takes effect July 1, 2001 and sections 5,6, and 7 which apply retroactively to January 1, 2000.

HF 2541 - Rural Improvement Zones

Auditors, Supervisors

WRP

This legislation expands the number of counties that may designate unincorporated areas containing private lakes as rural improvement zones and sets the limits for the standby taxes imposed in those zones. Previously, in a county with a population of less than 11,500 but more than 10,500 residents and having a private lake development, the board of supervisors could designate an area as a rural improvement zone. Improvements are things such as dredging the lake, installation of erosion control measures, and land acquisition. The population requirement has been changed to counties with less than 18,500 having a private lake development.

This legislation also allows for the levy of a standby tax on all taxable property within the rural improvement zone. The rate of the standby tax shall not be less than 50 cents per 1,000 and not more than \$2.50 per \$1,000 of the assessed value of the taxable property.

HF 2560 - Property Tax Exemptions and Income Tax Credits

Assessors, Auditors, Conservation Directors, Supervisors, Treasurers

CP

This legislation provides for individual and corporate income tax credits for the rehabilitation of certain eligible commercial and residential historical property and barns, also research and development and assistive devices for assisting persons with a disability in the workplace. In addition, it provides for an increase in the deduction for pension and retirement income for income tax purposes, and a property tax exemption for increasing the value of certain barns (in place prior to 1937) due to rehabilitation, and a property tax exemption for increasing the value of a one-room schoolhouses as a result of the rehabilitation.

HF 2562 - Sales Tax on Electronic Transaction

All County Officials

CP

This legislation allows the Department of Revenue and Finance to enter into agreements or compacts with remote sellers, retailers, or third-party providers for the voluntary collection of Iowa sales or use taxes. This may be of interest to those counties with local option sales tax because any collection impacts or exemption changes to the sales/use tax usually apply also to the local option sales tax.

Iowa Code section 422.43 states that the state sales tax is not applied on sales of tangible personal property if the transaction is delivered to the purchaser digitally, electronically, by satellites or fiber optics. This subsection is repealed December 31, 2002. Iowa Code section 423.1 defines tangible personal property as not including the substance of a transaction that is delivered to the purchaser digitally, electronically, or utilizing cable, or by radio waves, microwaves, satellites, or fiber optics.

Iowa Code section 422.45 is amended to make "information services" exempt from the sales and use tax (and local option sales tax).

The Legislative Council is requested to establish an e-commerce Task Force to study the issues e-commerce has generated under the state sales and use taxes, including the status as tangible or intangible property of the substance of transactions that are delivered digitally, eletro-magnetically, or through or by means of cable, satellites, or fiber optics, and vendor discounts. The members of the task force should be selected by the Legislative Council from names submitted to the Council by July 1, 2000. The membership shall consist of at least the following: two members from the Department of Revenue, one business taxpayer person, one retailer community as a whole, one large state or national retailer employee, one small main street retailer employee, one person familiar with the e-commerce industry, one who is a representative local governments, one representing the taxpayers as a whole, four members of the General Assembly (two senators and two representatives, equally representing both parties, appointed by the Legislative Council). The Task Force shall provide the General Assembly with a preliminary report by January 1, 2001. The final report with the Task Force's findings and recommendations is due by January 1, 2002. Refunds as a result of taxes, interest, or penalties which arise from claims (filed by October 1, 2000) the enactment of this act shall be limited to \$25,000 in the aggregate.

Effective Date: This act takes effect upon enactment and applies retroactively to March 15, 1995

HF 2563 - Sales Tax Exemption of Nonprofit Hospital Construction Contract Sales

CP

Auditors, Supervisors, Treasurers

This legislation amends Iowa Code section 422.45 to exempt from the sales/use tax (and also the local option sales tax) the gross receipts from all sales of goods, wares, or merchandise, or from services rendered, furnished, or performed which are used in the fulfillment of a written construction contract with a nonprofit hospital. Refunds of taxes, interest, or penalties which arise from the enactment of this act shall be limited to \$25,000 in the aggregate, if filed by April 1, 2002.

Effective Date: This act takes effect upon enactment and applies retroactively to July 1, 1998.

HF 2569 - Sales Tax Exemption of Livestock Ear Tags by Certain Nonprofits

CP

Auditors, Supervisors, Treasurers

This legislation amends Iowa Code section 422.45 to exempt the sale of livestock ear tags by certain nonprofit organizations from the sales and use tax and the local option sales tax.

TRANSPORTATION

SF 2147 - Motor Vehicle Regulations and Enforcement Engineers, Treasurers

JE

This bill makes various changes in the Iowa Code relating to motor vehicle registration and titling, motor vehicle dealer licensing, motor vehicle enforcement, and motor carrier authority.

It also makes several changes to Iowa Code sections 321.20A, 321.25, 321.46, 321.52, and 321.89 relating to the times for applying for motor vehicle registration, certificates of title, and junking certificates, by extending the time period from 15 to 30 days.

Iowa Code section 321.30, related to grounds for refusing vehicle registration titling, is amended to direct the DOT or the county treasurer to refuse registration of a motor vehicle unless the applicant has an Iowa driver's license or the application is made by more than one applicant and one of the applicants is at least 18 years of age.

Iowa Code section 321.50, relating to security interest provisions on certificates of title, is amended to allow any county to note the release of a lien by a lienholder on the face of the certificate of title. Currently, a county in which a certificate of title is presented for transfer is required to notify the county of record of the release of a lien.

Iowa Code section 321.58, relating to applications for special dealer certificates and plates, is amended to eliminate a requirement that a new licensed motor vehicle wholesaler furnish proof of written authorization from the manufacturer of the new motor vehicle of the person's status as a wholesaler of the vehicle.

A new Iowa Code section 321.101A is created to permit the county treasurer to revoke the registration and registration plates for a vehicle if the registration fees are paid by check and the payer's financial institution dishonors the check. References to appropriate Iowa Code sections for refusal of vehicle registrations and for deeming registration for vehicles transferred to bona fide purchasers without actual knowledge of the suspension or revocation of the registration are included.

The bill strikes a provision in Iowa Code section 321.123 subjecting certain trailers and bulk spreaders to a registration fee of \$5. The Iowa Code section currently provides that all trailers except farm trailers and mobile homes, unless otherwise provided, are subject to a \$10 registration fee.

Iowa Code section 321.454, relating to the width of vehicles operated on highways of this state, is amended to provide that all vehicles shall be allowed a total outside width, exclusive of safety equipment and certain appurtenances, of eight feet, six inches. The previous limit was eight feet, with exceptions for certain vehicles. The bill also makes exceptions for length of certain vehicles.

The legislation revises and expands the schedule of fines for violations of the maximum gross weight restrictions in Iowa Code section 321.463.

The bill amends various Iowa Code sections pertaining licenses for the leasing of vehicles, authorized vehicle recycler licenses, motor vehicle dealer licenses, manufacturer's, distributor's, and wholesaler's licenses, for motor vehicles, mobile homes, and travel trailers. It provides that holders of such licenses shall have one-month license renewal grace period after expiration of the license. Persons failing to renew their license within the grace period who desire to hold a license are required to file a new license application and pay the required fee.

Iowa Code section 322.29 is amended to allow persons who rebuild certain vehicles to be licensed as a vehicle wholesaler without authorization from the vehicle manufacturer.

Transportation

The legislation amends various sections of Iowa Code chapter 325A involving the regulation of motor carriers and charter carriers. It includes changes for regulation of permits and certificates, requires state conformance with federal regulations, and preempts local regulations of motor carriers that are more restrictive than those regulations in the Iowa Code.

Sections 38 through 43 of the bill make several Iowa Code changes relating to DOT's motor vehicle registration and titling system. Iowa Code section 321.20 specifies requirements regarding ownership name(s) and lessee information on the application for certificate of title for certain vehicles. Iowa Code section 321.24 delineates information required on the certificate of title and the vehicle registration.

Iowa Code section 321.42 is amended to provide that in instances of lost or destroyed certificates of title, the copy issued by DOT or the county treasurer shall be a replacement copy rather than a certified copy, and that such copy be clearly marked "replacement" rather than "duplicate." The bill also eliminates the requirement that the replacement copy be identical to the original. Iowa Code section 321.50 is amended to provide that up to three security interests may be perfected against a vehicle and shown on an Iowa certificate of title.

Finally, sections 44 and 45 of the legislation make changes in Iowa Code sections 321.157 and 321.159 regarding schedules of prices and weights of various models of motor vehicles sold or offered for sale in the state and conditions of providing such information to the DOT.

Effective Date: Sections 38 through 45 are effective July 1, 2001.

JE

SF 2164 - Municipal Dusty Roads

Engineers, Supervisors

This bill amends Iowa Code section 313.4, relating to disbursements from the primary road fund, to provide that the state DOT may use moneys from the fund for dust control on a municipal street within a municipal street system if such street has a notable increase in traffic due to closure of a road by the department for purposes of establishing, constructing, or maintaining a primary road. A similar bill was enacted for secondary roads last year.

JE

SF 2194 - Vacation of Road Rights-of-Way

Engineers, Supervisors

This legislation amends Iowa Code sections 306.11 and 306.12 concerning the process involved with the vacation of a road right-of-way. Specifically in the case of vacation of excess right-of-way, the bill permits such vacation without a public hearing as long as the closure does not change the traveled portion of the road or deny access to the road by adjoining landowners. The legislation also repeals the requirement that all property owners located outside the boundary of a city, who own 10 or more acres of land within one mile of the road, be notified of a road vacation by regular mail.

SF 2249 - Purchasing Preference for "Bio-based" Lubricants - See Environment and Land Use.

JE

SF 2313 - Motor Vehicle and Traffic Safety

Engineers, Treasurers

This bill makes several changes in Iowa Code chapters 321 and 321J relating to driver licensing, the use of child restraints and seat belts for children, and the designation of certain vehicles as authorized emergency vehicles.

Section 2 of the bill amends Iowa Code section 321.11, to provide that personal information shall not be disclosed by the DOT to a person requesting information, other than certain government officials allowed by federal law, unless the individual has given express written consent to such disclosure. Prior to enactment of this bill, such information was disclosed to requestors if the individual did not elect to prohibit disclosure to the general public.

Iowa Code section 321.178 is amended to specifically provide that a person shall not be required to hold a current Iowa teacher or administrator license at the elementary or secondary level in order to be certified by the DOT or authorized by the board of educational examiners to provide street or highway driving instruction.

The bill amends Iowa Code section 321.188 to allow renewal of a commercial driver's license without a driving skills test within one year after its expiration date. Iowa Code section 321.196 is amended to provide that a driver's license is renewable without a driving test within a period of one year after its expiration date.

SF 2313 amends Iowa Code section 321.208 to provide that a person can be disqualified for operating a commercial motor vehicle while any amount of controlled substance is present in the person, as measured in the blood or urine. Iowa Code section 321.210D is amended to provide for the suspension of a license if the driver is charged with homicide by vehicle.

Effective Date: Section 2 is effective upon enactment.

SF 2330 - Low-Speed Vehicles

Engineers, Sheriffs, Treasurers

JE

The bill defines a low-speed vehicle, for purposes of Iowa Code chapter 321, as a motor vehicle manufactured in compliance with the National Highway and Traffic Safety Administration standards for low-speed vehicles. The legislation deems compliance with the equipment requirements in the standards to be in compliance with the equipment requirements of Iowa Code chapter 321.

The bill provides that the manufacturer or importer's certificate accompanying an application for registration and certificate of title for a new low-speed motor vehicle shall certify the vehicle was manufactured with national standards.

The bill excludes low-speed vehicles which are electric from Iowa Code section 321.116, which provides a lower annual registration fee for electric motor vehicles than for other motor vehicles.

The bill also prohibits low-speed vehicles from being operated on streets with posted speed limits greater than 35 miles per hour, except when crossing such a street. A violation of this prohibition is a simple misdemeanor.

HF 2135 - Child Support Recovery

Recorders, Treasurers

DV

This bill amends the child support recovery task force created in Iowa Code chapter 252B. The task force shall now assist in the development and implementation of a process for delaying the renewal of motor vehicle registrations due to delinquent child support.

Members of the task force already include representatives of the county recorders association and the county treasurers association. This bill adds six new associations, including the Iowa Bankers Association.

JE

HF 2248 - Vehicle Financial Responsibility

Treasurers

This bill amends Iowa Code section 321A.25 to provide that a person may prove motor vehicle financial responsibility by filing an endorsed certificate of deposit with the State Treasurer. The certificate of deposit shall be made payable jointly to the person and the State Treasurer and shall be obtained from an Iowa financial institution in the amount of \$55,000 plus any early withdrawal penalty fee. Currently, Iowa Code section 321A.25 provides that a person may prove motor vehicle financial responsibility by depositing with the State Treasurer \$55,000 in cash, or securities which may legally be purchased by a state bank or trust funds of a market value of \$55,000. The legislation makes conforming changes in other parts of the Iowa Code.

Effective Date: March 30, 2000

JE

HF 2368 - Farm Implement Weight Restrictions

Engineers, Supervisors

This legislation makes modifications to HF 651 that was enacted in 1999. It amends Iowa Code section 321.463 by limiting the axle weight of fence-line feeders, grain carts and tank wagons to 24,000 pounds from February 1 through May 31, and 28,000 pounds from June 1 through January 31. The theory is that this change accommodates seasonal differences in road conditions. Previous law simply limited axle weights to 24,000 pounds (with a 20% tolerance) at all times. The bill imposes a gross vehicle limit of 96,000 pounds.

HF 2368 provides that fence-line feeders, grain carts and tank wagons comply with bridge embargoes and that the local authority may issue special permits for operation of such vehicles with excess weight over bridges as deemed appropriate. The permit is based on a statewide standard developed by the DOT.

The provisions of the bill apply initially to implements manufactured after July 1, 2001 and to all implements after July 1, 2005. The year of manufacture will be noted on the permanent identification plate on the vehicle.

Finally, the legislation calls for completion of the DOT study of tracked vehicles as originally provided for in HF 651. The study includes equipment manufacturers and distributors, agricultural associations and ISAC. Study findings are due to the General Assembly by December 1, 2000.

JE

HF 2480 - Motor Vehicle Registration

Treasurers

This bill amends several provisions in Iowa Code chapter 321 relating to the registration of vehicles. It allows a three-month period for renewal of a vehicle registration. That three-month period includes the month prior to the birth month, birth month, and month following the birth month. Persons registering a vehicle for the first time in the eleventh month may register for a two-month period or for a 14-month renewal period upon payment of the applicable registration fees. The bill exempts proportional registration between Iowa and other states of fleets of certain commercial vehicles.

Effective Date: July 1, 2001**HF 2528 - Condemnation - See Environment and Land Use.****HF 2538 - Transportation Appropriations - See Appropriations.**

APPROPRIATIONS

SF 2428 - Departments of Economic Development and Workforce Development Appropriations CP, RM, JE Auditors, Community Services, Supervisors

This bill provides state appropriations for operations and programs at the Department of Economic Development and other agencies, effective FY01.

Department of Economic Development

Community Development Division:

- ❖ Iowa's Councils of Government\$150,000 (same as FY00)
Appropriation from the rural community 2000-program revolving fund established in Iowa Code section 15.287 to provide to Iowa's councils of government funds for planning and technical assistance to local governments.
- ❖ Rural Development Program\$370,000 (same as FY00)
Appropriation from the rural community 2000 program revolving fund to the rural development program including rural enterprise fund and collaborative skills development training.
- ❖ Community Development Block Grant.....\$406,000 (4% decrease)
Appropriation for administration and related federal housing and urban development grant administration.
- ❖ Housing Development Fund.....\$500,000 (70.1% decrease)
- ❖ Shelter Assistance Program\$400,000 (same as FY00)
Appropriation to housing development fund for providing technical assistance to communities of all sizes and local financial institutions to help meet local housing needs and to provide matching funds for the HOME program >

Department of Workforce Development

Welfare-To-Work Matching Funds:

- ❖ Welfare-to-Work Grants.....\$153,000 (82.8% decrease)
For matching funds for welfare-to-work grants from the U.S. Department of Labor to provide additional services for the hardest to employ recipients of family investment program benefits.

New Employment Opportunity Program:

Section 20 of the bill directs the Department of Workforce Development to implement and administer a new employment opportunity program to assist individuals in underutilized segments of Iowa's workforce, including but not limited to the persons with physical or mental disabilities, persons convicted of a crime, or minority persons between the ages of 12 and 25, to gain and retain employment.

SF 2429 - Health and Human Rights Appropriations

JE, RM

Community Services, Environmental Health Directors, Public Health Nurses, Recorders, Supervisors

This legislation makes appropriations to the Departments of the Blind, Elder Affairs, Human Rights, and Public Health, the Governor's Alliance on Substance Abuse, the Iowa Civil Rights Commission, Gambling Treatment Fund, and the Commission of Veterans Affairs. The total appropriation is \$88.6 million and 1,542.7 FTE. This represents a decrease of \$6.5 million and an increase of 97.9 FTE compared to the FY00 estimated net appropriation.

Department of Public Health

- ❖ Community Capacity\$1,637,872 (3.35% increase)
 ❖ These funds are for strengthening the health care delivery system at the local level. Of these funds, \$350,000 shall be allocated to and used by local boards of health to ensure that core public health functions are maintained and to support essential services in their communities.
- ❖ Also of these funds, \$165,391 shall be allocated for the office of rural health to provide technical assistance to the rural areas in the area of health care delivery.

- ❖ Lead Abatement Program, Environmental Hazards\$39,540
- ❖ Public Protection\$7,068,352 (14.38% increase)

These funds are for protecting the health and safety of the public through establishing standards and enforcing regulations. The provision entitles an emergency responder who, through the course of their work may be infected with hepatitis, to testing and immunization. Reimbursement for this service shall be available from EMS funds only if the reimbursement is not available through an employer or third-party payer.

The bill provides that a local health care provider or nonprofit health care organization seeking grant moneys administered by DPH shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

- ❖ Gambling Treatment Fund, Treasurer of State\$3,882,000
 Of the funds appropriated in this subsection, \$400,000 is allocated for elderly wellness for local public health, nursing, and home care aide/chore programs.

Vital Records:

The vital records modernization project as enacted in 1993, and as subsequently amended, shall be extended until June 30, 2001, and the increased fees to be collected pursuant to that project shall continue to be collected and are appropriated to DPH until June 30, 2001.

Department of Human Rights

The legislation makes various changes to the operation of the Community Grant Fund Program (Decategorization). It extends the sunset date for the Community Grant Fund to June 30, 2005. It requires the Division of Criminal and Juvenile Justice Planning to annually submit a report to the general assembly by January 15.

Effective Date: Section 10, pertaining to vital records, and Section 14 pertaining to the Community Grant Fund are effective upon enactment.

SF 2430 - Departments of Agriculture and Land Stewardship and Natural Resources Appropriations

Conservation Directors, Supervisors

CP, RM, JE

This legislation makes appropriations to state government, including agriculture and natural resources. Some areas of interest are described below.

Department of Agriculture and Land Stewardship

Soil Conservation Division:

- ❖ Soil and Water Conservation Districts\$418,376
 Reimbursement to commissioners for administrative expenses, including but not limited to travel and technical training 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.
- ❖ Soil Conservation Practices\$5,500,850
 Of that amount, five percent shall be allocated to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in Iowa Code section 161A.73.

Department of Natural Resources**Administrative and Support Services:**

- ❖ Manure Management Plans \$34,000
..... 1 FTE
For use by DNR to support the inspection and oversight of manure management plans associated with confinement feeding operations.

Energy and Geological Resources Division:

- ❖ Soil and Hydrology Data \$76,000
..... 2 FTE
For use by DNR to review soil and hydrology data for construction permits and manure management plans associated with confinement feeding operations.

Environmental Protection Division:

- ❖ Confinement Feeding Operations \$370,000
..... 9 FTE
For use by DNR to support on-site inspections and the oversight of manure management plans associated with confinement feeding operations regulated by the department. An amount of \$105,564 shall be used to contract with persons to process manure management plans.

Pilot Project for Refund of Application Fees:

The department may establish a pilot project for the refund of all or a portion of fees paid to the Department for issuing a stormwater discharge permit pursuant to Iowa Code section 455B.103A, if the Department fails to issue the permit in a manner and within a period of time customary.

SF 2433 - Government Technology (ICN) Appropriations

CP, RM, JE

All County Officials

This legislation relates to state government technology and makes appropriations to the Iowa Communications Network for the support of certain Part III users and to various entities for other technology-related purposes. It also provides for the procurement of information technology and for the use of the network.

Iowa Communications Network (ICN)

It is the intent of the general assembly that the Iowa Telecommunications and Technology Commission annually review the hourly rates of the ICN, as provided in Iowa Code section 8D.3(3i). Such rates shall be established in a manner to minimize any subsidy provided through the state general fund appropriations and eventually eliminate subsidization by June 30, 2007. However, it is the intent of the general assembly to continue subsidizing video rates charged to libraries, public or nonpublic schools for grades K-12, private universities and colleges, and state board of regents institutions.

The DED and the Iowa Utilities Board shall jointly develop a written report with recommendations to ensure that high-speed broadband internet access is available to rural areas of the state where such access is not currently available. The written report shall be submitted to the legislative oversight committee of the Legislative Council by no later than October 1, 2000.

Pooled Technology Account:

A pooled technology account is established in the Office of the Treasurer of State under the control of the Division of Information Technology Services of the Department of General Services and shall be used for the purpose of supporting various technology programs as provided in section 5 of the bill. Some appropriations of interest are mentioned below.

- ❖ Department of Management to develop budget system programs for townships \$200,000
- ❖ Division of Information Technology Services \$21,000,000
Of this \$21,000,000 allocation for designated projects, some items of interest include:

Appropriations

- ❖ Department of Human Services electronic data collection, management, and reporting associated with the temporary assistance for needy families (TANF) welfare reform program.
- ❖ Department of Human Services child support recovery unit system.
- ❖ Iowa Department of Public Health for the development and implementation of an electronic system for vital records.
- ❖ Department of Management for completion of budget system redesign.

lowAccess

It is the intent of the General Assembly that all fees collected with respect to transactions involving lowAccess shall be deposited in the lowAccess revolving fund created in Iowa Code section 18.187 and shall be used only for the support of lowAccess projects.

The first \$1,000,000 collected and transferred by the DOT to the Treasurer of State with respect to the transaction fees involving the furnishing of a certified abstract of a vehicle operating record under Iowa Code section 321A.3(1), shall be transferred to the lowAccess revolving fund and administered by the Division of Information Technology Services for the purposes of developing, implementing, maintaining, and expanding electronic access to government records in accordance with the requirements set forth in Iowa Code chapter 18, Division VII.

JE, DAW

SF 2435 - Human Services Appropriations

Auditors, Community Services, Supervisors

This bill appropriates \$778.3 million and 3,969.3 FTE positions for FY01, a decrease of \$10.3 million (1.3%) and 1,526.2 FTE positions (27.8%) compared to the estimated FY00 appropriation.

- ❖ Social Services Block Grant Supplemental [Section 1].....(FY00) \$1,197.329 (63% decrease)
Of the amount appropriated, \$538,068 is designated for MH/MR/DD/BI community services local purchase.

Early Childhood.....(FY01) \$2,500,000
❖ Community Empowerment.....(FY02) \$2,500,000
❖ Community Empowerment.....
This is the funding piece for the early childhood development as planned for empowerment areas. Transfer of funds to community empowerment areas are permitted for areas approved by the Iowa Empowerment Board. The provisions set maximum allowed allocations, and an eligibility formula. It imposes federal reporting requirements. It also outlines how the funds shall be used.

Temporary Assistance for Needy Families Block Grant. Federal TANF funds are distributed as follows:

- ❖ Family Investment Program—Assistance\$44,035,883 (15.0% decrease)
- ❖ Family Investment Program—Assistance – JOBS\$19,980,113 (Same as FY 00)
- ❖ Field Operations\$12,870,415 (5.21% increase)
- ❖ General Administration\$3,227,683 (3.41% increase)
- ❖ Local Administrative Costs\$2,147,358 (3.25% increase)
- ❖ State Child Care Assistance\$23,219,567 (38.4% increase)
- ❖ Emergency Assistance\$2,763,605 (2.56% increase)
- ❖ MH/DD Community Services\$4,620,848 (19.5% increase)
- ❖ Child and Family Services\$23,586,793 (0.4% increase)
- ❖ Pregnancy Prevention Grants\$2,517,477 (28.5% increase)
- ❖ Technology Needs for Tracking\$1,006,442 (0.64% increase)
- ❖ Supervised Community Treatment\$300,000 (Same as FY 00)
- ❖ Volunteers.....\$37,935 (19.48% increase)
- ❖ Individual Development Accounts.....\$200,000 (Same as FY00)

Of the amounts appropriated, \$11,877,714 are to be transferred to the appropriation of the federal social services block grant for FY00.

Economic Assistance Division:

Section 4 of the bill establishes guidelines for the use of funds in the FIP Account. FIP funds include funds for the Family Development and Self-Sufficiency Grant Program and encourage local matching grants to expand geographic availability of the services and prohibit supplanting of current programs. It also continues the diversion program and incentive grants by earmarking \$650,000 for development of innovative strategies on a statewide or pilot basis for job retention, family structure, or both. Of these funds, not more than \$250,000 shall be used to develop at least one community level parental obligation pilot project. Program guidelines and DHS responsibilities are outlined. Not more than \$200,000 shall be used to study the impact that moving unemployed FIP program parents into employment has on the well being of the children, the parent and the family. The department is directed to include in the study a method of actual contact with the families and children, and shall consider broad-based impacts such as educational achievement, health status, housing stability, and use of supportive social services. Another \$100,000 is specified for providing additional incentive payments to contracted agencies who demonstrate success at completing well-being visits for families terminated from the FIP.

- ❖ Emergency Assistance \$10,000 (Same as FY 00)
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. It directs that such funds shall not supplant programs such as LIHEAP, county general relief, and veterans affairs programs. \$10,000 is allocated to the community voice mail program.
- ❖ Child Support Recovery \$6,471,841 (4.12% decrease)
The director of DHS may establish new positions and add state employees to the child support recovery unit or contract for delivery of services if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or non-renewal of chapter 28E contract.

Medical Services Division:

- ❖ Medical Assistance [Section 8] \$400,662,028 (3.56% decrease)
This appropriation represents a decrease of \$14.8 million. This includes a decrease of \$459,000 due to the federal cost-of-living adjustment for the Supplemental Security Income subsidy being higher than anticipated. It provides an increase of \$412,000 for the Medicare Buy-In Program. Among the general program features are:
 - ❖ Continues to permit use of funds for abortions that are 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 DHS 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.
 - ❖ Directs DHS (with federal approval) to develop a medical assistance HCBS Waiver for children with MR, who would otherwise require ICF/MR care, to be served in out-of-home settings for up to eight.
 - ❖ Adds a new provision that the department shall aggressively pursue options to expand the HCBS Waiver for persons with physical disabilities to 100 openings served at any one time, and shall be limited to the number approved in the waiver by the U.S. Department of Health and Human Services. The openings shall be on a first-come, first-serve basis.
 - ❖ Discontinues the telemedicine and the physician supervised weight-loss pilot programs.
Directs DHS to work with county representatives to aggressively take steps necessary to implement the rehabilitation option for services to persons with chronic mental illness under the medical assistance program. County funding shall be used to provide the match for the federal funding, except for state cases which are still the state responsibility. Directs the state and county representatives to meet with the Joint Appropriations Subcommittee on Human Services in January.
 - ❖ Raises the income limit for pregnant women and infants to 200 percent of the poverty level for medical assistance in the mothers and children category.

Appropriations

- ❖ Adds a provision that if a DHS waiver request is approved by HCFA, a 24 month eligibility period for medical assistance family planning services shall be available regardless of any change in circumstances of a woman who was a medical assistance recipient when a pregnancy ended.
- ❖ Adds a provision to direct DHS to review the personal assistance services pilot project, consumer-directed care provisions and other HCBS waivers utilized by the department. DHS shall submit a report to the governor and general assembly by December 15, 2000 regarding options for termination, expansion, and consolidation of the services and waivers.
- ❖ Subsection 15 adds a direction to DHS to aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the EPSDT program due to aging up but have health care needs in excess of the funding available.
- ❖ Allocates \$100,000 for development of options for implementation of a personal assistance services program as established in HF 2380. Directs the department to work with other agencies, departments, ISAC and the community services affiliate of ISAC in developing the program. The planning committee shall review and consolidate the eligibility requirements, intake processes, assessment tools, and other relevant processes of all existing personal assistance services waiver and pilot programs into a single comprehensive program. The planning committee shall consult with HCFA on funding and expenditures related to health care facility services, ICF/MR and HCBS Waiver services.
- ❖ Pharmaceutical Case Management Study.....\$414,000
To operate a program reimbursing pharmacists for managing patient care.
- ❖ Health Insurance Premium Payment Program.....\$400,721 (0.93% increase)
- ❖ Children's Health Insurance Program (CHIP).....\$4,984,508 (51.37% decrease)
This includes a decrease of \$5 million to offset FY01 funding requirements with unused CHIP appropriations carried forward in the HAWK-I Trust Fund. It also includes a decrease of \$247,000 to reflect historical usage patterns.
- ❖ Medical Contracts.....\$8,426,282 (10.01% increase)
- ❖ State Supplementary Assistance.....\$19,985,747 (2.5% decrease)
This is for state supplementary assistance, funeral assistance, and the medical assistance waiver for persons with mental retardation rent subsidy program. It represents a decrease of \$491,000 due to the federal cost-of-living adjustment for the Supplemental Security Income subsidy being higher than anticipated. Permits up to \$75,000 of the funds to be used for 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.
- Adults, Children and Families Division:**
- ❖ Child Day Care Assistance.....\$5,050,750 (Same as FY00)
- ❖ Juvenile Institutions.....\$16,760,469 (6.43% increase)
 - ❖ Toledo.....\$6,305,133 (1.37% increase)
..... 136.54 FTE
The bill states the intent of the General Assembly that beginning with FY01, the Iowa juvenile home at Toledo will only serve females and directs DHS to develop service option to appropriately place males for whom placement at Toledo would otherwise be appropriate.
- ❖ Eldora.....\$10,455,336 (9.73% increase)
..... 229.53 FTE
This section maintains population guidelines and directs a portion of the funds be applied to adolescent pregnancy prevention programs.

- ❖ Child and Family Services\$108,788,161 (1.24% increase)
 In addition to reimbursement methodology changes to implement the recommendations of the child welfare work group established by the legislative council, if the department has completed its review of reimbursement methodologies for child welfare services, has developed options for changing methodologies for child welfare services that are complimentary to those being implemented in accordance with the child welfare work group recommendations, and reported the options to the persons designated by this Act to receive reports, the department may implement one or more options on a pilot project basis that affect not more than 50 children during the course of the fiscal year. The department shall adopt rules to implement any reimbursement changes for services paid for in whole or in part under this section.

Features of this section include:

- ❖ An increase of \$508,000 to fund additional PMIC beds.
- ❖ The department shall work with private providers of PMIC services to develop and implement a plan that shall substantially reduce or eliminate collection of client participation by PMICs. The plan shall be implemented on or before December 1, 2000.
- ❖ Shelter care funding is set at \$7,155,611.
- ❖ Protects counties from payments for court ordered services for juveniles.
- ❖ Provides \$687,876 for day treatment and aftercare services for juvenile females with provider selection made through a request for proposal process. The goal of providing services is to ensure permanency, safety, and self-sufficiency for juvenile females.
- ❖ Directs DHS to convene a work group to determine the most appropriate methodology for payment for PMIC services and report to the Joint Appropriations Subcommittee for Human Services in January 2001.
- ❖ Provides that \$118,642 be allocated as the state match for the federal safe and stable families grant available under Title IV-B of the Social Security Act.
- ❖ Provides that \$131,000 of the moneys appropriated in FY00 for the subsidized guardianship program shall not revert at the close of the fiscal year and shall remain available for the expenditure in the succeeding fiscal year.
- ❖ Provides that any moneys remaining unexpended at the end of the fiscal year for child welfare results-based reporting remain available for expenditure in the succeeding fiscal year.
- ❖ Provides that any unanticipated federal funds available due to improvements in the hours counted by the judicial branch under the claiming process for federal Title IV-E be used for additional or expanded services and that any such moneys remaining not revert and be made available for the following fiscal year.
- ❖ Community-Based Programs - Adolescent Pregnancy\$ 280,228 (72.22% decrease)
 Reflects a decrease of \$731,000 to replace State funds for child abuse prevention with federal TANF money. Directs that funds be used for adolescent pregnancy prevention grants and for child abuse prevention grants.
- ❖ Family Support Subsidy\$2,028,215 (13.49% increase)
 Reflects an increase of \$241,000 to provide subsidy payments for an additional 50 children. The department may use up to \$267,000 to continue the children-at-home program in current counties, of which not more than \$20,000 shall be used for administrative costs.

MH/MR/DD/BI Division:

- ❖ Conner Decree (MR service training)\$46,000 (same as 00)
- ❖ Mental Health Institutes\$42,392,000 (0.8% decrease)
 - ❖ Cherokee\$12,807,42 (1.8% increase)
 - ❖ Clarinda\$7,220,487 (3.0% increase)
 - ❖ Independence\$17,497,584 (1.19% decrease)
 - ❖ Mount Pleasant\$5,357,453 (1.51% decrease)
 Reflects a decrease of \$348,000 to delay non-critical equipment purchases and optional remodeling and to reduce funding for vacant positions, bonus pay, and technology. Continues the 30 PMIC beds at Independence MHI and clarifies that counties are not responsible for funding of these beds **Requires each MHI to continue the net budgeting accounting test.**

Appropriations

Continues funding for the dual diagnosis program at Mount Pleasant.

- ❖ A county may split charges between the MH/DD Services Fund and the budget for substance abuse expenditures.
- ❖ If the individual is under the custody of DOC, DOC pays.
- ❖ The individual shall be screened to the county single point of entry process.
- ❖ A county shall not be chargeable for persons decertified under the managed behavioral care program.

- ❖ State Hospital Schools..... \$4,214,740 (7.35 decrease)
 - ❖ Glenwood.....\$2,504,791 (10.0% decrease)
 - ❖ Woodward.....\$1,709,949 (3.16% decrease)The bill continues net budgeting at these institutions. It removes references to FTE positions at the State Hospital Schools and adds language to permit positions to be added and pooled between the Schools.

- ❖ Mental Illness Special Services \$121,220 (same as FY00)
Directs that funds be used for start up costs to develop community living arrangements for persons with MI who are homeless.

- ❖ Special Needs Grants.....\$53,212 (same as FY00)
Special Needs Grants must be used by a family to cover service costs to help prevent out-of-home placement for a family member who has a developmental disability.

- ❖ MI/MR/DD State Cases \$13,308,845 (31.9% increase)
- ❖ ICF/MR for BI..... \$ 300,000
The ICF/MR service is new. Certain ICFs/MR would be eligible to provide the service. The county of legal settlement would be responsible for the nonfederal share of the 80th percentile and the state would be responsible for the balance of the nonfederal share

- ❖ MH and DD Community Services Fund \$19,560,000 (11.39% increase)
The Community-Based Services Fund is distributed to counties based on a two-part formula provided in the bill. Provides spending guidelines for the funds. Provides spending guidelines for the federal SSBG local purchase of service funds. Provides that counties with approved MH service plans qualify for these funds. The MH/DD Commission shall adopt rules for this section. Of these funds, \$30,000 is allocated for Iowa Compass.

- ❖ Personal Assistance..... \$364,000 (same as FY00)

- ❖ Sexually Violent Predators [Section 27].....\$1,179,178 (22.98% decrease)
For costs associated with the commitment and treatment of sexually violent predators.

Administrative Division:

- ❖ Field Operations.....\$44,795,000 (8.88% decrease)
..... 1,921.50 FTE (decrease of 154.5)
The decrease of \$5.7 million and 154.5 FTE positions are to transfer funding to a new line item for regional offices.

- ❖ General Administration..... \$14,862,874 (5.92% increase)
..... 366 FTE (same as FY00)
The number of FTE positions authorized in this section includes a reduction of all but three of the FTE previously assigned to SCAT. One of the remaining FTE positions shall provide staffing services to the SCMC.

- ❖ Volunteers\$118,250 (0.21% decrease)

Other Provisions and Pilot Projects:

- ❖ Medical Assistance (Medicaid), SSA and Provider Rates:
 - ❖ Maintains rates for skilled nursing facilities.
 - ❖ Maintains dispensing fee for pharmacists.
 - ❖ Maintains reimbursement rates for inpatient and outpatient hospital services.
 - ❖ Increases rural health clinic rates in accordance with federal Medicare program.
 - ❖ Maintains reimbursement rates for home health agencies.
 - ❖ Maintains reimbursement rates for dental services.
 - ❖ Increases community mental health center rates by 16.63%.
 - ❖ Maintains non-institutional medical assistance provider reimbursement rates.
 - ❖ Requires organizations representing nurse aides and providers that employ nurse aides meet to determine enhancement of nurse aide services. Requires a meeting with Joint Appropriation Subcommittee on Human Services in January 2001.
 - ❖ Sets maximum reimbursement rate for residential care facilities at \$24.26 per day.
 - ❖ Sets the maximum reimbursement for in-home health services at \$66.49 per month.
 - ❖ Maintains reimbursement rates for other social service providers with specified circumstances for adjustments.
 - ❖ Maintains the maximum group shelter care rate at \$79.70 per day.
 - ❖ Continues maximum ICF/MR rate at the 80th percentile.
 - ❖ Increases the reimbursement rate for PMICs from \$145.74 to \$147.20 per day.

Motor Vehicle License Reinstatement Penalty-Deposit and Appropriation - Requires the funds collected from the Motor Vehicle License Reinstatement Penalty to pay for the establishment, improvement, operation, and maintenance of county or multi-county juvenile detention homes be maintained at 10%.

- ❖ Runaway Treatment Program Grant (Linn County) \$80,000

Transfer Authority - Authorizes DHS to transfer TANF funds among the following appropriations under certain circumstances: family investment program, emergency assistance, child day care assistance, child and family services, field operations, general administration, MH/MR/DD/BI, community services.

Fraud and Recoupment Activities - Specifies uses of these funds.

Financial Assistance Services - For recipients of services under FIP, PROMISE JOBS, medical assistance program, food stamps, and state child care assistance.

Child Protection Evaluation - Provides for an independent evaluation of the child protection system by including the evaluation elements in its independent review contracted for in the Spring of 2000.

Growth Factor and Risk Pool Adjustments - Provides for adjustment in the growth factor and risk pool for FY01.

Subsidized Guardianship Program [Section 43] - Delays administrative rules until funding is appropriated.

Effective Dates: Effective upon enactment:

Section 1, concerning SSBG Supplementation.

Section 8, subsection 15, concerning study and pursuit of funding for individuals no longer eligible for EPSDT benefits.

Section 27, concerning sexually violent predators reversion of funds.

Section 43, concerning the delay of subsidized guardianship rules.

SF 2452 - Standings Appropriations

JE, RM

Auditors, Community Services, Public Health Nurses, Supervisors

Department of Human Services

- ❖ MH/MR/DD Growth (FY02) \$26,492,712 (2.0% increase)
- ❖ For distribution to all counties \$12,000,000 (same as FY01)

Appropriations

❖ Per Capita Expenditure Target Pool	\$10,492,712 (81.7% increase)
❖ Incentive and Efficiency Pool	\$ 2,000,000 (same as FY01)
❖ Risk Pool	\$ 2,000,000 (same as FY01)

Section two of the bill amends Iowa Code section 426B.5 to provide that any county that uses the Risk Pool and is not levying at the maximum in the mental health fund shall have two years to repay the Risk Pool. Currently, such a county would have only the succeeding year to repay the funds.

Sections four through nine amend HF 2327 that was enacted earlier in the legislative session by basically delaying implementation until the FY02 budget cycle. HF 2327 establishes procedures for counties to follow in using mental health funds for capital asset expenditures. In order to take effect upon enactment, section 10 deems sections four through nine of immediate importance and applies them retroactively to April 13, 2000, the date when HF 2327 was originally enacted.

The legislation transfers \$64.6 million from the money deposited in the Tobacco Settlement Fund to the General Fund for FY01. The Tobacco Settlement Fund moneys are considered part of the General Fund for cash flow purposes only and must be returned to the Tobacco Settlement Fund by the close of each fiscal year.

The bill replaces language in Iowa Code chapter 12 (Treasurer of State), Section 65 (Tobacco Settlement Fund), with language pertaining to the creation of the Tobacco Settlement Endowment Fund, deposits of moneys, uses of funds, and the creation of a Healthy Iowans savings account. The funds shall only be used for purposes related to health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to children, adults and families in the state.

Section 65 of the bill makes a technical correction to SF 2194 concerning the vacation of road rights-of-way.

Sections 67 and 68 make technical corrections of Code citations to SF 2047 and HF 2205 concerning electronic transmission of information.

Division VIII of the legislation (sections 96 through 98) provides for a line of duty death benefit for volunteer firefighters, emergency medical care providers and emergency rescue technicians. Specifically, a process is established through the DPS to provide the beneficiary of a volunteer emergency service provider with a \$100,000 benefit when the death of the volunteer occurs in the line of duty. This provision is repealed July 1, 2002.

Effective Date: Section two, concerning the mental health risk pool, is effective upon enactment. Sections five through eight, concerning capital asset expenditures from the mental health fund are effective upon enactment and are applicable retroactively to April 13, 2000.

SF 2453 - RIIF and REAP

RM, JE

Conservation Directors, Supervisors

This measure appropriates funds for the Rebuild Iowa Infrastructure Fund (RIIF), Resource Enhancement and Protection (REAP) and a variety of other programs within a numerous state agencies. Those items within this act of interest to county government include:

Division I - RIIF

Department of Corrections

- ❖ Community-Based Corrections Projects \$900,000
The first \$300,000 is designated for a project in Council Bluffs. The next \$600,000 is for a project in Davenport.

Treasurer of State

- ❖ County Fair Infrastructure Improvements\$1,060,000

Division II - Restore the Outdoors Program & Environment First FundDepartment of Agriculture and Land Stewardship

- ❖ Conservation Reserve Enhancement Program\$1,500,000
To restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production.

- ❖ Alternative Drainage System Assistance Fund\$1,300,000
Of the amount in this appropriation, \$300,000 is designated for district 176 to provide cost-share assistance for closing agricultural drainage wells and constructing alternative drainage systems. A portion of the funds are intended to provide adequate assistance for closing agricultural drainage wells and constructing alternative drainage systems in Humboldt County.

Department of Economic Development

- ❖ Brownfield Re-Development Fund.....\$3,000,000

Department of Natural Resources

- ❖ Homeowner On-Site Wastewater Systems.....\$600,000
To establish and assist rural homeowners in improving wastewater systems.
- ❖ Boating Accessibility Capital Projects\$2,300,000
To fund capital projects for expenditures for the local cost share grants to be used for capital expenditures to local government units for boating accessibility.

Division III - Resource Enhancement and Protection Fund

- ❖ REAP\$10,500,000

HF 2533 - Federal Block Grants and Appropriations**CP, RM, JE**

Auditors, Community Services, Public Health Nurses, Supervisors

The bill allocates \$140.9 million in federal block grant funds for FY01. This is an increase of \$5.9 million (4.4% increase) compared to prior year's appropriation of \$135 million in FY00. Some of the allocations of interest are listed below.

Department of Economic Development

- ❖ Community Development Block Grant.....\$30 million (0.2% increase)
- ❖ National Affordable Housing Act Grant.....\$9.7 million (same as FY00)

Department of Human Rights

- ❖ Community Services Block Grant\$5.68 million (5.6% increase)
- ❖ Low-Income Home Energy Assistance Block Grant.....\$19.95 million (same as FY00)

Department of Human Services

- ❖ Community Mental Health Services Block Grant.....\$3.1 million (13% increase)
- ❖ Social Services Block Grant\$18.8 million (7.9% decrease)
- ❖ Child Care Development Block Grant\$30.4 million (12% increase)

Department of Public Health

- ❖ Substance Abuse Block Grant.....\$12.54 million (5% increase)
- ❖ Maternal and Child Health Services Block Grant.....\$6.97 million (same as FY00)
- ❖ Preventive Health and Health Services Block Grant.....\$1.95 million (8.7% decrease)

Office of Governor for Drug Enforcement and Abuse Prevention Coordinator

- ❖ Drug Control and System Improvement Block Grant \$5.8 million (1.2% decrease)
- ❖ Stop Violence Against Women Block Grant..... \$1.67 million (1.2% increase)
- ❖ Local Law Enforcement Grant Program..... \$320,000 (0.6% increase)
- ❖ Residential Substance Abuse Treatment for State Prisoners \$520,237 (1.1% increase)

HF 2538 - Transportation Appropriations

JE

Engineers, Supervisors, Treasurers

This bill appropriates a total of \$268.1 million and 3,859.5 FTE positions to the DOT. The appropriations include \$3.1 million from the general fund, \$36.9 million from the RUTF, and \$228.2 million from the PRF. This is an increase of \$4.5 million (1.7%) and an increase of 26 (0.7%) FTE positions compared to estimated FY00.

Section 2 appropriates \$ 36,839,980 in "off-the-top" uses of the RUTF moneys for various purposes including:

Motor Vehicle Division

- ❖ Drivers' License Program \$2,103,000 (1.64% increase)
This appropriation is for payment for costs associated with the production of drivers' licenses, as defined in section 321.1(20A).
- ❖ The bill includes an increase of \$ 250,000 for software development related to the redesign of the driver's license master record file.
- ❖ \$2.1 million is appropriated from the RUTF for Digitized Imaging Systems used for issuance of driver's licenses. This is an increase of \$34,000 compared to estimated FY00.
- ❖ \$20,000 is appropriated from the RUTF for continued purchase of driver's license equipment for county treasurer offices. The DOT received a \$308,000 appropriation in FY00 to begin purchasing equipment to assist the county issuance functions to become operational by January of 2000.

Section five of the bill allows the DOT to conduct a customer service pilot project at two driver's license stations. Under the pilot project, fees collected for driver's license renewals or duplicates will be waived or refunded if the Department determines that the service standard for timely issuance has not been met or an error on the license requires the applicant to return to the license station.

Section six allows the DOT Commission to authorize the temporary transfer of funds from the RISE fund to the PRF if the DOT's cash flow is inadequate to meet anticipated road construction costs. The temporary transfer authority is provided from the effective of this Act through June 30, 2001, and requires that the Commission manage the RISE fund to ensure the funds will be available to meet contract obligations for approved RISE projects.

Effective Date: April 7, 2000 (upon enactment) for Section 6.

HF 2549 - Education Appropriations

JE

Community Services, Supervisors

This legislation provides funding for educational systems in Iowa. It contains a few items of interest to counties.

Department of Education

- ❖ Vocation Rehabilitation Services Division.....\$4,878,700 (4.2% increase)
The division is encouraged to seek local matching funds from local provider entities, community colleges, and area education agencies for purposes of matching federal vocational rehabilitation funds. The section earmarks \$76,401 and 1 FTE for programs to enable persons with severe physical or mental disabilities to function more independently by emphasizing, finding and maintaining employment.

- ❖ Iowa Empowerment Fund.....\$15,600,000 (50% increase)
For deposit in the school ready children grants account of the Iowa Empowerment Fund. School ready children grants account funds shall be distributed through a grant application process. Grant awards shall be contingent upon availability of funds. The deadline for applications in the fiscal year beginning July 1, 2000 shall be August 31, 2000, with grant awards to be made on or about October 2, 2000.

State Board of Regents

- ❖ State Papers, University Hospitals\$32,515,915 (2.21% increase)
This provision directs University of Iowa Hospitals and Clinics, within the context of chapter 255 and when medically appropriate, to make reasonable efforts to extend the hospitals and clinics' use of telemedicine and other technologies to reduce the frequency of visits to hospital required by indigent patients. The University of Iowa Hospitals and Clinics shall submit a report to the General Assembly and the Legislative Fiscal Bureau by Jan. 15, 2001, describing its use of these technologies to accomplish this purpose.
- ❖ Creative Employment Options, State University of Iowa - Directs DHS to transfer to the State University of Iowa for the purposes of the Creative Employment Options program the same amount of moneys in FY01 as was transferred in FY98.

HF 2552 - Justice System Appropriations

JE,DV

County Attorneys, Sheriffs, Supervisors

This bill makes appropriations to the Departments of Justice, Corrections, Public Defense, and Public Safety. It also makes appropriations to specified programs such as the Iowa Law Enforcement Academy, Parole Board, and the Office of the Public Defender and Indigent Defense. The total appropriations for FY01 are \$364.3 million and 6,002.5 FTE. This represents an increase of \$8.6 million (2.4%) and 186.0 (3.2%) FTE positions compared to the FY00 estimated net appropriations.

Department of Justice

- ❖ Prosecuting Attorneys Training Program\$322,856 (12.9% increase)
..... 6 FTE (same as FY00)
- ❖ GASA Prosecuting Attorney Training Program\$133,102 (3.74% increase)
..... 2 FTE (same as FY00)
- ❖ Environmental Crimes Investigation and Prosecution.....\$20,000 (same as FY00)
This funding consists of court-ordered fines and penalties arising out of prosecution of environmental crimes and is 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 government agencies in the investigation and prosecution of environmental crimes.

Department of Corrections

- ❖ State Prisoners in County Jails\$524,038 (same as FY00)
This funding is for temporary confinement of work release and parole violators and for offenders confined in county jails.
- ❖ Administration - Provides that as a condition of receiving funds appropriated to the Department for administrative purposes, it is the intent of the general assembly that the Department shall not enter into any new agreement for transport of inmates by a private, non-profit corporation to a facility owned or operated by a non-profit corporation, unless otherwise approved by the general assembly.

Iowa Law Enforcement Academy

Section 12 of the bill provides that it is the intent of the Iowa Law Enforcement Academy to provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

Appropriations

Department of Public Safety

Section 25 of the bill extends the appropriation of the E911 surcharge moneys received by the E911 administrator through FY01. The amount may not exceed \$200,000, and it shall be used for the implementation, support, and maintenance of the functions of the E911 administrator. It also provides for the inclusion of any amounts necessary to reimburse the division of emergency management of the DPS.

HF 2555 - Tobacco Settlement

JE, RM

Auditors, Community Services, Public Health Nurses, Supervisors

This legislation appropriates a total of \$55 million from the Tobacco Settlement Fund for FY01.

Department of Human Services

- ❖ Medical Assistance Providers \$6,000,000
To increase reimbursement rates for non-institutional Medical Assistance providers to the Medicare rate and to implement resource-based relative value system reimbursement.
- ❖ Rehabilitative Treatment and Support \$3,600,000
To provide a cost of living adjustment of 5 percent to service providers under the Medical Assistance program.
- ❖ Shelter Care Providers \$500,000
To provide a cost of living adjustment of 5 percent to adoption, independent living, shelter care and home studies service providers. DHS is directed to add the shelter care increase to both the state-capped rate and the statewide average of allowable rates in order to hold counties harmless for any cost increases as a result of this appropriation.
- ❖ Home Health Care (Medicare) \$2,400,000
To provide increase in Medicare reimbursement rates for providers.
- ❖ Home Health Care (Children) \$4,400,000
To expand services and habilitative day care under the Medical Assistance program for children with special needs.
- ❖ Respite Care \$1,200,000
To expand services provided through home and community-based waivers under the Medical Assistance program.

Department of Public Health

- ❖ Public Health Nursing and Home Health Care \$1,500,000

Treasurer of State

- ❖ Property Tax Relief Fund \$2,000,000
For assistance to certain counties with limited mental health service fund balances to pay reimbursement increases of 5 percent for purchase of service contract providers. These moneys are arranged in an earmarked risk pool fund to be administered by the Risk Pool Board.

2000 BILLS & RESOLUTIONS THAT FAILED

Pushing bills through the legislature is obviously important to an organization like ISAC. But sometimes things that did not happen can also measure the success of a legislative session. 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 defeated:

House Files

HF 703-Abolish County Compensation Boards
HF 2010-Military Property Tax Exemption
HF 2016-Automated Traffic Enforcement
HF 2063-Military Property Tax Exemption
HF 2087-Jail Time for Burglary
HF 2142/HSB 574-Light Pollution
HF 2242-Fee Supported Services
HF 2260-Veterans Benefits
HF 2262-Marriage Licenses
HF 2299-Unfunded Mandates/Tax Limitation
HF 2347-Local Option Sales Tax
HF 2366-Outpatient MH Treatment
HF 2387-Confidential Social Security Numbers
HF 2502-Uniformed Patrol - **Vetoed by Governor**
HF 2506-Small Town Police
HF 2508/HSB 719-Purchase Referendums
HF 2523-Personal Property Disposal
HF 2532-Unincorporated Area Tax Relief
HF 2544-Unfunded Mandates/Tax Limitation
HJR 2006/HSB 540-Tax Approval Amendment
HSB 504-Substance Abuse Commitments
HSB 571-DNA Profiling
HSB 618-Public Health Fees
HSB 633-County Mental Health
HSB 666-Property Tax Limitation
HSB 710-DOC Programs
HSB 752-Nullifying Administrative Rules/Condos

Senate Files

SF 2049-Hospital Food Sales
SF 2050-Immigration Changes
SF 2071-Townships and Fire Protection
SF 2166-Mobile Home Park Property
SF 2203-Assignment of Benefits - **Vetoed by Governor**
SF 2216-Substance Abuse/Pregnant Women
SF 2235-Bond Obligations
SF 2311-End Special Waste
SJR 2006/SSB 3227-Tax Approval Amendment
SSB 3035-Light Pollution
SSB 3102-Public Health Fees
SSB 3128-Property Tax Limitation
SSB 3189-DOC Programs

Unfortunately, some key proposals initiated in whole or in part by ISAC failed, too. Among these items are:

House Files

HF 656-Elections
HF 672-Education Budget Deadlines
HF 2080-Mental Health Parity
HF 2140-Bottle Refunds
HF 2152-County ICN Access
HF 2199-County Bridge Construction
HF 2299-Unfunded Mandates
HF 2313-State Prisoners in County Jails
HF 2501/HSB 650-County Auditor
HF 2504/HSB 657/HSB 553-Marriage Licenses
HF 2507-Urban Renewal Areas
HSB 521-Boating Related Fees
HSB 536-Food Establishment Fees
HSB 615-County Recorder Fees
HSB 633-County Mental Health
HSB 673-Solid Waste Fees

SF 399-Agricultural Tax Exemption
SF 2025/SF 2054-Blood Alcohol
SF 2096-Franchise Tax Distribution
SF 2150-County Bridge Work
SF 2165-Property Tax Reforms
SF 2201-Confinement Feeding Operations
SF 2234-Mental Health Parity
SF 2380-School Budgets
SF 2412-Mental Health Parity
SF 2434/SSB 3046-Urban Renewal Areas
SSB 3009-Boating Related Fees
SSB 3011-County Recorder Fees
SSB 3036-Food Establishment Fees

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 Fax # (515) 939-8223

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 Dave Jamison - Story County Treasurer(515) 382-7331
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ABBREVIATIONS

AAP	American Academy of Pediatricians
ACIR	Advisory Commission on Intergovernmental Relations
ADC	Aid to Dependent Children
ADW	Agricultural Drainage Well
AFDC	Aid to Families with Dependent Children
AFSCME	Association of Federal, State, County and Municipal Employees
AIDS	Acquired Immune Deficiency Syndrome
ATV	All Terrain Vehicle
BI	Brain Injury
BME	Board of Medical Examiners
CACT	Clinical Assessment and Consultation Teams
CDC	Center for Disease Control
CDL	Commercial Drivers' License
CINA	Children in Need of Assistance
CLEAN	Committing Lottery to the Environment and Natural Resources
CON	Certificate of Need
CPC	Central Point of Coordination
CSRU	Child Support Recovery Unit
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
DHR	Department of Human Rights
DHS	Department of Human Services
DIA	Department of Inspections and Appeals
DIT	Department of Information Technology
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	Generally Accepted Accounting Principles
GIS	Geographic Information System
HAWK-I	Healthy and Well Kids in Iowa
HBV	Hepatitis B Virus
HCBS	Home and Community-Based Services
HCBS/MR	Home and Community Based Services waiver for persons with Mental Retardation
HCFA	Health Care Facilities Administration
HFI	Healthy Families Iowa
HIV	Human Immunodeficiency Virus

Abbreviations

HOPES	Healthy Opportunities for Parents to Experience Success
ICF/MR	Intermediate Care Facility for the Mental Retarded
ICPUST	Iowa Comprehensive Petroleum Underground Storage Tank Fund
IFA	Iowa Finance Authority
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
LPCTC	Livestock Production Tax Credit
LSB	Legislative Service Bureau
M & E	Industrial Machinery, Equipment and Computers
MH	Mental Health
MHI	Mental Health Institute
MH/MR/DD/BI	Mental Health/Mental Retardation/Developmental Disabilities/Brain Injury
MOE	Maintenance of Effort
MR - MAGIC	Mental Retardation - Most Appropriate Groupcare Initiative for Children
MR	Mental Retardation
NAHA	National Affordable Housing Act
NRC	National Resources Commission
OB	Obstetrics
OWI	Operating While Intoxicated
PERB	Public Employment Relations Board
PMIC	Psychiatric Medical Institutions for Children
POS	Purchase of Service
PRF	Primary Road Fund
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
RISE	Revitalize Iowa's Sound Economy
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
WD	Workforce Development
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.

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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
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