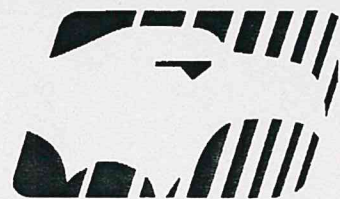


2001 Summary of Legislation

**EMERGING TECHNOLOGIES-
TRADITIONAL SERVICE**



Produced by the Iowa State Association of Counties

Iowa State Association of Counties

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Mission

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

Vision

We want to be a well-respected, financially sound organization that acts as a forum to advise, assist, and represent county governments and the people they serve.

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Introduction

In 2001, the counties of Iowa participated with the 79th General Assembly in the development of many important public policy decisions. ISAC registered to lobby on 285 pieces of legislation this year. Affiliates of ISAC also requested that ISAC "track" another 57 bills without registering to lobby on them. This summary contains 91 bills and resolutions affecting counties that passed the legislative process. In addition, ISAC notified affiliates of an estimated 268 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 286 bills and the summary contained 104 items.

This bill summaries are organized according to steering committees. In addition, appropriations bills are now located in the section entitled "Appropriations," regardless of the topics contained in them. If you still cannot find a bill you are looking for, there are two indexes in the back of this book that will help. One is organized by affiliate. For example, if you are a public health nurse, you can look under the index for "Public Health Nurse" and find topics with bills affecting your office. A second index lists all bills in numerical order with a short title and page number.

On page 65 we have also 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 that text in shaded areas indicates bills that have been vetoed or portions of bills that have been line item vetoed by the Governor.

Generally, bill summaries should be easy to find, since steering committee subjects are so distinct. For example, a bill dealing with annexation would be found under "Land Use and Rural Affairs." However, there are some occasions where a bill could logically fit under more than one committee. We have cross-referenced those bills.

At the end of each summary, you will find the effective date for the bill or portions of the bill only when it is other than July 1, 2001. Also on the title line of each summary you will find the initials of the ISAC staff member who summarized the bill. Their initials are:

AB - Anastasia Baker, Legal Counsel
 CP - Cris Plocher, Fiscal Policy Analyst
 DO - Denise Obrecht, Communications Director
 DV - David Vestal, Deputy Director
 DW - Deborah Westvold, Case Management Director
 JE - John Easter, Director of Intergovernmental Affairs
 RM - Robert Mulqueen, Public Policy Analyst
 WP - William Peterson, Executive Director
 SVK - Susan Vande Kamp, Recorder, Story County

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 might want on a given piece of legislation. If you think a bill might have some specific application for your office, please get a copy of the enrolled bill and review it in detail for yourself. You can get an enrolled bill by calling the Legislature's Public Information Office at (515) 281-5129, or via the Internet at <http://www.legis.state.ia.us>.

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

ISAC Priority Update

Last summer, 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 2000 Fall School of Instruction.

For 2001, eight ISAC priorities were presented in the theme of "Emerging Technologies-Traditional Service." This theme helped shape the ISAC message by emphasizing that counties are bringing ongoing public service and new technologies together. No one should ever expect a legislative session to go perfectly. The 2001 session was no exception. Some ISAC priorities were approved by the General Assembly, and others were not.

Iowa Commission on State and Local Taxation – Property tax reform continues to be a topic of considerable discussion by state lawmakers. In order for counties to assume a positive position on this issue, ISAC proposed a two-part plan. First, the Iowa Commission on State and Local Taxation would be created to study all state and local revenue sources and the services provided by each. The Commission would be appointed by the Legislature, Governor and affected interest groups. It would be charged to consider tax fairness, simplicity, and reduction.

Local Government Fiscal Reform Act – The second part of ISAC's property tax reform package contained four components:

- 1) County financial plans;
- 2) 25% limitation on unreserved, undesignated fund balance in county general and rural funds;
- 3) Strong unfunded mandates protections; and
- 4) General obligation bond flexibility on a less than countywide basis.

HF 148 and SSB 1068 were introduced to combine the Commission with the fiscal reforms into what became known as the "Local Government Fiscal Reform Act." While neither of these bills passed out of the Local Government Committee in either house, the contents of them became a strong alternative to the onerous property tax limitation as proposed in SF 514 by the Iowa Farm Bureau, Iowan's for Tax Relief, and legislative leadership.

In the Senate, the contents of SSB 1068 were offered as a substitute plan for SF 514-Property Tax Limitation. The bipartisan amendment was defeated by a very close vote, virtually due to the absence of one senator.

In the House, a compromise amendment that combined the ISAC package and a pilot project of the Farm Bureau proposal would have been offered on the floor in debate on SF 514. Since this compromise amendment had strong bipartisan support in the House, Farm Bureau requested House leadership pull SF 514 from consideration.

Budget Appeal Reforms – Iowa's unique budget appeal process is archaic in form. ISAC proposed several specific changes to this process to enhance its usefulness to taxpayers. ISAC had the opportunity to present these proposals to the property tax subcommittee of the Senate Local Government Committee. In an effort to improve the property tax limitation legislation for counties, the Senate Committee included two of those suggestions in their recommended version of the limitation legislation (SF 226). Specifically, the bill provided that at least one objector whose name appears on the written protest must have attended the budget hearing, and a budget appeal must be limited to the specific issues raised by the objectors in the written protest.

Unfortunately, these added provisions did not improve SF 226 to the point that ISAC could support the bill. Further, when the Senate Ways and Means Committee rewrote the legislation, these provisions were omitted. There was no further action on the ISAC budget appeal reforms.

Local Public Health Funding - The 2000 legislative session saw allocation of \$1,500,000 of Iowa's share of the national tobacco settlement toward local public health programs. Last year was the first that any portion of Iowa's share was available. Both Governor Vilsack and the legislative leadership agreed that the vast majority of the

tobacco settlement should be spent on either tobacco cessation programs or on public health. This year, SF 537, the tobacco settlement appropriations bill, earmarked \$1,250,000 "for core public health functions, including home health care and public health nursing services, contracted through a formula by local boards of health, to enhance disease and injury prevention services." This amount is \$250,000 less than last year's appropriation. That amount was diverted to the Department of Human Services for Medicaid funding of breast cancer treatment.

DHS Appropriations - Many programs in human services need additional funding to meet the service needs of Iowa's citizens and to help ease the burden on the property tax dollar. Such programs include childcare, Family Investment Program, emergency shelter care, juvenile detention, Social Services Block Grant, and certain Medicaid programs.

Due to the recent economic slowdown, state revenues expected for FY02 fell significantly below projections, and numerous state program budgets were reduced. Many DHS programs were held status quo, or cut. In fact, the MH allowable growth allocation was cut so deeply that the funds for this purpose had to be combined with the Community Services Fund, and the county allocation formula changed to help counties meet service demands. ISAC and its members had to assist the General Assembly in developing a formula to redirect the limited allowable growth dollars toward counties with fund balances below 25% and who were at or close to their maximum mental health fund levy.

Home Rule and Livestock - In the 2001 legislative session, numerous bills were introduced that pertained to county involvement in the regulation of livestock confinement facilities. SF 10, that would allow county planning & zoning ordinances to apply to agricultural land, SF 64, HF 339 and HF 380, all of which would restore county authority over siting, and SF 217 and SF 506, both of which also dealt with siting powers, all dealt with the siting of large livestock facilities. With the exception of an amendment to SF 514 (the property tax limitation bill), all of these items "died" in the first funnel due to lack of action by the subcommittee chairs. The amendment on SF 514 was a restatement of legislation approved by the Senate two years ago which changed the current practice of allowing a property tax exemption for industrial environmental protection equipment to apply to livestock facilities.

Comprehensive Land Use Planning - Although land use planning received considerable attention during the 1997-98 legislative study committee on that topic and during the 1999 legislative session when a comprehensive bill was supported by ISAC, the 2000 and the 2001 sessions saw little push for comprehensive legislation. SF 173 was a somewhat simplified version of the 1999-2000 measure. It "died" in the first funnel. SF 434 called for a statewide study by Iowa State University of land use policies at the local level, but it was a victim of the second funnel.

The single land use related piece of legislation that survived the legislative minefield was HF 582. This bill deals with annexation law and with the relationship between cities and counties and the City Development Board, the body that has the power to approve or disapprove of city annexations. ISAC registered in favor of this measure. It was approved both by the House of Representatives and the Senate, but, at adjournment, was ready for a return to the House with Senate amendments. It will be eligible for further action next session.

Recorders Technology Fee and E-Commerce - The 2000 session saw passage of legislation which established the framework for electronic commerce, that is, commercial transactions via the Internet. That summer representatives of the Recorders Association, the Iowa Association of Realtors, the Iowa Bankers Association, the Iowa Bar Association, and the Iowa Department of Information Technology met four times to discuss the relationship between electronic real estate transactions and proper recording of legal documents dealing with these transactions.

The Recorders Association chose to pursue legislation that would allow collection of a technology fee on each recorded transaction. Revenues from this fee would be earmarked for the purchase of new computer hardware and software by county recorders to enable them to be part of electronic commercial transactions. HSB 9 was introduced to allow this fee. Although it did not survive the first funnel, the necessary legislation will be sought again next year.

County Administration and Organization

HF 73 – Honor Guard Services on Public Property Auditors, Supervisors WP

The act amends Iowa Code §35A.12. The new section provides that an honor guard made up of members of a recognized military veterans organization shall be allowed to perform any honor guard service on public property.

HF 259 – Notarial Officers Recorders SVK

This legislation makes several changes in Iowa's notary public laws. The new law provides that a person must be at least 18 years old in order to be appointed as a notary public. In addition, any person who has been disqualified from voting either because of a felony conviction or because of having been adjudged mentally incompetent may not be appointed.

Under current law, the use of a stamp or seal is optional. Under the new law, every notary public will be required to use a stamp or seal. For those commissioned by the secretary of state pursuant to Iowa Code §9E.3, the stamp or seal shall contain the following: 1) the words "Notarial Seal" and "Iowa," 2) the person's name, 3) the words "Commission Number" followed by the notary's commission number as assigned by the secretary of state, and 4) the words "My Commission Expires" followed by the expiration date or a blank line to write in the date. If using a blank line, the notary must print the date that the notary's term expires.

For a public official appointed as a notary public under Iowa Code §9E.10, the stamp or seal must include: 1) the words "Notarial Seal" and "Iowa," 2) the person's name, and 3) the title under which the person may perform notarial acts.

If the notarial officer is a commissioned officer on active duty in the military service of the United States, the notarial certificate must also include the officer's rank.

Effective date: January 1, 2002

HF 272 – Falsifying Records All County Officials DV

It is already a class "D" felony under Iowa Code §721.1 for any public officer or employee to knowingly falsify any public record. But in *State v. Barnholtz*, 613 N.W.2d

218 (Iowa 2000), the Iowa Supreme Court ruled that this law only permits criminal prosecution for falsification of records when the false entries are made to the record after it has been filed with or is in the possession of the public agency.

Imagine a situation where a county employee claims substantial overtime on a falsified timesheet. Since the timesheet was falsified before it was turned in, under *Barnholtz* this would not be prosecutable under Iowa Code §721.1 as falsifying a public record.

The purpose of this amendment is to make it possible to criminally prosecute a public officer or employee for falsifying any document before it becomes a public record by virtue of being filed with the public body.

The bill adds new language to Iowa Code §721.1 making it a felony to falsify a writing, or knowingly deliver a falsified writing, "with the knowledge that the writing is falsified and that the writing will become a public record of a government body."

HF 292 – Information Technology Department Financial Transactions Auditors, Supervisors WP

This act amends Iowa Code §§14B.102 and 14B.203. It allows the state Information Technology Department (ITD) to accept donations, contributions, or other forms of financial assistance from the federal government or any of its agencies. It also allows ITD to charge a fee for sharing information it has developed and all fees are to go into the state general fund. The restriction against competing with private enterprise is removed.

HF 325 – Interim Study on the Iowa Health Insurance Market Auditors, Supervisors WP

While the primary focus of this legislation is the review of multiple employer welfare arrangements, counties should be interested in the results of the interim study requested in the bill. The interim study would review the current health insurance market in Iowa with regard to multiple-employer welfare arrangements. The study is to determine whether additional multiple employer welfare arrangement should be permitted. The study shall also include a review of the regulatory oversight of all

health insurance products sold in Iowa and a report on the condition of the health insurance market in Iowa. The report is due to the Legislature by November 15, 2001.

Effective date: Upon enactment

HF 383 – Model Community Designation
Supervisors

CP

A new Iowa Code §7.18 is added regarding Model Community Projects. During any project, pilot project, or similar initiative undertaken by the governor or the executive branch that includes the designation of a model community in the state, the approval of all the entities included in a proposed model community must be obtained by a simple majority vote prior to granting designation of official model community and prior to any state financial support is disbursed. Approval is needed by the city council, county board of supervisors, and school board in a proposed model community.

HF 470 – Iowa Communications Network Fees
Auditors, Supervisors

WP

A new Iowa Code §8D.11A is created. The Iowa Communications Network is authorized to charge a fee to cover costs related to research and development, initial productions, and derivative products of its proprietary software and hardware, etc. that were developed to support authorized users. The fee may be negotiated with private vendors, political entities and subdivisions, including states, territories, protectorates, and foreign countries. The Network is exempt from the Iowa Code chapter 23A non-compete provisions.

HF 481 – Establishment of City Precincts
Auditors

RM

This act amends Iowa Code §49.5 by stating that a city council, in dividing a city into election precincts, shall consider the convenience of the voter and shall promote electoral efficiency. The measure defines "electoral efficiency" as "reducing the cost of staffing election precincts by requiring cities to avoid creating more precincts than is reasonably necessary to provide voters access to voting." If, after setting precinct boundaries, and if the commissioner of elections recommends changes to these boundaries, the city council must include its reasons in the city ordinance for reprecincting if they choose not to make these changes.

Effective date: Upon enactment

HF 566 – Election Law Terminology
Auditors

RM

Sections 1, 2 and 3 amend Iowa Code §§28E.22, 28E.28A, and 39.22 by substituting or inserting "eligible electors" to existing references to "registered voters".

Section 4 amends Iowa Code §53.37 by defining, for the purposes of this Code section, "qualified voter" as "a person who is included within the term 'armed forces of the United States' as described in this section, who would be qualified to register to vote under Iowa Code §48A.5, (2), except for residency, and who is not disqualified from registering to vote and voting under Iowa Code §48A.6."

Sections 5, 6, 7, 8, and 9 amend Iowa Code §§62.17, 66.3, 69.4, 145A.6, and 145A.7, respectively, by substituting the term "registered voter" for "qualified voter".

Sections 10 through 32 amend Iowa Code §§176A.8, 256.11, 275.12, 275.51, 298.18, 301.24, 303.42, 303.45, 303.47, 303.52A, 330A.17, 331.205, 331.441, 331.461, 336.18, 347.23, 347.23A, 359.8, 359.17, 386.11, and 384.19 by substituting either "eligible elector" or "registered voter" for "qualified elector".

Sections 33 through 38 amend Iowa Code §§384.84A, 422A.2, 422B.12, 468.514, 602.1216, and 722.7 by adding reference to eligible electors residing in a local jurisdiction to existing language concerning petitions asking for referenda on bonds or for retention of clerks of the district court.

HF 637 – Library Districts
Supervisors

DO

This bill describes the duties of the Department of Education; area education agencies and the commission of libraries, including the renaming of the regional library system; the appointment of trustees for the unified library service area; and development of an unified plan of service and service delivery in consultation with unified library service areas and area education agency media centers.

Iowa Code §336.2 is amended to read that a library district may be composed of one or more counties, one or more cities or a combination of cities and counties. Eligible electors can petition the board of supervisors of the county for the establishment of the library district. A library district shall be established if a majority of the electors voting on the proposition and residing in the proposed library district favor its establishment. In any

area in which a library district has been established in accordance to Iowa Code §336.4, a board of library trustees shall be appointed by the board of supervisors of any county or city comprising the library district. The board of trustees will be responsible for submitting an annual report after the close of each fiscal year.

HF 686 – Private Sector Competition

All County Officials

DV

Section 2 of this bill adds a new provision to Iowa Code §23A.2(A) relating to competition by government with the private sector. The bill provides that when a bill is requested in the Legislature, the Legislative Service Bureau shall make an initial determination of whether the bill may cause a service or product to be offered for sale to the public by a city or county that competes with private enterprise. If such a service or product may be offered as a result of the bill, that fact shall be included in the explanation of the bill.

HF 713 – County Auditors Omnibus Bill

Auditors, Recorders, Supervisors

JE

This bill has become known as the "County Auditors Omnibus Bill." It amends several sections of the Iowa Code.

Section 1 of the legislation amends Iowa Code §331.301 to provide that the board of supervisors may authorize lease or lease-purchase contracts without following procedures related to the issuance of essential corporate bonds if the cost of the lease or lease-purchase contract is less than \$25,000.

Section 2 amends Iowa Code §425.A5 to provide that the county auditor shall list all tracts of agricultural land entitled to the family farm tax credit, determine the amount of the credit, and certify the total amount of the credit and total number of acres entitled to the credit to the DRF on or before April 1 of each year. Previously the date was March 1.

Section 3 of the legislation amends Iowa Code §426.6 to provide that the county auditor shall list all tracts of agricultural land, the taxable value for the previous year, the budget for each school district for the previous year, the tax rate for the general fund of the school district, determine the amount of tax credit, and certify the amount to the DRF on or before April 1 of each year. Previously the date in this section was June 1.

Section 4 amends Iowa Code §426.7. It provides that the Director of the DRF shall mail the warrants to pay the agricultural land credits on July 15, instead of Au-

gust 15. It also directs the Director to notify the county auditors of the pro rata share of the agricultural land tax credit on or before June 15, (instead of August 1) if the agricultural land credits fund is insufficient to pay the tax credits in full.

Sections 5 and 6 of the legislation amends Iowa Code §§558.57 and 558.58 respectively to require that real estate installment contracts be entered in the county auditor's transfer book. This would require the transfer fee of \$5 to be collected for these entries.

Section 7 repeals Iowa Code §595.5(2). This subsection currently requires the county registrar to certify a copy of the return of marriage to each county recorder of a county where real estate is owned by either party to the marriage, in order for the return of marriage to be recorded in the miscellaneous records in the recorder's office.

Finally, section 8 amends Iowa Code §598.21 to provide that when a judgement of annulment, dissolution, or separate maintenance is ordered, the court shall divide the property of the parties and transfer the title of the property accordingly. It also provides that the court order the parties to execute a quitclaim deed or change of title for tax purposes, and delivery of the deed or change of title to the appropriate county recorder so that the quitclaim deed or change of title is recorded and the applicable fee is collected with or without the payment of recording fees.

HF 720 – Hunting and Fishing License Fees

Conservation Directors, Recorders

RM

Section 1 amends Iowa Code §483A.1 by adding the following resident licenses & fees:

<i>Fishing (seven day)</i>	\$8.50
<i>Trout</i>	\$10.50
<i>Game breeder</i>	\$15.50
<i>Taxidermy</i>	\$15.50
<i>Falconry</i>	\$20.50
<i>Wildlife habitat fee</i>	\$8
<i>Migratory game bird fee</i>	\$3

Section 2 amends Iowa Code §483A.1 by providing the following new fees for nonresidents:

<i>Fishing (annual)-</i>	From \$22.50 to \$36
<i>Fishing (seven day)-</i>	\$27
<i>Hunting (eighteen yrs or older)-</i>	From \$60.50 to \$80
<i>Hunting (19 years or younger)-</i>	From \$25.50 to \$30
<i>Deer hunting (antlered or any sex)-</i>	From \$150 to \$220
<i>Deer hunting (antlerless only)-</i>	\$150

Wild turkey- From \$75.50 to \$100
 Fur harvester- From \$180.50 to \$200
 Fur dealer- From \$500.50 to \$501
 Location permit for fur dealers-
 From \$55.50 to \$56
 Aquaculture license- From \$50.50 to \$56
 Bait dealer- From \$60.50 to \$66
 Trout fishing fee- \$13
 Game breeder license- \$26
 Taxidermy license- \$26
 Falconry license- \$26
 Wildlife habitat fee- \$8
 Migratory game bird fee- \$8
 Fish habitat fee- \$3

Section 3 strikes Iowa Code §483A.1(3). This was the previous resident and non-resident license fee schedule.

Section 4 adds new Iowa Code §483A.3A establishing the fish habitat fee of \$3.

Section 5 amends Iowa Code §483A.7(3) by providing that a nonresident wild turkey hunter is required to have a nonresident hunting license as well as a nonresident wild turkey hunting license. This limits the number of nonresident wild turkey hunting licenses to 2,300. Of these, 150 will be valid for muzzle loading shotguns.

Section 6 amends Iowa Code §483A.8(3) by adding, as in section 5, the requirement that a nonresident hunting deer hold a nonresident hunting license as well as a deer license. The number of nonresident deer licenses shall be limited to 8,500.

Section 7 adds a subsection to Iowa Code §483A.8 which makes new provisions for nonresident landowners and the various deer licenses for which they are eligible.

Section 8 amends Iowa Code §483A.24(2) by stating that a farm owner or family member or a farm tenant or a member of their family may purchase two additional antlerless deer hunting licenses valid only on that farm at a price of \$10.

Effective date: December 15, 2001

HJR 5 – Local Option Sales Tax Administration Fee Auditors, Supervisors **WP**

HJR 5 nullifies the administrative rule by the state Department of Revenue and Finance relating to the collection of a fee for the direct costs of administering the local option sales tax.

Effective date: Upon enactment

SF 98 – Disaster Related Unemployment Charges Auditors, Supervisors **WP**

Iowa Code §96.7(2)(a)(2) is amended. An employer's unemployment account shall not be charged for benefits to individuals for unemployment directly caused by a major natural disaster that has been declared by the President of the United States.

Effective date: Retroactive to January 1, 2001

SF 313 – Removal of County Officers All County Officials **JE**

This bill amends Iowa Code §331.321(3). It provides that the removal procedure applicable to a person holding a county office applies only to those officers appointed by the board of supervisors. This provision applies to the 26 county positions that are filled by the board of supervisors.

SF 344 – Public Records Law Exemption Auditors, County Attorneys, Supervisors **WP**

Iowa Code §22.7(18)(1) is amended. Persons or employees of persons who are communicating regarding a consulting or contractual agreement with a government body or who are communicating with a government body where an arrangement for compensation exists are not "persons outside of government" for purposes of the exemption from public records law.

SF 372 – Powers and Duties of the County Recorder Recorders **SVK**

Advancements in technology have allowed counties and county recorders a variety of options in choosing the way they maintain indexes and preserve records. This bill changes the Iowa Code to reflect these options.

Sections 1, 3, 8, 9, 10, 13, 14, 15, 16, 17, 18, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31, and 32 change all "book and page" references to "index, record, and document or instrument reference number." These sections also eliminate the names of specific index books, such as "index of unemployment contribution liens" or "military discharge books."

Section 2 requires that the examination and copying of public records shall be done under the supervision of the lawful custodian of the records. The supervisor may authorize a designee in his/her stead. This is a change from deputy, and officially allows other office staff members to supervise this activity.

Section 4 clarifies that a document conveying an interest in real property, other than a mortgage, mortgage release or assignment, shall contain the statement: "Address tax statement: name and address of the taxpayer."

Sections 5, 6, 11, 15, 16, and 22 states that marginal notations may be made on the original documents or as a note in the electronic index.

Section 5 provides that copies of land transfers showing a life estate no longer have to be certified when sent to the Department of Revenue and Finance.

Section 7 clarifies that the county treasurer, on behalf of the county recorder, shall establish and maintain an interest-bearing account for the records management fees collected by the recorder.

Section 12 states that all documents recorded pursuant to Iowa Code chapter 354 (platting and subdivision) must comply with Iowa Code §331.602(1). All plats of survey must be legible and reproducible. Except as otherwise authorized by the recorder, the plats shall be no larger than 8.5" x 14", and shall provide a space at the top of the plat at least 8.5" across the page by 2" in length. At the bottom of that space, the name, address, and telephone number of the preparer must be typed or legibly printed.

Section 19 states that the method of documentation of a transfer tax shall be approved by the Department of Revenue and Finance. This will allow the traditional rubber stamp to be used, as well as documentation by electronic means.

Section 28 states that Iowa Code §566.35(2), Code 2001, is repealed. The existence of any known private burial site will no longer have to be reported on the Declaration of Value form submitted to the county recorder with a transfer of real property.

Section 31 requires that an affidavit of forfeiture of contract must reasonably identify the real property being forfeited by including the document reference number of the recorded contract.

Section 33 provides that Iowa Code §§558.50, 558.51, 558.53, and 558.54 are repealed. These sections have required separate index books for "city lot deeds and mortgages" and "land lot deeds and mortgages" and also gave examples of "appropriately ruled indexes."

SF 407 – Hunting and Fishing Licenses

Recorders

RM

Sections 1 and 2 of the act make changes to Iowa Code chapter 481A concerning hunting license quotas.

Sections 3 through 15 amend Iowa Code chapter 483A.

Section 3 adds new definitions, including one for "license agent": "An individual, business or governmental agency authorized to sell a license."

Section 6 amends Iowa Code §483A.10 by striking the term license "depositories" and substituting the term "agents." It also adds that a license must show not only the cost and the writing fee but any administrative fees to be forwarded to the Department of Natural Resources (DNR), if applicable.

Section 8 amends Iowa Code §483A.12 by striking "county recorder" and substituting "license agent" as the party responsible for all fees for the issuance of licenses. It also says that all unused license blanks must be surrendered to the DNR and not to the recorder upon the department's demand. It strikes existing language about recorders' writing fees and substitutes that a "license agent" retains a writing fee of 50 cents, except that the fee for a free deer or wild turkey license will be \$1. Further, it adds that if the county recorder is the license agent, the writing fees shall be deposited in the general fund of the county.

Section 10 amends Iowa Code §483A.14 by substituting the term "license agent" for "recorder" or "depository agent." It also adds that the license agent shall charge a writing fee and a departmental administrative fee for duplicate licenses.

Section 14 amends Iowa Code §483A.22 by striking language which states that, upon a license revocation, note of such revocation is to be made on the stub kept by the county recorder and on the duplicate kept by the Natural Resources Commission. The section states that this notation should be kept only with the license records kept by the commission.

Section 15 amends Iowa Code §483A.24 by saying that both residents and nonresidents under 16 years of age are not required to have an Iowa fishing license. Currently, such licenses are not required for resident under 16 years old or nonresidents under 14 years old.

SF 453 – Treasurers' Clean-Up BillAuditors, Recorders, Supervisors, Treasurers **JE**

Sections 1 through 4 amend Iowa Code §§331.303(1)(b), 331.402 (2), 331.552(2), and 331.554(6) and (7), amending various powers and duties of county officers relating to the payment of county obligations by check in lieu of warrants. The county board of supervisors may authorize the county auditor to issue checks in lieu of warrants. If the authority is granted, the term "check" shall be substituted for the term "warrant" in those instances where checks are used in lieu of warrants. Outstanding checks and warrants shall be cancelled one year after the date of issue, deposited to the account on which the check or warrant was written, and credited as unclaimed fees and trusts. A person may claim the amount of the cancelled warrant or check for one year after the date of cancellation. Under current law, a check or warrant outstanding for two years is cancelled and a person may claim the amount of the canceled check or warrant for five years after cancellation.

Section 5 amends Iowa Code §331.559(20) to require the county treasurer to dispose of the tax list delivered under Iowa Code chapter 443 after 10 years from the date of receipt.

Sections 6 and 10 amend Iowa Code §§331.602(1)(d), and 633.480 respectively to provide that a certificate of change of title of real estate also must include a name and complete mailing address to expedite the mailing of tax statements.

Section 7 amends Iowa Code §445.37 to add a new paragraph that provides that to avoid interest on delinquent taxes, an electronic payment must be received on the first business day of the delinquent month.

Section 8 amends Iowa Code §447.11 to correspond to Iowa Code §447.9 by providing that a service of notice on agents of nonresidents will be given by certified and regular mail rather than personal service.

Section 9 of SF 453 amends Iowa Code §447.13 to provide that the cost of a record search and cost to serve the notice by mail by a tax sale certificate holder is no longer added to the amount necessary to redeem a tax sale certificate.

Effective date: Section 9 is effective upon enactment

SF 462 – Energy Loan Fund- See Land Use & Rural Affairs**SF 497 – Iowa Public Employees' Retirement System**All County Officials **WP**

This bill modifies the governance and structure of the Iowa Public Employees' Retirement System (IPERS). Under current law, IPERS is administered by the Department of Personnel through the chief benefits officer and the chief investment officer, both of whom are selected by the department. The Treasurer of State is the trustee of the IPERS retirement fund, and the IPERS investment board is statutorily required to advise the department in the formulation of the investment policy for the fund. Under the bill, IPERS remains within the Department of Personnel. However, the management of IPERS is made the direct responsibility of the newly created IPERS division within the department and all powers and duties currently given to the Department of Personnel to manage and operate IPERS are given to the new division.

A chief executive officer (CEO) will manage the division and will be appointed by the governor and be subject to confirmation by the senate. The bill requires that the chief executive officer have demonstrated knowledge of and executive-level experience in all aspects of pension fund administration. The bill also requires the chief executive officer to employ a chief investment officer. The CEO following consultation with the investment board will select the chief investment officer. The CEO following consultation with the benefits advisory committee will select a chief benefits officer.

The current IPERS investment board is modified under the bill in both structure and duties. Under the bill, the investment board is made the trustee of the IPERS retirement fund. The board is given the explicit authority, in consultation with the chief investment officer and other personnel of the division, to develop the investment policy and goal statement that will direct the investment activities concerning the fund. The actual investment of the fund remains the responsibility of the division subject to the investment policy established by the board.

The investment board is given the authority to hire and fire the actuary to be used as the technical advisor of the system. The board is also given the responsibility of adopting the actuarial assumptions to be used by the actuary in determining the condition of the retirement fund. The board is required to consult with the chief executive officer, the actuary, and other relevant division personnel in the development of the actuarial assumptions.

The membership of the board is modified under the bill. Under the bill, the director of the department of person-

nel is replaced with the treasurer of state, and the treasurer is made a voting member of the board. The three current members who must be an executive of a domestic life insurance company, an executive of a state or national bank operating within the state of Iowa, and an executive of an industrial corporation located within the state of Iowa, are replaced with three members who must have substantial institutional investment experience or financial experience. The three current members of the board who are members of the system remain. The two legislative members of the board also remain but are made nonvoting members of the new board. The bill also establishes a mechanism for transitioning from the current board membership to the new board membership.

The bill also establishes a new benefits advisory committee. The duties of the committee are to review and make recommendations to the division and the General Assembly concerning the provision of benefits to members of the system. The bill provides that the members of this board shall be comprised of representatives of constituent groups concerned with the system, including representatives of employers, active members, and retired members. The election of these members shall be done pursuant to rules adopted by the division. The director of the department of personnel and a person to be selected by the voting members of the committee are also specifically included as voting members of the committee.

The bill provides that of the members of the committee, nine shall be voting members who shall serve as voting members for three-year terms. Of the nine voting members, four shall represent employers, and four shall represent employees. The ninth member shall be a member of the public and shall be chosen by the other eight voting members of the committee. Of the employer representatives, one shall be the director of the department of personnel, one shall represent a constituent group that represents the cities, one shall represent a constituent group that represents the counties, and one shall represent local school districts. Of the employee representatives, one shall be from a group that represents teachers. Expenses for members of the committee shall be paid in the same manner and amount as they are paid for the current members of the investment board.

The bill provides for the establishment of a transition benefits advisory committee on July 1, 2001. The bill establishes the exact membership of this transition committee and provides that it shall be dissolved by July 31, 2002. The transition committee is given the task of making recommendations in a report to the IPERS division no later than July 1, 2002, concerning the rules to

adopt in governing the new benefits advisory committee. The proposed rules in the report shall include, at a minimum, provisions governing the selection of members to the committee and the selection of voting members of the committee. The bill provides that the administrative rules adopted by the department of personnel concerning IPERS shall, consistent with this bill, remain in effect after the effective date of this bill.

Effective date: Except for the section of the bill concerning the benefits advisory committee transition, which takes effect July 1, 2001, the bill takes effect July 1, 2002.

**SF 531 – Administration and Regulation Appropriations-
See Appropriations**

Environment and Public Health

HF 590 – Testing and Release of Results for Communicable and Infectious Diseases

Community Services, Environmental Health Directors,
Public Health Nurses, Sheriffs

DW

This bill amends Iowa Code chapter 139A and Iowa Code chapter 141A to provide for testing of individuals for communicable and infectious diseases, including the HIV virus, when the individual has been assisted by a care provider.

The bill redefines "care provider" for the purposes of identifying whom is to be notified if an individual that the care provider provided health care or other services, is confirmed as having a contagious or infectious disease, including HIV. They include individuals who are authorized to provide services of any kind in the course of the provider's official duties, for compensation or in a voluntary capacity. They include health care providers, emergency medical care providers, fire fighters, and peace officers. Care providers also include individuals who render emergency care or assistance in an emergency or due to an accident.

The bill provides for the deeming of consent to testing and to the notification of the care provider of the results of the test, if the care provider submits a report of exposure to the entity to which the individual is delivered by the care provider. These entities include hospitals, health care providers, corrections institutions, and jails. The bill provides a procedure for the testing of an individual, notification of the care provider, and payment for the testing.

HF 636 – Reporting of Underground Storage Tanks

Auditors, Engineers, Supervisors, Treasurers

RM

Section 1 of this act amends Iowa Code §455B.473 by saying that anyone who not only sells but who installs, modifies or repairs an underground storage tank (UST) must notify not only the purchaser but the owner or operator of the legal prohibition on depositing a regulated substance (i.e. usually a petroleum product) into a tank which has not been registered with the Department of Natural Resources (DNR). Both the installer and the owner/operator of such a tank must, prior to installation, notify the DNR of installation. Further, the section provides that it is unlawful to fill such a tank if notice has been received from the DNR that the tank is not covered by an approved form of financial responsibility. If annual underground storage tank registration renewal tags are

not obtained, the owner/operator is subject to a \$250 fine. Such a fine does not preclude an administrative penalty.

Section 2 also amends the same Iowa Code section as section 1 by adding that the DNR may deny registration or renewal of registration for a UST of the owner/operator fails to provide approved financial responsibility.

Section 3 amends Iowa Code §455G.21 by stating that benefits from the innocent landowners fund may be provided to property owners not otherwise eligible depending upon the date of the report of the release of the content of the tank or the date that the claim for benefits is filed.

Section 4 amends Iowa Code §455G.2 by changing the definition of "precorrective action value" from the assessed value of the tank site prior to a petroleum leak to the purchase price of the tank site paid by the owner after October 26, 1990.

HF 722 – Waste Reduction Goals and Tonnage Fees Supervisors

RM

This act deals with how much of their tonnage fee may be kept by local solid waste agencies as they achieve the waste reduction goals already set forth in the Iowa Code.

Section 1 amends Iowa Code §455B.310(4) by stating that if a solid waste agency achieves the 50% waste reduction goal in Iowa Code §455D.3, they may retain 95 cents of the tonnage fee all of which is otherwise sent to the Iowa Department of Natural Resources (DNR). If the 50% goal is not met, \$1.20 may be retained to be used for purposes already stated in Iowa Code §455B.306, namely development of closure and post-closure plans, development of plans for leachate control and treatment, and preparation of a financial plan. This section also provides that if the 50% waste reduction goal is met, 45 cents of the funds kept by the solid waste agency must be used for further waste volume reduction and recycling. If the 50% goal has not been met, 70 cents of the retained tonnage fee shall be used for waste volume reduction and recycling.

Section 2 amends Iowa Code §455D.3(3)(a) by saying that, if the DNR determines that a solid waste agency

has met the 25% goal but has not met the 50% goal for waste reduction, they may subtract 60 cents from the tonnage fee stated in Iowa Code §455B.310. If the agency has met or exceeded the 50% goal, the agency can subtract 50 cents from the tonnage fee. These reductions must be taken from the portion of the tonnage fees which otherwise would help fund landfill alternatives.

Section 3 amends Iowa Code §455E.11(2)(a)(1) by striking the reference to \$1.75 per ton to be used for landfill alternatives. The section says that after the \$1.55 per ton provided in Iowa Code §455E.11(2)(2) is earmarked, the remainder must be used for funding landfill alternatives.

Section 4 amends Iowa Code §455E.11(2)(c)(1)(b) by changing from \$65,000 to \$165,000 the amount of the statewide tonnage fee which must be used by the Waste Management Assistance Division at DNR for the by-products and waste search service at the University of Northern Iowa.

Effective date: Section 4 is effective July 1, 2001. The remainder takes effect July 1, 2002.

HF 725 – Department of Agriculture and Land Stewardship, Department of Natural Resources Appropriations- See Appropriations

HF 726 – Public Health and Human Rights Appropriations- See Appropriations

HF 742 – Rebuild Iowa Infrastructure Fund- See Appropriations

SF 84 – Prohibiting Sale of Purple Loosestrife
Conservation Directors **JE**

This legislation amends Iowa Code §317.25 to prohibit the import, sale, offer for sale, or distribution of purple loosestrife in Iowa. The bill removes related record keeping requirements for sales and distribution that were previously permitted under certain circumstances.

SF 125 – Interstate Wildlife Compacts
Conservation Directors **DO**

This bill authorizes the Department of Natural Resources to enter into an interstate wildlife violators compact with one or more states to enforce laws and rules relating to the conservation and protection of wildlife. Iowa Code §28E.9 states that if an intergovernmental agreement/compact is entered into between one or more public agencies in Iowa and one or more public agencies in

another state, then the agreement has the status of an interstate compact and is subject to approval by the attorney general. The attorney general will determine if the agreement/compact abides with state law.

SF 258 – Extension of the Tobacco Settlement Authority Act
Public Health Nurses, Supervisors **RM**

This measure extends the repeal of Tobacco Settlement Authority from March 1, 2001 until December 31, 2001.

Effective date: Upon enactment

SF 339 – Commercial Fishing, Fishing and Hunting Licenses, Contraband and Gun Penalties
Conservation Directors **AB**

This bill amends Iowa Code §§482.15 and 483A.42 to provide that the scheduled fine of \$100 specified in Iowa Code §805.8 does not apply to violations of the above stated chapters for which another scheduled fine is specified in Iowa Code §805.8.

SF 433 – Department of Public Health Programs
Environmental Health Directors **RM**

This act makes a variety of technical changes to portions of the Iowa Code under the authority of the Iowa Department of Public Health (DPH).

Of interest to county environmental health officials is section 5 which amends Iowa Code §135I.1(3) by striking, in the definition of a "spa", current language that "a spa does not include a facility used under the supervision of qualified medical personnel."

SF 479 – On-Site Wastewater Systems Assistance Program
Environmental Health Directors **RM**

This act amends Iowa Code §466.7 by striking subsection 4 and adding §§466.8 and 466.9.

Iowa Code §466.8 restates the establishment of an on-site wastewater systems assistance program by the Department of Natural Resources (DNR) for the purpose of providing low interest loans to those living in unincorporated areas for the improvement of on-site wastewater disposal systems. It provides that the Environmental Protection Commission shall write administrative rules for this program, that the DNR enter into agreements with lenders to administer the program, and

that such financial assistance is not to be used to pay the nonfederal share of the cost wastewater systems already receiving grants under the U.S. Clean Water Act.

Iowa Code §466.9 establishes the fund for making these loans. This fund will be made up of 1) appropriations for this fund from the Iowa General Assembly, 2) Federal Clean Water Act funds provided to the DNR, 3) funds collected by the DNR having to do with loan agreements from this same fund.

Effective date: Upon enactment

SF 532 – Amendments to the Iowa Tobacco Settlement Act

Public Health Nurses, Supervisors **RM**

This act specifies the procedures for "securitization" of Iowa's share of the national tobacco settlement of 1999. This means that the state of Iowa will sell the state's share of the national tobacco settlement to a tobacco settlement authority, established in 2000, in return for the proceeds from bonds issued by the authority. This action is to make secure the proceeds for the remainder of the 20 year life of the tobacco settlement.

As a part of this action, the act amends Iowa Code §12.65 by striking those provisions which created the Tobacco Settlement Endowment Fund and creating, in its place, the Healthy Iowans Tobacco Trust. Section 15 of this measure establishes the procedures for annually transferring from the newly established Endowment for Iowa's Health to the Healthy Iowans Tobacco Trust the sum of \$55 million.

Effective date: Upon enactment

**SF 533 – Tobacco Settlement Trust Fund
Appropriation- See Appropriations**

SF 537 – Appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust- See Appropriations

Human Services

HF 228 – Building Codes

Supervisors

DO

This bill related to the duties of the Department of Public Safety. Iowa Code §103A.12 is amended to read that if a governmental subdivision accepts the applicability of the state building code or votes to withdraw from the applicability of the state building code, the governmental subdivision only needs to file a certified copy of the ordinance with the commissioner of public safety.

Iowa Code §135C.33 is amended to read that the Department of Human Services is to perform a dependent adult abuse record check on a person seeking employment at a residential care or nursing facility. DHS is required to notify the facility if a person has a record of founded dependent adult abuse. DHS is only able to conduct an evaluation of the employability of the person, with criminal history or founded child or dependent adult abuse record, if the facility requests such an evaluation.

HF 384 – Job Training Partnership Program

Auditors, Community Services Directors, Supervisors

DW

This bill eliminates programs that have been dissolved, did not receive funding, or have not been used due to legal issues. The programs affected are: Job Training Partnership Program, Rural Development Coordination, Microenterprise Development, Small Business Economic Development Corporations, Rural Community 2000 Program, Local Development Corporations, Iowa Seed Capital Corporation, Iowa Export Trading Company, Iowa Business Investment Corporation, Iowa Capital Investment Board, and Infrastructure Iowa Program.

HF 598 – Child Protection Center Grant Program

Community Services Directors, County Attorneys, Sheriffs

AB

This bill adds Iowa Code §135.113 to establish a child protection center grant program for the creation of new centers or the support of existing centers. To be eligible for the grant the grantee must establish a memorandum of agreement with several entities including the county attorney's office and county law enforcement.

HF 655 – Adult Day Services

Community Services Directors, Public Health Nurses

DW

This bill changes the name of Adult Day Care Services to Adult Day Services. It also directs the Department of Elder Affairs to work with other agencies and groups to develop a system of adult services, including: requirements for the operation of adult day services; oversight measures; a system for formal investigation of consumer complaints; and coordination of requirements and funding sources available. The bill provides that the Department of Elder Affairs implement the system on July 1, 2002, or at such time that the General Assembly appropriates sufficient funding to implement the system.

HF 662 – Community Empowerment

Community Services Directors

AB

This bill amends Iowa Code §28.4 by creating a summit meeting under the auspices of the Legislative Council during the 2001 interim session. It is anticipated that those participating in the summit will prepare a report and submit recommendations after analyzing the community empowerment initiative. In addition, the bill amends Iowa Code §28.7 by allowing an area education agency to be a fiscal agent for community empowerment dollars. Last, this bill describes the grant distribution directive beginning July 1, 2001.

Effective date: Upon enactment

HF 663 – Ban on Persons Serving as County Hospital Trustees

Supervisors

WP

This act amends Iowa Code §347.9. It repeals the ban on persons or spouses, that receive direct compensation or have privileges at county public hospitals, from serving as a county hospital trustee if the licensed health care practitioner's sole use of the hospital is to provide health care services to individuals with mental retardation.

HF 680 – Child and Dependent Abuse Reporting

Community Services Directors

AB

This bill amends Iowa Code §§232.69 and 235B.16 by requiring an individual employed in a licensed or certified profession or employed by a facility that is subject to

licensure to obtain the child abuse identification and reporting training. This bill also adds language to require a licensing body to make the child and dependent adult abuse training a condition of licensure. In addition, the bill amends Iowa Code §232.71B to allow criminal charges for false reporting.

HF 718 – Department of Economic Development, Department of Workforce Development Appropriations- See Appropriations

HF 727 – Provisions Affecting Mental Health
Community Services Directors

AB

This bill amends Iowa Code §§331.424A, 331.427 and 331.438 by repealing the capital expenditures legislation that passed during the 2000 session. The bill also amends Iowa Code §426B.5 by moving the per capita expenditure target amount to the 100th percentile of all county per capita expenditures. In addition this bill amends eligibility criteria to include 25% as an acceptable county mental health fund reserve. These amendments are effective April 13, 2001.

This bill also amends Iowa Code §426B.5 by eliminating the incentives and efficiency pool. This legislation amends Iowa Code §426B.5 to use budgeted net expenditures in calculating eligibility for risk pool funds. These amendments are effective July 1, 2001.

Counties are not obligated to pay for certain disputed billing prior to July 1, 1997. This section takes effect upon enactment.

This bill amends certain sections of the of the Iowa Code by replacing DRF with DHS.

This bill amends Iowa Code §225C.6 to allow the MH/DD Commission to adopt state standards for residential and community-based providers that are not subject to licensure by the state.

This bill amends certain section of Iowa Code chapter 229 by allowing a hearing specifically on placements relating to commitments.

HF 732 – Human Services Appropriations- See Appropriations

HF 740 – Senior Living Program and Senior Living Trust Fund

Community Services Directors, Public Health Nurses
DW

This bill appropriates funds from the Senior Living Trust Fund to the Department of Elder Affairs and the Department of Human Services, including \$100,000 to the Department of Elder Affairs to fund recruitment and retention strategies to provide additional training and support for certified nurses aides employed by nursing facilities. It also appropriates \$255,800 to the Department of Elder Affairs to fund strategies for dependent adult abuse detection, training, and services.

The bill also establishes the modified price-based case-mix reimbursement formula for nursing facility providers funded through the Medicaid program. It also amends current Iowa Code language to allow nursing facilities that have been approved providers under the medical assistance program for a two-year period, rather than the current three-year period, to apply for nursing facility conversion grants under the senior living program.

HF 755 – Standing Appropriations- See Appropriations

SF 65 – Low Income Home Energy Assistance Program

Community Services, Supervisors

RM

This act provides for supplemental funding for the existing Low Income Home Energy Assistance program (LIHEAP) in the following manner:

Section 1 appropriates funds to the Department of Human Rights (DHR) from the Innovations Fund created in Iowa Code §8.63 to supplement funding for LIHEAP in the amount of \$2,343,051.

Section 2 appropriates funds to the DHR from the Housing Program Fund created in Iowa Code §16.40 to supplement funding for LIHEAP in the amount of \$2,446,260.

Section 3 appropriates funds to the DHR from the Groundwater Protection Fund created in Iowa Code §455E.11 to supplement funding for LIHEAP in the amount of \$6,553,024.

Effective date: Upon enactment

SF 198 – FIP Requirements and Post-secondary Education

Community Services Directors

AB

This bill amends Iowa Code §239B.8 by adding that Family Investment Program (FIP) agreements entered into after July 1, 1996 limit post-secondary education to a total of 24 months. This 24 month allowance shall only be available for a period of 48 consecutive months.

Effective date: Prospectively for agreements entered into on or after July 1, 2001 and retrospectively for agreements entered into prior to July 1, 2001.

SF 267 – Fiscal Year 2001 Deappropriations- See Appropriations

SF 527 – Judicial Branch Appropriations- See Appropriations

SF 535 – Education Appropriations- See Appropriations

Land Use and Rural Affairs

HF 349 – Enterprise Zones

Supervisors

RM

This act amends Iowa Code chapters 15 and 15E.

Section 5 of the bill amends Iowa Code §15E.193C. Of interest to county officials is subsection 7(c) which states that a county or city, for which an eligible enterprise zone is certified, may exempt from property taxes all or part of the value added by the development of a business in the enterprise zone. The amount of value added shall be the amount of increased assessed valuation. If the property tax exemption is applied to only a portion of the property within the enterprise zone, it must be made known why this was done so that it furthers some planning objective of that county or city enterprise zone commission and must be approved by that political subdivision. This exemption may be allowed for up to 10 years.

Subsection 8 says that if a business developed in an enterprise zone fails to maintain the requirements of eligibility for incentives or assistance given, the business is subject to repayment of all or a portion of such assistance. The county or city and the Department of Economic Development shall come to agreement with the business to determine repayment. A business which fails to maintain the requirements is not eligible for incentives or assistance for each year that they are not in compliance.

Section 6 of the measure amends Iowa Code §15E.195 by providing that the county enterprise zone commission shall review applications from qualified development businesses requesting incentives or assistance as provided in Iowa Code §15E.193C. It also says that these commissions shall review the applications for such assistance from qualified housing businesses, as per Iowa Code §15E.193B.

Effective date: Retroactive to January 1, 2001

HF 384 – Elimination of Certain Economic Development Programs and the Job Training Partnership Program- See Human Services

HF 581 – Drainage District Area

Auditors, Supervisors

RM

This all amends Iowa Code §468.504 by expanding from 3,000 to 20,000 acres the minimum sized drainage or levee district which may be divided into election districts for the purpose of achieving a distribution of trustees.

HF 656 – Regulation of Manufactured and Mobile Homes

Emergency Management Directors, Supervisors

JE

Section 1 of the bill amends Iowa Code §322B.1 to change the "Mobile Dealers Licensing Act" to "Manufactured or Mobile Home Retailers Licensing Act."

Section 2 reenacts Iowa Code §322B.2 to basically make appropriate changes in the definitions to include manufactured homes in the law, and to change references of "dealers" to "retailers."

Sections 3 through 8 of the bill amend Iowa Code §§322B.3, 322B.4, 322B.5, 322B.6, 322B.8 and 322B.9 respectfully to change "dealer" to "retailer" and to add manufactured home throughout these sections.

Section 9 amends Iowa Code §331.301(15) to define "manufactured home community" to mean the same as "land-leased community" as defined in Iowa Code §§335.30A and 414.28A. It also permits a county to adopt and enforce an ordinance requiring the construction of a storm shelter at a manufactured home community but prohibits requiring that the shelter be closer than 1,320 feet from any manufactured home park.

Section 10 amends Iowa Code §364.3(5) and (8) to prohibit cities from adopting ordinances imposing any registration or licensing system or fees for owner-occupied manufactured homes. The section permits a city to adopt and enforce an ordinance requiring the construction of a storm shelter at a manufactured home community but prohibits requiring that the shelter be closer than 1,320 feet from any manufactured home park.

Sections 11 through 18 amend various code provisions to include "manufactured home communities."

**HF 718 – Department of Economic Development,
Department of Workforce Development Appropriations-
See Appropriations**

**HF 711 – Tax Assessment for Drainage or Levee
Districts**

Auditors, Supervisors, Treasurers

CP

Iowa Code §§468.52 and 468.55 are amended to say that all assessments shall be levied as a tax and, notwithstanding Iowa Code chapter 74A, shall bear interest at a rate determined by the board from that date, payable annually, except as provided as to cash payments within a specified time. All drainage or levee tax assessments not optioned for installment payments by the landowner shall become due and payable within 30 days after the levy of assessments.

**HF 725 – Department of Agriculture and Land
Stewardship, Department of Natural Resources
Appropriations- See Appropriations**

HJR 11 – Wild Turkey Hunting

Conservation Directors

DV

This resolution nullifies two administrative rules of the Department of Natural Resources, 571 IAC 98.5 and 571 IAC 98.16, requiring a harvest report of wild turkeys by resident and nonresident hunters.

Effective date: Upon enactment

SF 462 – Energy Loan Fund

Auditors, Engineers, Supervisors

WP

Iowa Code §473.20(1) is amended. This Act relates to the energy loan fund administered by the Department of Natural Resources. A loan fund exists which makes loans to state agencies and political subdivisions for energy conservation measures. The loans can now be made for all cost effective energy management improvements. Previously, the loans were limited to improvements that required no more than six years to recoup the cost of improvements.

Public Safety

HF 154 – Paid Time Off For Highway Patrol Officers Sheriffs

DO

Section 1 amends Iowa Code §80.8 to explain further paid time off for certain peace officer members of the Department of Public Safety injured in the course of duty. Peace officer members of the department, excluded from the provision of Iowa Code chapter 20, who are injured in the line of duty are to receive paid time off with the same requirements as peace officer members of the department covered by a collective bargaining agreement between the state and the employee organization.

HF 178 – Children In The Presence of Dangerous Substances

County Attorneys, Sheriffs

AB

This bill amends Iowa Code §232.2 by establishing that a child in need of assistance includes those children whose parents or guardians allow them to be in the presence of dangerous substances as defined in the Iowa Code. In addition this bill amends Iowa Code §232.68 in the same way to create a new category of child abuse.

HF 179 – Police Dogs

Sheriffs

DV

Under Iowa Code §351.39, if a local board of health receives information that an animal has bitten a person, or has rabies, the board of health shall order the owner to confine the animal. If the owner fails to do so, the board of health can impound the animal and eventually either destroy the animal or return it to the owner. This bill creates an exception to this confinement statute, and states that it shall not apply to a police service dog (or a horse used by a law enforcement agency) which has bitten a person.

The actual wording of this bill was amended after its passage by House File 755, the Standing Appropriations Bill. The final version provides that the confinement statute does not apply "if a police service dog or horse used by a law enforcement agency and acting in the performance of its duties has bitten a person."

HF 228 – Building Codes- See Human Services

HF 229 – Reserve Peace Officers

Sheriffs

DV

This bill retains the current Iowa Code language as far as county use of reserve peace officers. The main effect of this bill is to allow each judicial district department of correctional services to establish a force of reserve peace officers. A reserve peace officer force established by a judicial district department of correctional services must be directly supervised by a certified peace officer that is on duty.

HF 301 – Rural Fire Protection Programs and Engineers, Supervisors

WP

Iowa Code §357A.22A is created. Rural water districts or rural water associations are required to establish rural fire protection programs. The rural fire protection program shall provide access to designated soft-hose fill stations and provide annually updated maps to all fire departments in the district. Rural water districts and associations shall hold informational meetings to review locations, operational procedures, and communications. Rural water districts and associations that provide water to cities, benefited fire districts, or townships can not be held liable for failing to provide or maintain fire hydrants, an adequate supply of water or water pressure, if the purpose of the hydrant was not to provide fire protection.

HF 310 – Disclosure of Juvenile Court Records

County Attorneys

AB

This bill amends Iowa Code §232.147 by allowing juvenile court records relating to paternity, support or the termination of parental rights to be disclosed to the child support recovery unit.

Effective date: Upon enactment

HF 326 – Mediation Process in Civil Rights Cases

County Attorneys

DO

This bill amends the mediation process in civil rights cases. Mediation language in the Civil Rights Act is amended to read that formal mediation is not a mandatory step for every complaint filed with the Iowa Civil Rights Commission. A mediator may be designated in

writing by the Commission but certain confidentiality provisions and privileges apply consistent with Iowa Code §679C.2.

HF 327 – Criminal Offenses Regarding Children
County Attorneys **AB**

The bill amends Iowa Code §692A.1 by adding that enticing away a minor is a criminal offense in which an offender must register under the sex offender registry.

The bill also amends Iowa Code §710.10 by establishing the following criminal classes:

Enticing away a minor under 13- class "C" felony

Enticing away a minor under 16- class "D" felony

The bill amends Iowa Code §728.12 by establishing the following criminal classes:

Knows/reason to know/intends prohibited sexual act of minor be preserved in electronic, magnetic or optical storage classified as a class "C" felony;

Knowingly promotes material depicting minor engaged in prohibited sexual act classified as a class "D" felony;

Knowingly purchase/possess electronic version of minor engaged in prohibited act classified as a class "D" felony.

HF 550 – Sex Offender Registry
County Attorneys, Sheriffs **DO**

This bill requires that a person who commits an offense of criminal transmission of human immunodeficiency virus be registered as a sex offender for life. A person convicted of this offense commits a Class B felony.

Effective date: Upon enactment

HF 590 – Testing and Release of Results for Communicable and Infectious Diseases- See Environment & Public Safety

HF 598 – Child Protection Center Grant Program- See Human Services

HF 742 – Rebuild Iowa Infrastructure Fund- See Appropriations

SF 63 – Child Endangerment Violations
County Attorneys, Sheriffs **AB**

This bill amends Iowa Code §702.11 by excluding child endangerment as a forcible felony. In addition, the bill amends Iowa Code §726.6 including a person who is a member of the household as an individual who could be prosecuted for child endangerment. The bill defines a person having control over a minor and identifies child endangerment as a class "D" felony.

SF 83 – Sheriff's Citations
Sheriffs **DV**

This bill comes in response to the Iowa Supreme Court's holding in 2000 in the case of *City of Cedar Rapids v. Atsinger*. The Court held that verification of uniform traffic citation and complaint, by way of police officers' certification under penalty of perjury that information contained in unsworn citation and complaint was true and correct, did not satisfy requirement in State Constitution that misdemeanor offenses be tried on an information "under oath." The Court said that an appearance of those officers before a public official empowered to administer an oath was required. This bill fixes the problem by amending Iowa Code §805.6 to provide that a complaint may be verified before the chief officer of the law enforcement agency or the chief officer's designee.

SF 94 – Sexually Violent Predators
Sheriffs **DV**

This bill creates a new criminal offense of escape from custody by a sexually violent predator who has been civilly committed to confinement. Such an escape is punishable as a simple misdemeanor.

If a sexually violent predator escapes, and remains unconfined, the attorney general or the chief law enforcement officer of the city or county where the escape occurred may make a public announcement that the predator is "unconfined" and may provide relevant information about the predator to the community. The attorney general may also notify the victim or the family of the victim.

SF 184 – Sheriff's Fees
Sheriffs, Supervisors **DV**

This bill was a priority of the ISAC's Public Safety Steering Committee. It amends Iowa Code §331.655 and raises the fees paid to the sheriff's office for performing 14 particular administrative duties such as serving legal documents. For instance, the fee for serving an original notice goes from \$10 to \$15; the fee for serving a warrant goes from \$15 to \$20; the fee for serving a subpoena goes from \$15 to \$20; the fee for posting a notice goes from \$1 to \$5.

SF 346 – Deadly Force
Sheriffs, Supervisors **DV**

Currently under Iowa Code §704.8, if an inmate is attempting to escape from jail, a peace officer is justified in using reasonable force, including deadly force. The only time deadly force cannot be used is when the peace officer "knows or should know" the inmate has only been

charged or convicted of a misdemeanor. This amendment strikes the words "or should know." This means that the sole focus will now be on what the peace officer actually knew about the escapee, not what he reasonably should have known. ISAC supported this change.

SF 347 – Domestic Abuse Fees

County Attorneys, Sheriffs

AB

This bill amends Iowa Code §236.3 by eliminating the court costs and filing fees for an order for protection. The sheriff of any county shall perform their duties relating to service of process without cost to the petitioner.

SF 393 – Criminal Defendant's Restitution Plan

County Attorneys

AB

This bill amends Iowa Code §910.7 to require that a petition to amend a criminal defendant's restitution plan must be filed prior to the expiration of the defendant's sentence. In addition, notice must be given to the county attorney, offender, correctional officer, if appropriate, and the victim prior to a hearing.

SF 458 – Juvenile Court Provisions

County Attorneys

AB

This bill amends Iowa Code §§232.21, 232.22 and 232.52 to allow a court order to include a determination that continuation of the child in the child's home is contrary to the child's welfare. This bill also amends Iowa Code §232.57 by defining reasonable efforts. Further Iowa Code §232.58 is amended by creating a process for permanency hearings when it is determined that continuation in a child's home is contrary to the child's welfare.

SF 486 – Law Enforcement Initiative Surcharge

County Attorneys, Sheriffs

AB

This bill amends Iowa Code §602.8102 by allowing the clerk of court to collect a law enforcement initiative surcharge. The law enforcement initiative surcharge is an assessment of \$125 for conviction of certain criminal offenses. This surcharge shall be deposited into the state's general fund.

SF 499 – Scheduled Fines

Conservation Directors, County Attorneys, Emergency Management Directors, Recorders, Sheriffs, Treasurers
DV

This bill increases the amount of certain scheduled fines related to motor vehicles and transportation, and reorganizes other scheduled fines dealing with boating, snowmobiles, hunting, fishing and smoking.

Section 1 clarifies that violations contained in this bill are scheduled violations, and the scheduled fine for each of these violations is as provided in this bill, regardless of whether the violation is of a state law or a city or county ordinance.

Section 2 deals with motor vehicle and transportation scheduled violations. Some of the scheduled violation changes of interest to counties are as follows:

Code Section

321.32	FAIL TO CARRY REGISTRATION CARD
	Old fine: \$5 New fine: \$10
321.34	REGISTRATION VIOLATION
	Old fine: \$5 New fine: \$10
321.37	FAIL TO DISPLAY REGISTRATION PLATE
	Old fine: \$5 New fine: \$10
321.38	FAIL TO MAINTAIN REGISTRATION PLATE
	Old fine: \$5 New fine: \$10
321.41	FAIL TO GIVE NOTICE OF ADDRESS/NAME CHANGE
	Old fine: \$5 New fine: \$10
321.17	OPERATING NON REGISTERED VEHICLE
	Old fine: \$20 New fine: \$30
321.174A	OPERATION OF MOTOR VEHICLE WITH EXPIRED LICENSE
	Old fine: \$20 New fine: \$30
321.180	VIOLATION OF INSTRUCTION PERMIT LIMITATION
	Old fine: \$20 New fine: \$30
321.180B	VIOLATION OF GRADUATED DRIVERS LICENSE CONDITIONS
	Old fine: \$20 New fine: \$30
321.193	VIOLATION OF CONDITIONS OF RESTRICTED LICENSE
	Old fine: \$20 New fine: \$30
321.194	VIOLATION OF CONDITIONS OF MINOR'S SCHOOL LICENSE
	Old fine: \$20 New fine: \$30

321.55	REGISTRATION REQUIRED OTHER NON-RESIDENT CARRIERS Old fine: \$20 New fine: \$30
321.98	OPERATION W/O REGISTRATION Old fine: \$20 New fine: \$30
321.229	FAIL TO COMPLY W/ ORDER OF PEACE OFFICER Old fine: \$20 New fine: \$35
321.256	FAIL TO OBEY TRAFFIC CONTROL DEVICE - 1978 Old fine: \$20 New fine: \$35
321.231	FAIL OF CAUTION BY DRIVER OF EMERGENCY VEHICLE Old fine: \$25 New fine: \$35
321.324	FAIL TO YIELD TO EMERGENCY VEHICLE Old fine: \$25 New fine: \$50
321.381	DRIVING OR TOWING UNSAFE VEHICLE Old fine: \$25 New fine: \$50
321.115 (ADDED)	IMPROPER USE OF ANTIQUE PLATES Old fine: \$100 New fine: \$30
321.47 (ADDED)	TRANSFERS BY OPERATION OF LAW Old fine: \$100 New fine: \$30
327B.1(B)	NO OR IMPROPER INTER- STATE AUTHORITY EVIDENCE Old fine: \$100 New fine: \$250
325A.24	VIOLATION OF CHAPTER 325a Old fine: \$250 New fine: \$250
321.236(A)	PARKING VIOLATION OF LOCAL ORDINANCE Old fine: \$5-\$10 New fine: \$10- \$15

**SF 525 – Federal Block Grants and Appropriations
of Other Federal Funds- See Appropriations**

**SF 530 – Justice System Appropriations- See
Appropriations**

SF 543 – Burglary Sentences

County Attorneys, Sheriffs, Supervisors

DV

Up until now, burglary of an unoccupied motor vehicle has been a class "D" felony. This bill changes that to an aggravated misdemeanor. Attempted burglary of an unoccupied motor vehicle was an aggravated misdemeanor. This bill makes it a serious misdemeanor. The analysis by the Legislative Fiscal Bureau was that in the first year there would be 29 more jail admissions for aggravated misdemeanors with an average length of stay of 41 days; 25 more admissions for serious misdemeanors with an average stay of 50 days; and 23 fewer admissions for class "D" felonies with an average stay of 187 days. In other words, by lessening the jail time for convicted burglars, this bill would end up saving counties approximately \$23,000 in FY02 and \$47,000 in FY03. In theory, while admissions to county jails will increase, jails will experience a savings in their operating budgets since more offenders will serve less time compared to current law.

Section 3 reorganizes the scheduled fines related to boating, snowmobiles, hunting and fishing, but no actual fine amounts are changed.

Section 4 deals with miscellaneous scheduled violations, including Iowa Code §142B.6, related to smoking in a non-designated area. But no fine amounts are changed.

Taxation and Finance

HF 349 – Enterprise Zone- See Land Use and Rural Affairs

HF 636 – Reporting of Underground Storage Tanks- See Environment & Public Health

HF 711– Tax Assessment for Drainage or Levee Districts- See Land Use and Rural Affairs

HF 712 – Tax Credit Filing for Homestead and Family Farm

Assessors, Auditors, Recorders, Supervisors, Treasurers
CP

Iowa Code §425.7 (3) is amended to make it a fraudulent practice if a person makes a false claim to obtain the homestead credit with a penalty applied if the homestead credit has been obtained. If property ceases to be eligible for homestead credit and the claimant failed to give written notice to the assessor, a civil penalty equal to 5%, instead of 50%, of the amount of the disallowed credit is assessed against the claimant.

Also, Iowa Code §425A.4 (1) is amended to say that a family farm tax credit claim filed after November 1 of a given year shall be considered as a claim filed for the following year. Once a claim is filed and allowed, the claim shall be accepted on that tract for successive years without further filing as long as the property is legally or equitably owned by that person (or that person's spouse) on July 1 of each of those successive years, and the designated person who is actively engaged in farming remains the same during these years. A person who fails to notify the assessor of a change in the person who is actively engaged in farming the tract shall be liable for the amount of the credit plus a penalty equal to 5% of the amount of the credit. Also, assessor, recorder, and treasurer duties are described.

HF 715 – Tax Changes Related to Property, Hotel/Motel, and Sales Tax

Assessors, Auditors, Supervisors, Treasurers **CP**

Iowa Code §404.4 is amended to clarify that if, upon the request of the property owner, the governing body of the city or county provides by resolution a different assessment year for which the urban revitalization exemption is first claimed, but after all improvements are completed, then the urban revitalization exemption schedule is allowed for the number of years remaining in the exemption schedule selected.

Iowa Code §422A.1 is amended by adding new language referring to hotel/motel tax. Within 10 days of the hotel/motel tax election, the county auditor shall give written notice of the favorable election by sending a copy of the abstract of votes to the director of revenue and finance.

Iowa Code §422B.8 is amended to clarify that the local option sales and services tax shall not apply to special fuel as defined in chapter 452A, which is consumed for highway use or in watercraft or aircraft if the fuel tax is paid on the transaction and a refund has not been allowed.

Iowa Code §422B.9 is amended to clarify that a jurisdiction which has voted to continue the local option sales and services tax may impose that tax without repeal of the prior tax.

Iowa Code §427A.1 is amended by adding new subsection 3A pertaining to property taxed as real property. This Act defines property that is "not attached", including "direct support" fixtures, which makes them non-taxable. "Not attached" includes fixtures used for cooking, refrigeration, or freezing of value-added agricultural products, related to value-added agricultural processing. "Direct support" includes storage by public refrigerated warehouses for processors of value-added agricultural products.

Iowa Code §§427B.19A (2) and 427B.19B are amended to add language to the industrial machinery, equipment and computers (M&E) property tax replacement fund. In the case when the state appropriation for a fiscal year is insufficient to pay all M&E claims, the bill adds, as a result of action by the general assembly limiting the amount appropriated to the fund.

Effective date: The changes to Iowa Code §427A.1 take effect upon enactment and apply retroactively to the January 1, 2000 assessment year and thereafter.

HF 723 – Sales and Use Tax Exemption for Irrigation Equipment

Auditors, Supervisors, Treasurers **CP**

Iowa Code §422.45 is amended to include a new sales and use tax exemption on the gross receipts from the sale or rental of irrigation equipment to a contractor or farmer, whether installed above or below ground, if the

equipment will be primarily used in agricultural operations. This exemption also applies to the local option sales tax, which is imposed on the same basis as the state sales and services tax, with certain exceptions.

Effective date: Upon enactment and applies retroactively to April 1, 1995

HF 731 – Utility Replacement Tax Changes

Assessors, Auditors, Recorders, Supervisors, Treasurers
CP

This bill makes certain changes to the gas and electric utility replacement tax system.

Section 1 amends Iowa Code §437A.3(1) to correct an unanticipated unique situation relating to the proper allocation of replacement taxes from Manning Municipal Utility (located in Carroll County), by allowing Crawford County and its taxing districts to obtain their proper share of the municipal utility's replacement tax revenue as a result of new construction in Crawford County. So, the "base year assessed value" of property owned by a taxpayer that is a municipal utility, whose property is not a major addition, is changed from January 1, 1997 to January 1, 1998 in order to properly allocate the utility's new construction valuation that took place within another county (Crawford County) after January 1, 1997.

Sections 5 and 6 amend Iowa Code §437A.8 to change the date by when taxpayers shall file a return, from February 28 to March 31 following a given tax year.

Effective date: Section 1, 5 and 6 of this Act are applicable to tax years commencing on or after January 1, 2001.

HF 736 – Tax Changes Related to Property, Real Estate Transfer, and Sales Tax

Assessors, Auditors, Recorders, Supervisors, Treasurers
CP

This Act makes changes to several areas pertaining to sales and services tax, property tax exemption, and real estate transfer tax.

Section 1 amends Iowa Code §422.43 to clarify that the state sales tax and local option sales tax will be applied according to the federal Mobile Telecommunications Sourcing Act. This allows gross receipts from any mobile telecommunication service to be taxed and paid to the taxing jurisdiction whose territory encompasses the customer's place of primary use (i.e., billing address).

Sections 11 through 17 amends Iowa Code §§427.1, 427.16, 427C.3, and 427C.7 to change the filing date

for property tax exemption applications so as to conform to the same time frame of no later than February 1 in a given year. The property tax exemptions involved are: associations of war veterans; religious, literary and charitable societies; impoundment structures; natural conservation and wildlife areas; mobile home park storm shelters; historic property rehabilitation; forest reservation and fruit-tree reservation.

Sections 18 and 19 amends Iowa Code §§428A.8 and 428A.9 by adding new language stating, any real estate transfer tax or additional tax found to be due shall be collected by the county recorder. If the county recorder is unable to collect the tax, the director of revenue and finance shall collect the tax and shall pay the county its proportionate share of the tax. In the case of overpayment of the real estate transfer tax, to receive a refund from the county, the taxpayer shall petition the board of supervisors for a refund of the overpaid portion to that county.

Effective date: Sections 11 through 17 take effect January 1, 2002 and apply to claims filed on or after this date

HF 739 – Local Options Sales Tax for Payment of Bonds

Auditors, Supervisors, Treasurers
CP

Iowa Code §76.4 is amended to clarify that this section shall not restrict the authority of a political subdivision to apply local option sales and services tax receipts collected for the purpose of paying bond principal and interest.

HF 755 – Standing Appropriations- See Appropriations

SF 81 – Economic Development Financial Assistance

Supervisors
RM

This act amends Iowa Code §15A.1 by adding a new subsection which states that a state agency may give additional consideration, in providing a grant, loan, or other financial assistance for economic development purposes if the person or business who will benefit from the assistance is located in an area which is one of the following: a) a brownfield site as defined in Iowa Code §15.291, b) a blighted area as defined in Iowa Code §403.17, or c) that area "that meets the distress criteria" under the enterprise zone program in Iowa Code §15E.194(1)(2)

SF 186 – Tax Levy for County Hospital Fund

Auditors, Supervisors, Treasurers

CP

Iowa Code §347.7 is amended to increase the county hospital property tax levy rate, in counties having a population of 225,000 or more, for the improvement and maintenance of the hospital from a maximum of \$1.75 to \$2.05 per thousand dollars of assessed value beginning July 1, 2001, and for subsequent fiscal years.

Effective date: Upon enactment

SF 449 – Property Tax Exemption for Indian Housing Authority

Assessors, Auditors, Supervisors, Treasurers

CP

Iowa Code §427.1 is amended by adding property tax exemption status to property owned and operated by an Indian housing authority created under Indian law, as defined in 24 CFR 950.102 if a cooperative agreement has been made with the local governing body (applicable city or county) agreeing to the exemption. Iowa Code §25B.7, referring to unfunded mandate protection, does not apply to this property tax exemption.

Effective date: Upon enactment

SF 453 – Treasurers' Clean-up Bill- See County Administration and Organization**SF 519 – Assessment of Affordable Housing for Low-Income Individuals**

Assessors, Auditors, Supervisors, Treasurers

CP

Iowa Code §441.21(2) is amended to change the assessment method of affordable housing rented to low-income individuals, as authorized by section 42 of the Internal Revenue Code. In assessing property that is rented or leased to low-income people, under a government contract which limits the amount paid by the tenant, the assessor shall use the productive and earning capacity from the actual rents received as a method of appraisal and shall take into account the extent to which that use and limitation reduces the market value of the property. The assessor shall not consider any tax credit equity or other subsidized financing as income provided to the property in determining the assessed value.

SF 520 – Property Tax Exemption for Methane Gas

Assessors, Auditors, Supervisors, Treasurers

CP

Iowa Code §427.1(29) is amended to expand the property tax exemption status related to methane gas conversion property that is used in an operation connected with or in conjunction with a publicly owned sanitary

landfill to collect and convert methane gas to energy. This Act redefines "methane gas conversion property," including property that *collects* waste that would otherwise be collected by, or deposited with a publicly owned sanitary landfill in order to decompose the waste to produce methane and other gases and to convert the gas to energy. However, property used to *decompose and convert* the waste to gases is not eligible for this exemption. Iowa Code §25B.7 referring to unfunded mandate protection does not apply to this property tax exemption.

As a result of the retroactive application of this Act, a taxpayer may file a claim for credit of electric generation tax with the appropriate chief financial officer for the tax years 1998 through 2001, no later than July 1, 2001. In order to qualify for a credit of electric generation tax, the taxpayer must also file a claim for property tax exemption for assessment years 1998 through 2001, by June 1, 2001, and be approved by the appropriate assessing authority. If a claim is denied by the city or county, the claimant may, within 15 days of the denial, apply to the director of revenue and finance for a hearing on the claim.

Effective date: Upon enactment and applies retroactively to January 1, 1998

SF 531 – Administration and Regulation Appropriations- See Appropriations

Transportation

HF 324 – Transportation Policy

Engineers, Supervisors, Treasurers

JE

HF 324 includes five divisions containing provisions on highway projects, vehicle sales, vehicle movements, accident reports, mailing of notices, and providing a penalty. There are several particular provisions of interest to county officials.

Division I: Highways

Section 1 of HF 324 amends Iowa Code §306.19(2) to increase the payment made to a property owner when an existing driveway is lengthened or altered due to a highway or road project. The payment is increased from \$5 to \$20 for every lineal foot of additional length of driveway located on the owner's property.

Section 2 amends Iowa Code §309.35 to increase the threshold at which a county engineer must prepare detailed surveys and plans for any secondary road project, from a grading cost of \$3,000 per mile to \$10,000 per mile.

Section 3 enacts a new Iowa Code §309.40A to allow a county to contract for the emergency repair, restoration, or reconstruction of a county highway or bridge without advertising for bids if the project meets certain requirements and the work can be done for less than \$100,000. Counties did not previously have this authority.

Section 4 of the legislation amends Iowa Code §309.93 to require counties to annually submit to the DOT a detailed cost accounting of all instances in the previous fiscal year of the use of day labor or public or private contracts for construction, reconstruction, or improvement projects on either the farm-to-market or secondary road systems. The itemized statement shall also include the costs of purchasing, leasing, or renting construction or maintenance equipment. The statement is to be provided to the DOT on or before April 15 of each year as part of the county secondary road budget submission.

Section 5 amends Iowa Code §321.14 to require cities to annually submit to the DOT the same type of information that counties are required to submit, as described in section 4 of this Act, but as it relates to the municipal street system. The information is to be provided to the DOT on or before September 30 of each year.

Section 6 amends Iowa Code §313.10 to allow the DOT to contract for the emergency repair, restoration, or reconstruction of a highway or bridge without advertising for bids if the project meets certain requirements and the work can be done for less than \$500,000. Previously this was limited to projects costing less than \$75,000.

Section 7 amends Iowa Code §314.1 to clarify that this section applies to the award of contracts for bridge and culvert work, as well as to other highway improvement projects. It also provides that a bidder who is pre-qualified by the DOT shall be considered qualified for a highway, bridge, or culvert contract letting be any other agency. The DOT determines the manner in which a bidder is to proof of pre-qualification.

Subsections 2 and 3 of section 7 amends the process used to make a public improvement that involves the construction, reconstruction, or improvement of a highway, bridge, or culvert and that costs in excess of the threshold at which projects are required to be advertised and competitively bid, as identified in various Iowa Code sections and modified by the bid threshold subcommittee established in section 9 of this Act. Such projects shall be advertised and let for bid. Cities with populations of more than 50,000 are allowed a bid threshold of \$50,000 for a public improvement that involves the construction, reconstruction, or improvement of a municipal highway, bridge, or culvert. (The bid threshold for city public improvement projects is currently \$25,000.) Cities are provided the ability counties now have to reject all bids and re-let a project without an additional public hearing in no substantial changes are made to the plans or specifications. Upon completion of a contract or project on the municipal street system, the city engineer is required to file a statement with the city clerk showing the total cost of the project along with a certificate that the work has been done according with the plans and specifications. Counties are currently required to file such information with the county auditor.

Section 8 enacts a new Iowa Code §314.1A requiring the DOT to adopt rules addressing the provision of detailed cost accounting information by cities and counties, as required by sections 4 and 5 of this Act. The rules shall include uniform definitions and requirements to be used by cities and counties in determining costs. The DOT is required to establish an advisory committee to make recommendations for the rules.

Section 9 enacts a new Iowa Code §314.1B requiring the DOT director to appoint, from members of the advisory committee established under section 8 of this Act, a bid threshold subcommittee composed of seven members. The subcommittee shall meet at least every other year to review the competitive bid thresholds applicable for city and county highway, bridge, and culvert projects, with the first meeting occurring on or before August 1, 2002. The subcommittee may make adjustments in the applicable bid thresholds, based on changes in the construction price index from the preceding year. If adjustments are made, the DOT shall publish an advisory notice in the Iowa Administrative Bulletin and in a state newspaper stating the adjusted bid thresholds that will take effect on January 1 the following year.

Section 10 amends Iowa Code §314.13 to define "highway" or "street." The definition is the same as that included in Iowa Code §321.1(78).

Section 11 amends Iowa Code §320.5 to eliminate the requirement that a permit issued by the DOT or county for a gas or water main not exceed 20 years.

Section 12 requires that the rules adopted by the DOT pursuant to section 8 of this Act be in draft form prior to December 31, 2001, and it requires inclusion of definitions for specific terms. The DOT is required to review the highway and street construction and maintenance equipment procurement policies, and the use of such equipment, by all entities receiving RUTF money. The DOT shall consult with public and private entities in conducting review and formulating recommendations to be submitted to the General Assembly by December 31, 2002.

Section 13 requires a city or county to offer other available employment within the city or county to any employee who is displaced as a result of complying with Division I of this Act.

Division II: Vehicles

Sections 15, 23, 24, and 25 amend Iowa Code §§321.1 and 321.463 to clarify that the same weight and permit provisions that currently apply to a fence line cattle feeder, grain cart, and tank wagon when operated on a public highway or bridge, also apply to these vehicles when mounted on tracks and operated on a public highway or bridge. The new language also clarifies how weight shall be distributed on a tracked implement of husbandry when towed over a bridge.

Section 16 amends Iowa Code §321.20B to clarify that the operator of a snowmobile or an ATV is not required to carry a card showing proof of financial liability (a proof of insurance card).

Section 17 amends Iowa Code §321.34 to provide that individuals who are eligible for, but have relinquished their congressional medal of honor, ex-prisoner of war, or legion of merit special registration plates, or disabled veteran registration plates under Iowa Code §321.105, are eligible for one set of special registration plates associated with service in the United States armed forces. The amendment establishes the requirements that must be met, and provides that only one set of special registration plates shall be issued, there is no special plate charge, and there is an annual registration fee of \$15, with the exception of a disabled veteran in accordance with Iowa Code §321.105.

Section 18 amends Iowa Code §321.271 to allow federal motor carrier safety administration access to and copies of written motor vehicle accident reports filed by law enforcement officers.

Section 19 amends Iowa Code §321.423 to increase the speed limit at which a slow moving vehicle must display an amber light, from 25 to 35 miles an hour in order to conform with legislation passed in the 1999 legislative session.

Sections 23, 24, and 25 amend Iowa Code §321.463(4) and (5), to show how the maximum legal weight of 80,000 pounds shall be distributed on a tracked implement of husbandry when the vehicle is towed over a public bridge. (See section 15.)

Division III: Vehicle Manufacturers, Distributors, Dealers, and Franchisers

Sections 32, 38 and 39 amend Iowa Code §§322.5, 322B.3, and 322C.3 to allow motor vehicle, mobile home, and travel trailer dealers to display, offer for sale, and negotiate sales of new vehicles at fairs, vehicle shows, and vehicle exhibitions if the DOT has issued a temporary permit. The amendment applies both to county and district fairs and removes the requirement that the DOT "approve" a fair, show, or exhibition for the display of new motor vehicles. The fee for a temporary permit is \$10 and the permit period shall not exceed 14 days.

Division IV: Mailings

Sections 42 and 43 amend Iowa Code §§321.182 and 321.196 to require that licensed drivers notify the DOT of a change of address within 30 days of obtaining the new address. An application form for a new driver's license or for renewal of a license must include a statement for the applicant to sign that acknowledges the applicant's knowledge of this requirement.

Division V: Miscellaneous Provisions

Section 49 requires the DOT to study the issue of utility relocations during highway projects, including issues related to timeliness. The DOT is to report to the General Assembly by January 31, 2002.

Effective date: Sections 4, 5, 9 and 13 of this Act, and subsections 2 and 3 of section 7 take effect July 1, 2002

SF 528 – Transportation Appropriations- See Appropriations

HF 561 – All-Terrain Vehicle Flags

Recorders, Sheriffs

JE

Section 1 of this legislation amends Iowa Code §321.234A by rewriting the provision to only require that ATVs be operated on a highway only between sunrise and sunset and only when the operation is incidental to the vehicle's use for agricultural purposes. It further provides that a person operating an ATV shall have a valid driver's license and be operated at speeds of 35 miles per hour or less. Violation of this section is a simple misdemeanor. By rewriting this subsection, provisions requiring bicycle safety flags are repealed.

Section 2 of the bill repeals Iowa Code §321G.13(9) that prohibits operation of an ATV or snowmobile on any public road without a bright colored pennant or flag.

Section 3 of HF 561 repeals Iowa Code §321G.13(12) that prohibits operation of an ATV while carrying a passenger. This would permit operation of an ATV while carrying a passenger.

Section 4 amends Iowa Code §805.8(4)(b) to provide that the penalty for operating an ATV or snowmobile without a lighted headlight or taillight from sunset to sunrise is punishable by a fine of \$20.

HF 635 – Employer-Provided Transportation

Engineers

DV

This bill has created some uncertainty because of the vague way it is worded. The Legislature passed this bill because seed corn companies who hire detasslers were facing claims that they should be paying the detasslers for the time spent traveling to the fields. So this bill says that an employee is not entitled to compensation for the time spent traveling to and from the worksite on transportation provided by the employer as long as 1)the employee performs no work during that

time; 2)the transportation is provided as a convenience for the employee; and 3)the employee is not required by the employer to use the transportation. Under such circumstances no compensation is due the employee "unless a collective bargaining agreement provides otherwise."

The bill goes on to clarify that an employee is entitled to compensation for the time spent traveling between worksites if the travel is done during working hours.

This bill was passed to address the detassling problem. But in a very rare situation, because of the broad language used, it could be applied elsewhere. Such as to a county road crew.

HF 647– DOT Release of Information

Sheriffs, Treasurers

JE

This legislation amends Iowa Code §321.11 to provide that the state DOT may release personal information that is in the form of a person's photograph to officers and employees of a law enforcement agency, employees of federal or state agencies or political subdivisions in the performance of the employee's official duties, contract employees of DIA in the conduct of an investigation, and licensed private investigation agencies, licensed security services, and licensed employees of either. The bill makes conforming changes to appropriate federal statutes.

HF 647 further amends Iowa Code §321.11 to prohibit the department from releasing personal information that is in the form of a person's photograph to persons other than those listed and to allow the department to collect reasonable fees for copies of records or other services provided.

This bill amends Iowa Code §321.189 (2)(c), to require the state DOT assign an applicant for a driver's license a distinguishing driver's license number other than the applicant's social security number, unless the applicant requests that the applicant's social security number be so assigned.

SF 350 – Department of Transportation Technical Bill

Engineers, Sheriffs, Treasurers

JE

SF 350 makes corrective transportation-related Iowa Code changes related to temporary restricted permits, temporary entry and exit permits, child restraint devices in motor vehicles, railroad crossing violations, the format of driver's licenses, rules on hours of service and unsatisfied judgements, and bulk liquid transport. Some of the provisions of the bill are of interest to counties.

Sections 1, 8, 9, 13, 14, 16 and 17 of this bill amend various Iowa Code sections to eliminate reference to the term "temporary restricted permit," and replace it with the term "temporary restricted license."

Section 2 amends Iowa Code §321.20A to allow the release of a commercial vehicle title to an owner or lien holder immediately by the DOT or the appropriate county treasurer upon transfer of ownership. Current law provides the title cannot be released without verification that registration fees have been paid. Registration fees are still due.

Section 4 amends Iowa Code §321.113 to provide for a flat registration fee of older motor vehicles (automobiles). Until passage of Senate File 350, automobile registration fees are based on weight and list price.

A motor vehicle that is model year 1994 or newer will continue to be registered based on a formula that considers weight and list price until the vehicle is nine model years old. At that time the motor vehicle registration fee will be \$35. For older motor vehicles the flat fee will take effect upon transfer of the vehicle, and is reduced for older motor vehicles:

- A motor vehicle that is model year 1990 through 1993 will have a flat fee of \$27;
- A motor vehicle that is model year 1970 through 1989 will have a flat fee of \$23; and
- A motor vehicle that is model year 1969 or older will have a flat fee of \$16

The DOT and county treasurers supported this change. This schedule will reduce the overhead associated with maintaining the "Rate Book" online for use by county treasurers and the DOT. More importantly, the change will make the process more efficient for everyone, including automobile dealers, and reduce the opportunity for error. It should also be noted that Section 65 of House File 755-Standing Appropriation, makes a technical corrective change to this provision.

Sections 5 and 6 amends Iowa §§321.189(6), and 321.190(1) respectively to allow the DOT to provide driver licenses for persons under age 21 in a vertical format.

Section 11 amends Iowa Code §321.446 to exempt children riding in buses from the requirement that they be secured by a safety belt or child restraint.

Section 15 amends Iowa Code § 321A.14 to provide that the suspension or denial of renewal or issuance of a person's driver's license, vehicle registration, or nonresident operating privilege for nonpayment of a judgement shall not continue if the department receives evidence

that the judgement has not been renewed and is no longer enforceable.

Until passage of Senate File 350, a person's license, registration, or operating privilege is to remain suspended and not be renewed, nor thereafter issued in the name of the person, until every such judgement is satisfied in full or to the extent provided in Iowa Code chapter 321A. Iowa Code chapter 321A applies only to those judgements arising out of ownership, maintenance, and/or use of a motor vehicle for damages resulting from an accident that caused any personal injury or property damage.

Section 22 amends Iowa Code §422.9(2), so that a portion of the flat registration fee can be deducted from the state and federal income tax. The bill provides that the portion of the applicable flat motor vehicle registration fee that is attributable to the value of the vehicle for deductibility purposes is 60% of the fee.

Effective Date: Sections 4 and 22 take effect January 1, 2002

SF 465 – Biodiesel Fuel Purchases Engineers

JE

This bill creates a new Iowa Code §307.20 to establish a biodiesel fuel revolving fund. It is to be administered by the DOT and funded by the General Assembly. Moneys in the fund shall not revert and shall bear interest that shall be credited to the fund.

The legislation requires a DOT motor vehicle operating on biodiesel fuel to be affixed with a sticker notifying the traveling public that the vehicle uses biodiesel fuel. The bill defines "biodiesel fuel," for purposes of the bill, as "soydiesel fuel" as defined in Iowa Code §159A.2. The bill also defines "EPACT credit" as a credit issued pursuant to the federal Energy Policy Act.

The legislation repeals provisions enacted in 2000 that direct the state DOT to conduct an ongoing biodiesel fuel pilot project beginning September 1, 2000.

Effective date: Upon enactment

SF 528 – Transportation Appropriations- See Appropriations

Appropriations

HF 718 – Department of Economic Development, Department of Workforce Development Appropriations Community Services, Supervisors, Treasurers **RM**

Of particular interest to county government are the following provisions:

- Section 1, subsection 3c appropriates from the Rural Community 2000 program revolving fund to provide funding for councils of government\$150,000 (same as FY01)
- The same section and subsection appropriates from the Rural Community 2000 program revolving fund for the Rural Enterprise Fund and collaborative skills development training\$370,000 (same as FY01)
- Section 9, subsection 3 appropriates for the Department of Workforce Development state and regional boards\$118,700
- Section 11, subsection 2 appropriates for the establishment of pilot immigration service centers\$160,000
- Section 14 appropriates from the Iowa Finance Authority to the Department of Economic Development for technical assistance to help meet local housing needs and for the shelter assistance fund\$500,000 (45% decrease)

Section 15 states that the Iowa Finance Authority shall transfer \$1,200,000 to the Department of Economic Development for use in community development block grants (CDBG) to be used as the state match for the Federal HOME program.

Section 20 provides that the Department of Workforce Development must, in establishing the pilot immigration service centers (mentioned above in reference to Section 11 of this bill), offer "one-stop service" to deal with issues relating to immigration and employment. The pilot centers will be designed to supply information, referrals, job placements, translation, language training, resettlement, and technical and legal information for workers, businesses and communities.

Section 22 amends Iowa Code §321.52A by striking, for the fiscal year beginning on July 1, 2001, the \$3 million which was to have been deposited in the road use tax fund from the surcharge collected by county treasurers for the issuance of certificates of title. (The \$1.5 million from this source going into the waste tire management fund remains.)

Section 25 states that in providing an appropriation to the shelter assistance fund (mentioned above in reference to Section 14 of this bill), the Department of Economic Development shall look into funding homeless shelters based in part on the shelters' work in moving clients toward self-sufficiency.

Effective date: Section 20 is effective upon enactment

HF 725 – Department of Agriculture and Land Stewardship, Department of Natural Resources Appropriations

Conservation Directors, Environmental Health Directors, Supervisors

RM

Of interest to county officials in this appropriations bill is Division V, Section 18 which requests that the Legislative Council create a water quality interim study committee to examine "the quality of the state's surface and subsurface waters, including drinking water sources." Such a legislative interim committee should consider all sources of contamination as well as practices and systems designed to prevent or reduce contamination of Iowa's waters.

HF 726 – Public Health and Human Rights Appropriations

RM

Environmental Health Directors, Public Health Nurses, Recorders

This act provides appropriations for the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Department of Public Health, the Department of Human Rights, the Governor's Office of Drug Control Policy, and the Commission of Veterans' Affairs.

Department of Public Health

▪Adult Wellness	\$567,197
For maintaining and improving the health status of adults.	
▪Child and Adolescent Wellness	\$1,256,538
For promotion of optimum health for children and adolescents through 21 years of age.	
▪Community Capacity	\$1,464,710
For health care systems at the local level.	
▪Elderly Wellness	\$10,602,737
For optimizing the health of people 60 years of age and over.	
▪Public Protection	\$6,923,647
This appropriation is for health and safety protection of the public via standards and regulations enforcement.	

This Legislation provides that if, in the course of an emergency response, a person becomes exposed to the bodily fluids of the injured person, that emergency responder is entitled to hepatitis testing and immunization. Funding for testing from EMS funds is available only if reimbursement is not available through the employer or a third party payor.

HF 726 provides that a local health care provider (or a non-profit health care organization) seeking grant money from the Department of Public Health (DPH) must provide documentation that they have coordinated their services with other local entities which provide similar services.

Code Changes

Section 9 amends Iowa Code §135.102 by adding new subsection 6 which states that model regulations for lead hazard remediation, as composed by DPH, must be made available to local boards of health. DPH must promote the adoption of these regulations at the local level where lead hazard remediation programs exist. There is no requirement that these model regulations be adopted.

Section 13 states that the vital records modernization project will be extended until June 30, 2002. Increased fees collected as a part of this project will continue to be appropriated to DPH until that date.

HF 732 – Human Services Appropriations

Auditors, Community Services, Supervisors

AB

This bill appropriates \$778.5 million and 5,677.4 FTE positions for FY 2002, a decrease of \$12.5 million and an increase of 116.6 FTE positions compared to the FY 2001 estimated net appropriation

▪ Early Childhood Funding (Sec. 1)	\$2,500,000
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Temporary Assistance For Needy Families Block Grant.

▪ Family Investment Program	\$39,287,318 (10.8% decrease)
▪ Family Investment Program (JOBS program)	\$20,830,113 (4.1% increase)
▪ Field Operations	\$12,885,790 (.1% increase)
▪ General Administration	\$3,238,614 (.3% increase)
▪ Local Administrative Costs	\$2,122,982 (1.1% decrease)
▪ State Child Care Assistance	\$28,638,329 (18.93% increase)
Of the funds appropriated in this subsection, \$200,000 shall be used for provision of educational opportunities to registered child care home providers.	

▪Emergency Assistance	\$2,846,432 (2.9% increase)
▪MH/DD Community Services	\$4,349,266 (5.8% decrease)
▪Child and Family Services	\$23,096,571 (.53% decrease)
▪Child Abuse Prevention	\$731,000 (new in FY02)
▪Pregnancy Prevention	\$2,514,413 (.13% decrease)
Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2001.	
▪Technology Needs	\$1,182,217 (14.87% increase)
▪Supervised Community Treatment	\$300,000 (same as FY01)
▪Volunteers	\$42,663 (11% increase)
▪Individual Development Accounts	\$250,000 (20% increase)
▪HOPES program	\$200,000 (new in FY02)
▪Iowa Marriage Initiative Grant	\$500,000 (new in FY02)

Economic Assistance Divison

▪Family Development and Self-Sufficiency Grant (Sec. 3)	\$5,697,825
▪Family Investment Program Assistance (Sec. 4)	\$36,150,000
▪Emergency Assistance (Sec. 5)	\$10,000 (Same as FY01)
Emergency assistance to families with dependent children for homeless prevention programs.	
▪Child Support Recovery (Sec. 6)	\$6,700,000 (3% increase)

Medical Assistance Division

Medical Assistance (Sec. 7)	\$413,150,000 (3% increase)
▪Medically necessary abortions performed under certain conditions.	
▪Permits transfer of funds to DHS case management for MH/MR/DD services under certain conditions.	
▪Requires the county of legal settlement to reimburse DHS for 50% of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization; and 100% of the nonfederal share of HCBS waiver for adults.	
▪The department shall utilize not more than \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program.	
▪Transfers \$950,000 from DPH to DHS for an intergrated substance abuse managed care system.	
▪The total number of openings for medical assistance HCBS waiver for persons with physical disabilities shall be limited to the number approved in the waiver.	
▪Directs DHS to continue the program to utilize the early and periodic screening, diagnois and treatment (EPSDT) funding under medical assistance.	
▪Requires DHS to continue the case study for outcome-based performance standards for programs serving individuals with MR or DD.	
▪Directs DHS to continue the medical assistance HCBS waiver to allow children with MR, who would otherwise require ICF/MR care, to be served in out-of-home settings of up to eight beds.	
▪Directs DHS to continue working with county representatives in aggressively implementing the rehabilitation option for services to persons with chronic mental illness under the medical assistance program.	
▪Directs DHS, upon HCFA approval to provide a period of 24 months of guaranteed eligibility for medical assistance family planning services.	
▪Directs 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.	
▪\$200,000 shall be used to increase reimbursement of child protection centers.	
▪DHS shall adopt rules to provide that an individual applying for the medically needy program is not required to reapply unless the individual's income as originally disclosed changes.	
▪DHS may participate in a federal home telecare pilot program intended to manage health care needs.	
▪DHS shall review the use of non sediating antihistamines for children.	
▪DHS shall revise the HCBS waiver for persons with brain injury to eliminate the eligibility requirement that a person must have been a resident of a medical institution for at least 30 consecutive days at the time of initial application. With two exceptions the state shall pay the nonfederal share of HCBS waiver for brain injury.	
▪Directs DHS to continue the case study for outcome-based performance standards for programs serving persons with MR/MI/DD.	

- Health Insurance Premium Payment Program (Sec. 8).....\$600,000 (33.22% increase)
- Children's Health Insurance Program (Sec. 9).....\$8,400,000 (41% increase)
- Medical Contracts (Sec. 10).....\$8,700,000 (3.1% increase)
- State Supplementary Assistance (Sec. 11).....\$19,550,000 (2.1% decrease)
For state supplementary assistance, funeral assistance, and the medical assistance home and community-based services waiver rent subsidy program.

Adults, Children And Families Division

- Child Care Assistance (Sec. 12)\$5,050,752 (same as FY01)

Juvenile Institutions (Sec. 13)

- For operation of the Iowa juvenile home at Toledo\$6,707,500 (6% increase)
- For operation of the state training school at Eldora\$10,870,000 (3.8% increase)

Child And Family Services (Sec. 14).....\$106,000,000 (2.5% decrease)

- DHS may transfer funds to pay the nonfederal share of services reimbursed under medical assistance for FIP.
- Of the funds appropriated, up to \$28,137,020 is allocated as the statewide expenditure target for group foster care maintenance and services.
- Of the funds appropriated, not more than \$6,987,000 is allocated as the state match for PMIC.
- Of the funds allocated, \$1,354,063 is allocated as the state match for 50 highly structured juvenile program beds.
- Directs DHS to continue the goal that not more than 15% of the children funded under the federal Social Security Act, Title IV-E, may be placed in foster care for a period of more than 24 months.
- Directs DHS to continue the program to decategorize child welfare services funding in additional counties or clusters of counties.
- A portion of the funding appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project.
- State funding for shelter care shall be limited to \$7,513,084.
- Directs DHS to use a minimum of \$44,750 for adoption recruitment.
- Directs DHS and juvenile court services to continue to develop criteria for the department regional administrator and chief juvenile court officer to grant exceptions to extend eligibility for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18.
- Of the moneys appropriated, not more than \$627,100 is allocated to provide clinical assessment services to continue funding of children's rehabilitation services under medical assistance.
- Of the funding appropriated, \$3,696,285 shall be used for protective child care assistance.
- Of the moneys appropriated, up to \$3,290,000 is allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state.
- Directs DHS to eliminate the wrap-around funding program for children.
- Notwithstanding Iowa Code chapter 232 or any other provision of law, a district or juvenile court in a department of human services district shall not order any service which is a charge upon the state pursuant to Iowa Code §232.141 if there are insufficient court-ordered services funds available in the district distribution amount to pay for the service.
- Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under Iowa Code chapter 232 which is a charge upon the state under Iowa Code §232.141(4).
- **DHS may adopt emergency rules to modify the qualifications for rehabilitative treatment service providers.**
- Of the funding appropriated, \$5,292,000 is allocated to provide school-based supervision of children adjudicated under Iowa Code chapter 232, including not more than \$1,764,000 from the allocation in this section for court-ordered services.
- DHS may operate a subsidized guardianship program if the United States department of health and human services approves a waiver under Title IV-E of the federal Social Security Act and the subsidized guardianship program can be operated without loss of Title IV-E funds.
- **DHS shall use \$700,000 for day treatment and after care services for juvenile females.**

Juvenile Detention Home Fund (Sec. 15)

An amount equal to 10% of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes.

- Grant renewal for implementation of runaway program\$80,000 (same as FY01)
- Central Intake for Child Protection (Sec. 16)
For establishment of a statewide central intake unit for receiving child abuse reports....\$250,000 (New In FY02)
- Community-Based Programs (Sec. 17)\$531,415 (52% increase)
For community-based programs, on the condition that family planning services are funded, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions.
- Family Support Subsidy Program (Sec. 18)\$2,089,858 (2.9% increase)

MH/MR/DD/BI Division

- Conner Decree (Sec. 19)\$46,000 (same as FY01)
For building community capacity through the coordination and provision of training opportunities.

Mental Health Institutes (Sec. 20)

- State mental health institute at Cherokee\$13,470,000 (4.9% increase)
- State mental health institute at Clarinda\$7,650,000 (5.6% increase)
- State mental health institute at Independence\$17,992,500 (2.7% increase)
- State mental health institute at Mount Pleasant\$5,717,500 (6.3% increase)

State Resource Centers (Sec.21)

- State resource center at Glenwood\$2,625,000 (4.5% increase)
- State resource center at Woodward\$1,790,000 (4.4% increase)

- Special Needs Grants (Sec. 22)\$53,212 (same as FY01)
Grants to families to prevent out-of-home placements.

- MI/MR/DD State Cases(Sec. 23)\$12,700,000 (4.5% decrease)

- MH/DD Community Services Fund (Sec 24)\$19,560,000 (same as FY01)

- Personal Assistance (Sec. 25)\$264,000 (27.48% decrease)

- Sexually Violent Predators (Sec. 26)\$1,300,000 (9.3% increase)
For costs associated with the commitment and treatment of sexually violent predators including costs of legal services and other associated costs.

Administrative Division

- Field Operations (Sec.27)\$49,100,000 (8.7% increase)
Commencing July 1, 2001 DHS shall eliminate the regional offices within field operations.

Additional Federal Funding (Sec. 28)

- Directs DHS to work on expanding the community partnership approach to child protection as established in Linn county with funding support from the Edna McConnell Clark Foundation.
- Directs DHS to work to secure federal financial participation through Titles IV-E and XIX of the federal Social Security Act for services and activities that are currently funded with state, county, or community moneys.
- DHS may pursue federal approval of a state plan amendment to use medical assistance funding for child protection targeted case management services.

- General Administration (Sec. 29)\$11,020,029 (25.8% decrease)

- Volunteers (Sec. 30)\$118,250 (same as FY01)

Other Provisions and Pilot Projects

Medical Assistance, SSA, And Provider Rates (Sec. 31)

- Rate for nursing facilities shall be determined under a case mix reimbursement system.
- Reimburse pharmacy dispensing fees using a single rate of \$5.17 per prescription or the pharmacy's usual and customary fee, whichever is lower.
- **Increase state's efforts to collect pharmaceutical manufacturer rebates.**
- Implementation of a series of prospective drug utilization review edits on targeted drugs to facilitate the cost effective use of these drugs.
- **Implementation of a generic incentive patient copayment amount.**
- DHS shall implement a state maximum allowable cost list for prescription drugs.
- Reimbursement rates for inpatient and outpatient hospital services shall be reduced by 3% from the rates in effect on June 30, 2001.
- Reimbursement rates for rural health clinics, hospices, independent laboratories, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.
- Reimbursement rates for home health agencies shall be reduced by 3% from the rates in effect on June 30, 2001.
- Federally qualified health centers shall receive cost-based reimbursement.
- Reimbursement rates for dental services shall be reduced by 3% from the rates in effect on June 30, 2001.
- Reimbursement rates for community mental health centers shall be reduced by 3% from the rates in effect on June 30, 2001.
- Maximum reimbursement rate for psychiatric medical institutions for children shall remain at the rate in effect on June 30, 2001.
- Noninstitutional medical assistance provider reimbursement rates shall be reduced by 3% from the rates in effect on June 30, 2001.
- Notwithstanding section 249A.20, the average reimbursement rates for health care providers eligible for use of the reimbursement methodology under that section shall be reduced by 3% from the rate in effect on June 30, 2001.
- Maximum cost reimbursement rate for residential care facilities reimbursed by the department shall not be less than \$24.50 per day for the time period of July 1, 2001, through December 31, 2001, and shall not be less than \$25.14 per day for the time period of January 1, 2002, through June 30, 2002. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall not be less than \$17.50 per day for the time period of July 1, 2001, through December 31, 2001, and shall not be less than \$17.96 per day for the time period of January 1, 2002, through June 30, 2002.
- Maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall not be less than \$471.06 per month for the time period of July 1, 2001, through December 31, 2001, and shall not be less than \$483.31 per month for the time period of January 1, 2002, through June 30, 2002.
- Foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages zero through five years shall be \$14.28, the rate for children ages 6 through 11 years shall be \$15.07, the rate for children ages 12 through 15 years shall be \$16.83, and the rate for children ages 16 and older shall be \$16.83.
- The maximum reimbursement rates for social service providers shall remain at the rates in effect on June 30, 2001.
- The group foster care reimbursement rates paid for placement of children out-of-state shall be calculated according to the same rate-setting principles as those used for in-state providers.
- Reimbursement rates for rehabilitative treatment and support services providers shall remain at the rates in effect on June 30, 2001.
- Combined service and maintenance components of the reimbursement rate paid to a shelter care provider shall be based on the cost report submitted to the department. The maximum reimbursement rate shall be \$83.69 per day.
- DHS shall calculate reimbursement rates for intermediate care facilities for persons with mental retardation at the 80th percentile.
- DHS shall set provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 1998.

- Transfer Authority (Sec. 32)
Authorizes DHS to transfer TANF funds among the following appropriations under certain circumstances: family investment program; emergency assistance; child care assistance; child and family services; field operations; general administration and MH/MR/DD/BI community services (local purchase).

Code Changes

Civil Penalty – Disposition–Reinstatement (Sec. 43)

Property tax relief dollars will be disbursed to counties in July and January instead of September and March.

Growth Factor (Sec. 47)

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, in accordance with law	\$24,887,428
For distribution to counties as described in Iowa Code §331.438	\$12,000,000
Per capita expenditure target pool	\$12,492,712
Risk pool	\$394,716

Revised Allocations For FY01-FY02 (Sec. 48)

After applying the applicable statutory distribution formulas to the amounts specified above for the MH/DD community services fund and for allowed growth DHS shall apply a withholding factor to adjust the actual amount of the funding to be distributed to an eligible county. The withholding shall be based on the following formula:

- For an ending balance percentage of less than 15%, a withholding factor of 0%.
- For an ending balance percentage of 15 through 24%, a withholding factor of 12.8%.
- For an ending balance percentage of 25 through 34%, a withholding factor of 35%.
- For an ending balance percentage of 35 through 44%, a withholding factor of 67.25%.
- For an ending balance percentage of 45% or more, a withholding factor of 100%.

The total withholding amounts applied shall be equal to a withholding target amount of \$15,554,307 and the appropriations made in this Act for the MH/DD community services fund and for MH/MR/DD allowed growth shall each be reduced by 50% of the withholding target amount. If DHS determines that the amount to be withheld is not equal to the target withholding amount, the department shall adjust the ending balance percentage ranges as necessary to achieve the withholding target amount.

Only those counties that are in compliance with the December 1, 2001, filing deadline for the county annual financial report in accordance with Iowa Code §331.403 are eligible to receive a funding distribution under this section. The amount that would otherwise be available for distribution to a county that fails to so comply shall be proportionately distributed among the eligible counties.

DHS shall authorize the issuance of warrants payable to the county treasurer for the distribution amounts due to the counties eligible under this section and notwithstanding prior practice for the MH/DD community services fund, the warrants shall be issued in January 2002.

Adult Decaterogization (DECAT) pilot project (Sec. 52)

Creates timelines for implementation of adult DECAT.

Effective date: Section 52, relating to adult DECAT pilot project shall be effective upon enactment.

HF 742 – Rebuild Iowa Infrastructure Fund

Conservation Directors, Supervisors

RM, DV

This measure distributes appropriations from the Rebuild Iowa Infrastructure Fund and from the Environment First Fund.

- Section 16, subsection 3 appropriates for acquisition, construction, and improvement of recreational trails in the state\$1,000,000

Of this amount, \$ 500,000 must be used, on matching funds basis, recreational trails with a priority on the completion of trail connections and sections between existing trails and parks within the existing system. These funds are eligible if matched by one dollar of locally generated money to each three dollars of state funding.

- Section 20, subsection 1 appropriates to the Conservation Reserve Enhancement Program at the Department of Agriculture and Land Stewardship (DALs) for restoration and construction of wetlands for intercepting tile line runoff, reducing nutrient loss, and improving water quality\$1,500,000
- Subsection 4 deposits in the DALs Alternative Drainage System Assistance Fund to be used for alternative drainage systems\$1,000,000
- Section 22, subsection 6 appropriates, for continuation of the Waste Tire Abatement Program\$500,000
- Subsection 10 appropriates, for the local cost share grants to be used for capital expenditures to local governments for boating accessibility\$2,300,000
- Section 25 appropriates, notwithstanding funds in the standing appropriation from the general fund under Iowa Code §455A.18, subsection 3, from the Environment First Fund to the Resources Enhancement and Protection Fund, to be allocated as provided in Iowa Code §455A.19\$10,000,000

Section 28 appropriates from the tobacco settlement trust fund to the Department of General Services for the planning, design and construction of a multipurpose crime laboratory:

- FY02\$16,670,000
- FY03\$16,670,000
- FY04\$16,660,000

- Section 42 adds a new section to Iowa Code chapter 15F, related to the Vision Iowa program, and requires that a "public organization" as defined that chapter to include nonprofit organizations, must use competitive bidding procedures on projects funded by Vision Iowa.

HF 755 – Standing Appropriations

Auditors, Community Services Directors, Supervisors

JE

This Bill makes a total reduction of \$46.6 million from the budgeted FY02 standing appropriations. This is a reduction of \$46.3 million from the FY01 estimated net appropriation. The Bill appropriated a total of \$2.3 million for FY02 from the General Fund to DOE and DHS. Finally, the legislation makes numerous corrective amendments to pieces of legislation previously enacted in the 2001 legislative session. There are several items in HF 755 of particular interest to counties.

- Section 1: FY03 MH/MR/DD Allowable Growth\$14,874,702
- Section 12: Public Transit Assistance(\$659,820)
Reduces the FY02 standing appropriation to DOT Public Transit Assistance. A total of \$11 million was originally budgeted in FY02 for this purpose. This reduces the estimated appropriation to \$10.3 million.

- Section 34: Mental Illness Special Services\$121,000
The bill specifies legislative intent that the Iowa Finance Authority provide these funds from Authority funding for community-based housing for persons with mental illness who are homeless. This is the current level of funding, except that for FY01, the funds are from the State General Fund through DHS.

Sections 40 and 41 amend Iowa Code §403.19(2) and add a new subsection (7) respectively. It makes a technical correction to the language concerning the PPEL certification. It requires that a municipality may certify to the county auditor the amount of PPEL revenue needed bonds rather than indebtedness. Indebtedness incurred to refund bonds issued before July 1, 2000, cannot be included in the amount certified. It requires the school district to pay the PPEL revenue to the municipality by November 1 and May 1 of the fiscal year following certification. Current law requires the revenue to be paid by November 1.

It also requires that for any fiscal year, a municipality may certify to the county auditor for physical plant and equipment revenue necessary for payment of principal and interest on bonds issued prior to July 1, 2001, only if the municipality certified for such revenue for the fiscal year beginning July 1, 2000. A municipality cannot certify an amount more than it certified for the fiscal year beginning July 1, 2000. If a municipality misses the certification deadline for a fiscal year, the municipality is not eligible to receive PPEL revenue from the school district. If a school district and municipality do not agree on the amount of PPEL revenue a municipality may certify, either party may, by July 31, request that the State Appeal Board review and make a final decision on the amount that may be certified. The burden is on the municipality to prove that it needs the revenue to pay bonds issued prior to July 1, 2001. The State Appeal Board must make its decision no later than the following October 1.

Effective Date: Sections 40 and 41 are effective upon enactment and apply to property taxes due on or after July 1, 2002

SF 267 – Fiscal Year 2001 Deappropriations

Auditors, Community Services Directors, Supervisors

JE

This legislation was enacted to cut the FY01 state budget to meet expected revenue shortfalls for the fiscal year. The original bill had a net impact on the General Fund of \$25.6 million. After the line-item vetoes, the net impact on the General Fund is a reduction in expenditures of \$7.9 million.

Division III of the bill requires a one percent reduction for most General Fund appropriations.

Division VII makes specified FY01 reductions of interest to counties as follows:

Department of Human Services

HAWK-I	\$3,684,508	(26.1% decrease)
State Cases	\$12,608,845	(5.3% decrease)
MH/MR/DD Allowed Growth	\$19,868,987	(5.3% decrease)
Risk Pool	\$95,385	(92.1% decrease)

Effective date: Upon enactment

SF 525 – Federal Block Grants and Appropriations of Other Federal Funds

Auditors, Community Services, Public Health Nurses, Supervisors

DW

This bill appropriates for the 2001-2002 federal fiscal year that begins October 1, 2001, block grants available from the federal government and provides procedures for increasing or decreasing the appropriations if the federal government makes changes. General appropriations are made for the 2001-2002 state fiscal year of all other non-state grants, receipts, and funds available to the state. Appropriations of specific interest to counties are as follows:

Department of Economic Development

Community Development Block Grant	\$31 million	(4% increase)
National Affordable Housing Act Grant	\$11.3 million	(16% Increase)

Department of Human Rights

Community Services Block Grant	\$6.45million	(13% increase)
Low-Income Home Energy Assistance Block Grant	\$25.54 million	(28% increase)

Department of Human Services

Community Mental Health Services Block Grant	\$2.7 million	(12% decrease)
Social Services Block Grant	\$18.5 million	(1.6% decrease)
Child Care Development Block Grant	\$39.5 million	(29% increase)

Department of Public Health

Substance Abuse Block Grant	\$12.70 million (1% increase)
Maternal and Child Health Services Block Grant	\$7.0 million (.7% increase)
Preventive Health and Health Services Block Grant	\$1.94 million (.5% decrease)

Office of Governor for Drug Enforcement and Abuse Prevention Coordinator

Drug Control and System Improvement Block Grant	\$5.68 million (2% decrease)
Stop Violence Against Women Block Grant	\$1.59 million (4.7% decrease)
Local Law Enforcement Grant Program	\$300,000 (6% decrease)
Residential Substance Abuse Treatment for State Prisoners	\$501,966 (3.5% decrease)

SF 527 – Judicial Branch Appropriations

Community Services, County Attorneys, Sheriffs

DV

Section 1 of the bill states that it "is the intent of the General Assembly that the offices of the clerks of the district court operate in all 99 counties and be accessible to the public as much as is reasonably possible to address the relative needs of the citizens of each county."

Section 5 appropriates up to \$317,450 from the enhanced court collection fund for compensation of judicial hospitalization referees. Money for judicial hospitalization referees was abruptly eliminated by the judicial branch in 2000, causing almost all of these positions to be eliminated. This appropriation is less than half of the \$700,000 originally sought.

SF 528 - Transportation Appropriations

Engineers, Supervisors, Treasurers

JE

This bill appropriates a total of \$264.5 million and 3,859.0 FTE positions to the DOT. The appropriations include \$2.8 million from the general fund, \$36.6 million from the RUTF, and \$225.1 million from the PRF. This is an decrease of \$11.1 million (-13.6%) and no change in FTE positions compared to estimated FY01.

Section 2 appropriates \$36,566,207 in "off-the-top" uses of the RUTF moneys for various purposes including:

Motor Vehicle Division

Drivers' License Program\$3,997,000 (90% increase)
This appropriation is for payment for costs associated with the production of drivers' licenses, as defined in Iowa Code §321.1(20A).

The legislation makes several statutory changes as follows:

Section 5 of the bill amends Iowa Code §312.2(18) to allow the DOT to use an annual appropriation of \$650,000 from the RUTF for the purchase of automation and telecommunications equipment and support for vehicle registration and titling and driver licensing in county treasurer offices. Previously, the funds could only be used for the purchase of equipment and supplies for vehicle registration and titling.

Section 6 amends Iowa Code §315.3(3) to allow the DOT Commission to 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 transferred funds are required to be repaid to the RISE Fund within six months after transfer.

Sections 7 and eight amend Iowa Code §§ 321.189(4), and 321.196(1) to eliminate the driver's license Renewal by Mail Program and the \$2 fee for administration and mailing expenses associated with the Program.

SF 530 – Justice System Appropriations

Community Services, County Attorneys, Sheriffs, Supervisors

DV

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 FY02 are \$475.4 million. This represents a decrease of \$15.9 million (3%) compared to the FY01 estimated net appropriations.

Department of Justice

Prosecuting Attorneys Training Program\$304,943 (5.8% decrease)
.....6 FTE (same as FY01)

Office of Drug Control Policy/Prosecuting Attorney Training Program\$132,037 (.01% decrease)
.....2 FTE (same as FY01)

Environmental Crimes Investigation and Prosecution\$20,000 (same as FY01)
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.

The Department of Justice and the Department of Corrections shall assist local regional development authorities in issuing a report regarding development of regional jails. The report shall include but is not limited to the following: the design capacity, policy considerations, governance and management structure, staffing needs, food services, estimated design and construction costs, and evaluating cost sharing between the state, participating counties, and other political subdivisions. The report is due on or before February 1, 2002.

Department of Corrections

State Prisoners in County Jails\$700,438 (increase of 34% from FY01)
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 the purpose of transferring DOC inmates to a facility owned or operated by a non-profit corporation, without the prior approved of the General Assembly.

Iowa Law Enforcement Academy

Section 10 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.

Code Changes

Sections 18, 19 and 20 of the bill change the law regarding state reimbursement for state prisoners in county jails. Under the amendment, the reimbursement amount is tied to the county's average daily cost, but now the Iowa Code will specify that the average daily cost "shall not include administrative support personnel costs as defined in the United States marshal's service cost sheet for detention services." It further provides that instead of a voucher, payment shall be made upon submission of a "United States marshal's service cost sheet." The changes in each section are identical. The only difference is that section 18 applies to OWI offenders, section 19 applies to work release violators, and section 20 applies to parole violators.

Section 21 of the bill extends the appropriation of the E911 surcharge moneys received by the E911 administrator through FY02. 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.

Section 22 requests that an interim committee be formed on issues relating to involuntary hospitalization and involuntary commitment. Committee members would include legislators, DOC, judicial branch, counties, law enforcement personnel including sheriffs, mental health advocates, psychologists and psychiatrists.

SF 531 – Administration and Regulation Appropriations

Auditors, Supervisors, Treasurers

CP

This Act makes appropriations to certain state departments, agencies, funds, and certain other entities, and provides for regulatory authority. Some of the areas of interest include the following:

Department of Management

Statewide Property Tax Administration

Salaries and support for utility replacement tax\$90, 078 (same as FY01)

.....1 FTE (same as FY01)

Department of Revenue and Finance

Statewide Property Tax Administration

Salaries and support for gas & electric utility replacement tax system\$62,250 (same as FY01)

Direct costs related to collection and distribution of local sales tax

Compliance\$151,108

State Financial Management\$188,085

Internal Resources Management\$60,807

Section 21 provides that the director of revenue and finance shall prepare and issue a state appraisal manual and the revisions without cost to a city or county.

Secretary of State

Section 24 provides that the intent of the general assembly that the state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge. Not more than \$2,500 shall be used to pay the expenses of the Marshall County deputy auditor to serve on a task force for elections reform for the elections center. The Marshall County deputy auditor shall show proof of expense incurred to the secretary of state to receive reimbursement.

Decennial Redistricting associated costs\$25,000

Other Appropriations

Section 28 of this Act: Notwithstanding Iowa Code §8.55 (2), any excess moneys beyond the maximum balance in the economic emergency fund, after the distribution of any surplus in the general fund of the state, shall be transferred in the following order as follows:

At the end of fiscal year June 30, 2001

- The first \$163,800,000 to the general fund of the state.
- The next \$40,000,000 to the endowment for Iowa's health account of the tobacco settlement trust fund.
- The remaining amount to the general fund of the state.

At the end of fiscal year June 30, 2002

- Shall not be transferred to the general fund, but shall be transferred to the endowment for Iowa's health account of the tobacco settlement trust fund.

This section is contingent upon the establishment of the endowment for Iowa's Health account of the Tobacco Settlement Trust Fund by SF 532 of 2001 legislative session.

SF 533 – Tobacco Settlement Trust Fund Appropriation

Public Health Nurses, Supervisors

RM

This appropriates funds from multiple sources to the Tobacco Settlement Trust Fund.

Section 1 provides that funds received from Iowa Code §99D.17 (pari-mutuel wagering) and from Iowa Code §99F.11 (excursion boats and racetracks) shall be deposited in the Endowment for Iowa's Health account of the Tobacco Settlement Trust Fund in the following amounts :

▪ FY02	\$80,000,000
▪ FY03	\$75,000,000
▪ FY04	\$70,000,000
▪ FY05	\$70,000,000
▪ FY06	\$70,000,000
▪ FY07	\$70,000,000

Section 2 appropriates from the state's general fund to the Endowment for Iowa's Health account of the Tobacco Settlement Trust Fund the following amounts:

▪ FY02	\$7,248,000
▪ FY03	\$27,087,000
▪ FY04	\$28,251,000
▪ FY05	\$29,785,000
▪ FY06	\$29,562,000
▪ FY07	\$17,773,000

This measure takes effect only if Senate File 532 is enacted and only if the Tobacco Settlement Authority securitizes the settlement agreement payments sold to the authority.

Effective date: Effective date of receipt of bond proceeds by Tobacco Settlement Authority

SF 535 – Education Appropriations

Community Services, Supervisors

DW

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

Department of Education

Vocational Rehabilitation Services Division\$4,698,441 (1.3% decrease)
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 \$62,500 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\$14,664,000 (6% decrease)
For deposit in the school ready children grants account of the Iowa Empowerment Fund. The bill provides that amount appropriated for the school ready children grants will be distributed in the same proportion as the annualized grant amount distributed in the previous fiscal year.

State Board of Regents

State Papers, University Hospitals\$31,057,743 (4% decrease)
This provision directs University of Iowa Hospitals and Clinics, within the context of Iowa Code 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, 2002, describing its use of these technologies to accomplish this purpose.

Center for Disabilities and Development\$7,038,688 (No comparison available)

Included in this appropriation is \$200,000 for purposes of the creative employment options program.

SF 537 – Appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust

Community Services, Public Health Nurses, Supervisors

RM

This act provides for appropriations from the Iowa share of the national tobacco settlement. Of interest to county officials :

- Section 1, subsection 5a appropriates to the Department of Public Health (DPH) for tobacco use prevention and control efforts at the state and local levels\$9,345,394
Subsection 5c(1) provides that of the funds appropriated in subsection 5c, for the Healthy Iowans 2010 plan, not more than \$1,250,000 shall be used for core public health functions, including home health care and public health nursing services contracted by formula through county boards of health.
- Section 2 appropriates for service to counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases\$ 146,750

Effective date: July 1, 2001 contingent upon enactment of Senate File 532

2001 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 and input from affiliate legislative liaisons are principally used as the guideline for ISAC staff in opposing legislation. The following is a list of key things that ISAC opposed that were successfully defeated:

House Files and Study Bills

HF 4/HF 537 – Property Tax Limitation
 HF 8 – County Compensation Boards
 HF 23/ SF 353 – Covenant Marriages
 HF 34 – School Election Consolidations
 HF 38 – Veteran's Exemption
 HF 90 – Three Trailer Truck Length
 HF 137 – Local Option Elections
 HF 196 – Annexed Areas Property Tax
 HF 205 – Retirees Health Benefits
 HF 215 – County Deputy Officer Pay
 HF 211 – Reserves Tax Exemption
 HF 214 – Car Wash Exemption
 HF 217 – Hunting License Rules
 HF 240 – Local Option Sales Tax
 HF 248 – Local Option Taxing of Investment Counseling
 HF 279 – Service Area of 911
 HF 316 – Ordinances by Petition and Election
 HF 343 – Casual Sales Tax Exemption
 HF 374 – Tax Exemption Recycling Property
 HF 382 – HAWK-I Program
 HF 390 – Traffic Stops
 HF 432 – M&E Replacement
 HF 438 – M&E Replacement Levy
 HF 440 – Agricultural Property Limits
 HF 448/HF 749 – Coin Sales Tax Exemption
 HF 468 – Unimproved Platted Lots
 HF 509/HF 644 – Family Farm Tax Credit
 HF 522 – Soil Sampling Sales Tax Exemption
 HF 529 – County Conservation Appointments
 HF 661/HF 68 – Woodburning At Landfills
 HF 685 – Beverage Redemption Centers
 HF 738 – Sales to Nursing Homes
 HSB 41 – Mobile Home Garages
 HSB 83 – Corrections Facilities
 HSB 99 – Property Owner Notice
 HSB 111 – M&E Supplies
 HSB 128 – Energy Efficient Tax Exemption
 HSB 161 – Property Tax Limitation
 HSB 168 – Pay for Holding Possible Predators
 HSB 182 – Electronic Recording Act
 HSB 194 – Extended Zoning Approval
 HSB 195 – Extended Zoning Referendums

Senate Files and Study Bills

SF 17 – September Primary
 SF 31/SF 226 – Property Tax Limitation
 SF 37 – Condemnation Costs
 SF 100/SF 23 – Civil Commitment of Pregnant Drug Abusers
 SF 105 – Public Pay
 SF 107 – Pesticide and Fertilizer Application
 SF 138/SF 343/SF 450 – Expand Veterans Benefits
 SF 142 – Traffic Stops
 SF 178 – Sheriff Services
 SF 212 – Senior Adult Empowerment
 SF 237 – Coin Purchases
 SF 239 – Recycling Property
 SF 327 – Clothing Tax Exemption
 SF 398 – Jail Study
 SF 510 – Beverage Redemption Centers
 SSB 1041 – Mobile Home Garages
 SSB 1152 – Pay for Holding Possible Predators
 SSB 1167 – Electronic Recording Act

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

House Files and Study Bills

HF 16 – Local Option Sales Tax Election
 HF 69 – Expanded Beverage
 HF 84 – Drainage Land Improvements
 HF 94 – Solid Waste Disposal
 HF 105/SF 110 – Enterprise Zones
 HF 107/HF 113/HF 153 – Mental Health Parity
 HF 148 – Local Government Fiscal Reform Act
 HF 187/SF 112 – Bridge Construction
 HF 204/SF 121 – Ballot Destruction
 HF 208/SF 120 – Elections by Mail
 HF 210/SF 135 – Ballot Type Size
 HF 212/SF 122 – Ballots at Polling Places
 HF 215 – County Deputy Officer Pay
 HF 247/HF 584 – Water Quality Protection
 HF 249 – Manure Management Practices
 HF 319 – HAWK-I Eligibility
 HF 320/HF 615 – Disarming Peace Officers
 HF 339/HF 380 – Confinement Siting by Counties
 HF 350 – Enterprise Zones
 HF 367/HF 533/HF 694 – Housing Trust Funds
 HF 398 – Poll Closings
 HF 498 – School Budget Certification Date
 HF 504/HF 552 – ICN Services
 HF 536 – Urban Renewal Plans
 HF 540 – Assessor's Levy
 HF 659/HSB 191 – White Goods Recycling
 HF 679/HSB 173/HSB 199/HSB 204/HSB 205 – Urban Renewal Areas (TIF)
 HSB 8 – County Treasurer Credit Card Payment
 HSB 9 – County Recorder Technology Fees
 HSB 17 – Town Elections
 HSB 156 – County Recorder UCC Filings
 HSB 244 – Food Regulation

Senate Files and Study Bills

SF 7 – Mobile Home Storm Shelters
 SF 10 – Siting of Confinement Feeding Operations
 SF 46 – Payment for Military Credit
 SF 64/SF 217/SF 506 – County Control of Hog Confinements
 SF 71 – Vehicle Registration Fees
 SF 89 – Uniform Manure Storage Structures
 SF 97 – Expanded Beverage Redemptions
 SF 119 – Substance Abuse Coverage
 SF 129 – Pollution Control Equipment
 SF 131/SF 132/SF 136/SF 137 – Mental Health Parity
 SF 159/SF 314 – .08 Blood Alcohol Content
 SF 299 – Assessor's Levy
 SF 312 – Official Newspaper Policies
 SF 389 – Food Regulations
 SF 405 – Recounts
 SF 406/SSB 1160 – Revenue Review
 SF 473 – Land Use Study
 SF 474/SSB 1168 – E911 Surcharges
 SF 501 – Annexation
 SSB 1068 – Local Government Fiscal Reform Act
 SSB 1090 – County Attorney Pay
 SSB 1265/SF 529 – Unfunded Mandates

Finally, in the Iowa legislative process, any bill that passes its house of origin in the first year of the biennium, but does not pass the second house, is laid over until the second year. Such bills may start in the second house without having to start all over again in the process. Several items of interest to ISAC have this status:

HF 403 – Election Code Changes	(Support)
HF 582 – Annexations	(Support)
SF 144 – Fill Dirt	(Oppose)
SF 342 – Election IDs	(Oppose)
SF 514 – Property Tax Limitation	(Oppose)

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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
CFR	Code Federal Regulations
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

Abbreviations

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
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
ITD	Information Technology Department
JOBS	Job Opportunities and Basic Skills
LFB	Legislative Fiscal Bureau
LPN	Licensed Practical Nurse
LPTC	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
PPEL	Physical Plant Equipment Levy
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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Note of Corrections: 2001 Summary of Legislation

On page 9 of the above referenced booklet the following paragraph should read as follows:

HF 713 – County Auditor's Omnibus Bill

JE

Finally, section eight amends Iowa Code §598.21 to provide that when a judgement of annulment, dissolution, or separate maintenance is ordered, the court shall divide the property of the parties and transfer the title of the property accordingly. It also provides that the court order the parties to execute a quitclaim deed or change of title for tax purposes, and delivery of the deed or change of title to the appropriate county recorder so that the quitclaim deed or change of title is recorded and the **recording** fee is collected. ~~with or without the payment of recording fees.~~

D. Land Use and Rural Affairs

Passed

01. HF 656-Mobile Homes [Successor to HSB 225/RM (A)]; Signed by Governor on 5-21-01.
02. HF 711-Drainage and Levee District [Successor to HF 551/RM,MW (F)]; Signed by Governor 5-2-01.
03. SF 519-Low-Income Property Assessments [JE,CP,RM (FYI/A)]; Signed by Governor 5-7-01.

Dead

01. HF 84-Drainage Land Improvements [RM,MW (F)]; Died in first funnel.
02. HF 105-Enterprise Zones [Companion to SF 110/RM,MW (F)]; substituted by HF 350.
03. HF 143-Annexations [RM,DV,MW (M/Amend)]; substituted by HF 582.
04. HF 339-Confinement Siting by Counties [RM,DV,MW (F)]; Died in first funnel.
05. HF 350-Enterprise Zones [Successor to HF 105/RM,MW (F)]; Died in second funnel.
06. HF 367-Housing Trust Fund Creation [RM,MW (F)]; Died in first funnel.
07. HF 380 Feed Lot Siting [RM,MW,DV (F)]; Died in first funnel.
08. HF 439-Low-Income Housing Assessment [CP,RM (FYI/A)]; Dead.
09. HF 468-Unimproved Platted Lots [RM,CP (FYI/A)]; DEAD.
10. HF 471-Plat Reviews [RM (F)]; Died in first funnel.
11. HF 533-Housing Trust Fund [RM,MW (F)]; Died in second funnel.
12. HF 551-Drainage and Levee District Levies [RM,MW (F)]; substituted by HF 711.
13. HF 582-Annexations [Successor to HF 143/RM,DV,MW (F/Amend)]; DEAD.
14. HF 595-Economic Development Funds [RM,MW]; DEAD.
15. HF 694-Housing Trust Fund [RM,MW (F)]; **Vetoed by Governor on 5-3-01.**
16. HSB 99-Property Owner Notice [RM (FYI/A)]; Died in first funnel.
17. HSB 194-Extended Zoning Approval [JE,RM,MW (A)]; Died in first funnel.
18. HSB 195-Extended Zoning Referendums [JE,RM,MW (A)]; Died in first funnel.
19. SF 7-Mobile Home Storm Shelters [DV,RM,MW (FYI/F)]; Died in first funnel.
20. SF 37-Condemnation Costs [DV,RM,MW (A)]; Died in first funnel.
21. SF 64-County Control of Hog Confinements [RM,DV (F)]; Died in first funnel.
22. SF 89-Unformed Manure Storage Structures [RM (F)]; Died in first funnel.
23. SF 110-Enterprise Zones [Companion to HF 105/RM,MW (F)]; Died in first funnel.
24. SF 173-Strategic Planning and Annexations [RM,MW (U)]; Died in first funnel.
25. SF 217-Siting Confinement Feeding Operations [RM,DV,MW (F)]; Died in first funnel.
26. SF 434-Land Use Study [Successor to SSB 1209/RM,MW (F)]; Died in second funnel.
27. SF 478-Mobile Homes [Successor to SSB 1222/RM (FYI/A)]; substituted by HF 656.
Withdrawn.
28. SF 501-Annexations [Successor to SSB 1225/RM,MW (FYI/F)]; Died in second funnel.
29. SF 506-Feedlot Siting [RM,MW,DV (F)]; Died in first funnel.
30. SSB 1258-Low-Income Property Assessments [JE,CP,RM (FYI/A)];substituted by SF 519.

LAND USE AND RURAL AFFAIRS:

11. HF 582-Annexations [RM,DV,MW (For/Amend)]; Requires subdivision plat be made when land is subdivided whether or not a plat survey is recorded. Allows a city council or board of supervisors to approve subdivisions in their jurisdiction. Requires a 30-day notice by personal service or certified mail before a hearing on annexation moratoriums served on city development boards, boards of supervisors, and all landowners in affected area. Allows the Supervisors or landowner to petition the City Development Board challenging annexation moratoriums. Requires 14-day notice to each landowner and public utility before a city council may take action on a voluntary annexation. Requires members representing a county on a city development board be from an unincorporated area. Requires board of supervisors approve or disapprove an involuntary annexation within 30 days after receiving it. Requires involuntary annexation petitions to include soil condition, land preservation programs, and projected land uses in the territory. Requires the City Development Board initiate action for severance of involuntarily annexed territory if city services are not provided within three years of annexation. **Passed House Local Government and is pending in House on Calendar. [NOTE: ISAC is seeking an amendment to strike subdivision plat requirements.]**

LAND USE AND RURAL AFFAIRS:

12. *HF 339, HF 380, SF 64 and SF217-County Siting of Animal Confinement Facilities*
[RM,MW,DV (**For**)]; These bills are all variations of county siting of animal confinement facilities.

- Local public health funding.
- REAP funding.
- EMS equipment funding.

B. Environment and Public Health

Passed

01. HF 722-Groundwater Waste Account [Successor to HF 668/RM,MW (F)]; Signed by Governor 5-7-01.
02. SF 479-Wastewater Assist Fund [Successor to SSB 1233/RM(F)]; Signed by Governor 4-17-01.

Dead

01. HF 68-Woodburning at Landfills [RM,MW FYI/M]); substituted by HF 661.
02. HF 69-Expanded Beverage Redemptions [RM,MW (F)]; ISAC -Died in first funnel.
03. HF 94-Solid Waste Disposal [RM (F)]; Died in first funnel.
04. HF 247-Water Quality Protection [RM,MW (F)]; substituted by HF 584.
05. HF 249-Manure Management Practices [RM (F)]; Died in first funnel.
06. HF 255-Groundwater Waste Account [RM,MW (F)]; substituted by HF 668.
07. HF 529-County Conservation Appointments [RM,MW (A)]; Died in first funnel.
08. HF 584-Water Quality Protection [Successor to HF 247/RM,MW (F)]; DEAD.
09. HF 661-Woodburning at Landfills [RM,MW (FYI/M/Against)]; Died in second funnel.
10. HF 659-White Goods Recycling [Successor to HSB 191/RM,MW (F)]; DEAD.
11. HF 668-Groundwater Waste Account [Successor to HF 255/RM,MW (F)]; substituted by HF 722.
12. HF 685-Beverage Redemption Centers [Successor to HSB 142/RM (A)]; DEAD.
13. HSB 142-Beverage Redemption Centers [RM (A)]; substituted by HF 685.
14. HSB 191-White Goods Recycling [RM,MW (F)]; substituted by HF 659.
15. HSB 224-Food Regulation [RM (F)]; Dead.
16. SF 10-Siting of Confinement Feeding Operations [RM,DV,MW (FYI/F)]; Died in 1st funnel.
17. SF 97-Expanded Beverage Redemptions [RM,MW (F)]; Died in first funnel.
18. SF 107-Pesticide and Fertilizer Application [RM (FYI/A)]; Died in first funnel.
19. SF 129-Pollution Control Equipment [RM,MW (F)]; DEAD.
20. SF 194-Robert Ray Fund & Redemptions [RM,MW (U)]; substituted by SF 510.
21. SF 389-Food Regulations [RM,MW (U/F)]; DEAD.
22. SF 510-Beverage Containers [Successor to SF 194/RM,MW (A)]; DEAD.

C. Human Services

Passed

01. HF 726-Health and Human Rights Approps [Successor to HSB 253/RM (M)]; Signed by

ENVIRONMENT AND PUBLIC HEALTH:

5. HSB 142-Beverage Redemption Centers [RM (Against)]; **Centers:** Establishes redemption centers approved by the DNR for the return of beverage containers for wine coolers, juice drinks, water, tea and other non-carbonated beverages, except for milk. Prohibits beverage retailers from operating a redemption center unless approved by the DNR. **Reimbursements:** Creates a fund in the Treasurer's office for the DNR to receive and disperse funds related to redemption. Requires retailers to pay over monthly to the fund six cents per containers sold. Requires centers to pay five cents per container returned. Requires "container handlers" to pick up from "centers." Directs the DNR to pay handlers one cent per container. Requires containers to have distinctive labels if the same beverage is sold in other states without a comparative container law. **Passed House Environmental Protection with amendments and is pending consideration by full House.**

6. HSB 191-White Goods Recycling [RM,MW (For)]; Requires the recycling of white goods such as stoves, ovens and refrigerators. Establishes the method of recycling. **Passed House Environmental Protection with amendments and is pending consideration by full House.**

7. SF 389-Food Regulations [RM,MW (U/For)]; Deletes the adoption of the 1997 US FDA code and makes changes to the regulation of food establishments. **Assigned to Senate Ways & Means and is pending in subcommittee.**

ENVIRONMENT AND PUBLIC HEALTH:

9. HF 69, and SF 97-Expanded Beverage Redemptions [RM,MW (For)]; These companion ISAC top priority bills include containers for wine coolers, juice drinks, water, tea and other non-carbonated beverages, except for milk, in the containers subject to the redemption laws. Increases the compensation paid to redemption centers to two cents.

ISAC Transportation Steering Committee

2001 Results

Policy Statements

1. Roadside Dumping of Solid Waste

- No legislation was considered on this issue in 2001.

2. Control of County Right-of-Way

- No legislation was considered on this issue in 2001.

3. Continuation of Bottle and Can Deposit Law

- HF 69-Expanded Beverage Redemption [RM,MW (F)]; ISAC–Died in 1st funnel.
- HF 685/HSB 142-Beverage Redemption Centers [RM (A)]; Beverage industry-Dead.
- SF 97-Expanded Beverage Redemption [RM,MW (F)]; ISAC–Died in 1st funnel.
- SF 510/SF 194- Beverage Redemption Centers [RM (A)]; Beverage industry-Dead.

4. Expansion of Drivers' License Issuance Beyond 48 Counties

- No legislation was considered on this issue in 2001.

5. Fugitive Dust

- No administrative rules were adopted (to date) by the DNR regarding this issue.

Legislative Objectives

1. County Construction Program Requirements

- HF 324 – Transportation Changes [F]; signed by Governor on 4–16–01.
(objective met)

2. Titling and Fee Transactions

- No legislation was considered on this issue in 2001.
