

Iowa State Association of Counties

80th General Assembly
2nd Session
2004 Summary of Legislation

Counties
Can
Deliver



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2004

***80th General
Assembly
2nd Session***

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Introduction

In 2004, Iowa counties participated with the 80th General Assembly in the development of many important public policy decisions. ISAC registered to lobby on 229 pieces of legislation this year. Affiliates of ISAC also requested that ISAC "track" another 89 bills without registering to lobby on them. This summary contains 78 bills affecting counties that passed the legislative process. In addition, ISAC notified affiliates of an estimated 347 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 262 bills and the summary contained 82 items.

These bill summaries are organized according to ISAC steering committee. In addition, appropriations bills are located in the section entitled "Appropriations," regardless of the topics contained in them. All members should look through this section to see appropriations items that are of interest. Most appropriations bills contain multiple topics so there is probably something in there for everyone.

Generally, bill summaries should be easy to find, since steering committee subjects are so distinct. For example, a bill dealing with out of state prisoners in county jails would be found under "Public Safety." However, there are some occasions where a bill could logically fit under more than one committee. We have cross-referenced those bills.

If you still cannot find a bill you are looking for, there are two indexes in the back of this book that can help. One index is organized by each affiliate. For example, if you are a community services director, you can look under the index for "community services directors" and find topics with bills affecting your office. A second index lists all bills in numerical order with a short title and page number.

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

At the end of each summary, you will find the effective date for the bill or portions of the bill only when it is not July 1, 2004. 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:

DV - David Vestal, Deputy Director
DW - Deborah Westvold, Case Management Director
JE - John Easter, Director of Intergovernmental Affairs
JS - Jay Syverson, Fiscal Policy Analyst
LH - Linda Hinton, Assistant Legal Counsel
RM - Robert Mulqueen, Public Policy Analyst
WRP - William Peterson, Executive Director

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

On page 52, we have listed the affiliate legislative liaisons. These individuals are the primary contact points between the ISAC staff and our affiliates during the session. They play a vital role in gathering and disseminating information and in strategy development and implementation on issues of importance to counties. This is a demanding job so don't forget to thank them for what they do for you.

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



ISAC's Mission:

To promote effective and responsible county government for the people of Iowa.

ISAC's Vision:

To be the principal, authoritative source of representation, information and services for and about county government in Iowa.

ISAC Priority Update

Last summer, ISAC steering committees met to determine the legislative objectives and policy positions for ISAC. The ISAC Board of Directors reviewed and approved each steering committee report and identified top legislative priorities from the reports. The entire package was then ratified by the full membership at the 2003 Fall School of Instruction.

For 2004, six ISAC priorities were presented in the theme of "Counties Can Deliver." This theme helped shape the ISAC message by emphasizing that counties can deliver quality services that are efficient and innovative. The message stressed that county government is the solution to many state and local service needs.

No one should ever expect a legislative session to go perfectly, and the 2004 session was no exception. The continued shortfall in state revenues consumed most of the legislative energy and attention, so 2004 was not a good year for new proposals. While funding of the property tax credits was not one of the top priorities identified by ISAC, the issue dominated much of our attention as some lawmakers considered not funding the credits, or at least, short-funding the credits while removing local governments' ability to prorate them to the taxpayers based on the level of funds provided by the state. Ultimately, the credits were funded at the same level as the previous year, and the ability for counties to prorate was maintained.

Because of the state revenue problems, some ISAC priorities were approved by the General Assembly, and others were not. Here is an account of what happened on the six ISAC top priorities.

E-911 System Completion

Iowa and its counties have been national leaders in putting into place the technology and administration to operate emergency telephone systems which use the three number 911 access to local public safety answering points (PSAPs). After enhanced 911 (E-911) systems for traditional wire telephones had been in place in Iowa for several years, the technology enabling the dispatcher to read both the wireless telephone caller's number and determine their location was becoming available. Legislation in 1998 began the process of adjusting the system to access both the number and location of cellular phone callers. But the statewide surcharge in the 1998 bill to assist counties in funding the expensive technology was inadequate.

This year's effort to complete a seamless E-911 system, useful to wire line and to wireless telephone users, was a rocky journey from the first day of the legislative session to, literally, the very last day. Some legislators were unhappy with the surcharge money going to wireless telephone providers for transporting emergency calls to PSAPs. Others balked at an increase in the statewide monthly surcharge. What began as HF 2434 ended as an amendment to the infrastructure appropriations and the omnibus appropriations bill (SF 2298). But this amendment adds 15 cents to the monthly wireless surcharge (for a grand total of 65 cents) and assures the local PSAPs 24% of total surcharge revenues, after the current provider debt is paid by the state Division of Homeland Security and Emergency Management. Within two to three years, all PSAPs in Iowa will be able to determine the location of all E-911 calls. This will be a significant enhancement to public safety.

Public Participation in the Legislative Process

The legislative process is a public forum designed for conflict resolution. One vital element for that process involves input from the public. The joint rules under which the Iowa General Assembly operates severely limits formal public input by Iowa's citizens in legislative standing committees. Notice to the public relative to which bills are being considered is marginal at best. Subcommittees often meet with little or no notice.

ISAC proposed a plan that was reflected in HR 101 to permit and encourage public testimony on any bill before a committee or subcommittee. The resolution also required standardized notices to be filed and posted in a conspicuous place at least 24 hours in advance of the meeting. It required that testimony be permitted on any bill before a standing committee.

While the resolution did not reach a committee vote, the effect it had was positive. This resolution helped rebuild legislative awareness of the role the public should have in the process. Accordingly, subcommittee meeting notices in the House were greatly improved in timing and content and more standing committee

ISAC Priority Update

chairs offered interested members of the public opportunity to comment on legislation. The improvements were encouraging, but more formalized change is needed.

Stabilization of Agricultural Land Values

Negative fluctuations in the taxable value of agricultural land have recently caused a severe shift of the tax burden to other classes of property, especially commercial and industrial property. This decline in value hinders economic development opportunities and adversely affects the state budget through the school aid formula. Senate leadership held a series of meetings with staff from ISAC, the League of Cities and the Iowa Farm Bureau Federation to examine the impacts of this trend and to find common ground for legislative solutions to this issue. ISAC proposed to stabilize the agricultural land valuations by the extending the five year rolling average to 10 years and to calculate the values on an annual basis rather than biannually. Because proposed policy solutions by the different groups were so far apart, no specific legislation on this issue was considered.

Local Government Fiscal Reform Act

In 2003, legislation was passed to change the current property tax valuation process to a system based on a square-footage valuation established on a specified base-year, i.e. assessment year 2005. Local taxing jurisdictions would simply adjust their levies against the total square footage value to raise the necessary revenue to fund their budgets. The Property Tax Limitation Committee was created to implement a pilot program and eventually the new system.

After nearly a year of examination, the Committee concluded the proposed system would simply not work. By the end of the 2004 legislative session so many property tax issues were on the table that the implementation was reconstituted as the State Tax Implementation Committee, and their charge was changed to examine the services property tax pay for and the impacts that a change in those services would have on other forms of taxation. This Committee is very similar to the Iowa Commission on State and Local Taxation as proposed by ISAC in its Local Government Fiscal Reform Act.

The Committee is also charged to analyze credits, exemptions, deductions, exclusions and other reductions in state or local taxes. It is directed to consider ways to control property tax revenues and expenditures. It must consider neutrality, competitiveness, simplicity, stability and neutrality. It must also consider maintenance of equity among classes of taxpayers and among taxpayers within the same class. All groups, including ISAC and legislators, felt this approach was the best method for crafting property tax reforms.

Mental Health and Developmental Disabilities Redesign

Continued work on the redesign of the MH/DD Service system in Iowa remained one of ISAC's top priorities in 2004. The MH/DD Commission issued a far-reaching report to the Legislature that included moving from legal settlement to residency as the basis for payment for services, adding core services and mandated services for persons with developmental disabilities and brain injury, and restructuring the property tax contribution made by the counties to the funding of the system. This report was translated into legislation, but the cost to move forward with the specifics made its passage untenable. The Commission then developed a more short term approach that easily passed both houses. This bill directs the renamed MH/MR/DD/BI Commission and the Department of Human Services to perform certain activities during the next year and to report back to the Legislature in both July and December.

Protecting Iowa's Children

In a year when the state was only able to cut line items, not to increase them, ISAC's goal of securing adequate funding for emergency shelters and detention received little attention. In addition, the state was not in a position to address taking the cap off of group foster care, as this would directly increase state costs. Therefore, ISAC worked with the Legislature to secure a freeze on shelter care per diems. This will keep the per day cost for shelter at the \$130.34 rate. Counties are responsible for the shelter's actual rate over the state's payment of \$83.69 up to \$130.34.

County Administration & Organization

HF 593 - Elections, Voter Registration and Polling

Hours

RM

Auditors

This bill makes a wide variety of changes to election administration and voter registration. These changes include:

- Section 1 amends Iowa Code §39.21 by adding township trustees and township clerks to the list of nonpartisan offices elected at each general election.
- Sections 2 and 3 amend Iowa Code §§43.14 and 45.5 by adding language stating that nomination papers may contain signatures on the front and back.
- Section 4 amends Iowa Code §46.21 by striking existing provisions that the county election commissioner shall have to rotate the names on the judicial ballot if only one county is voting.
- Section 5 amends Iowa Code §49.14(1) by striking existing provisions that: 1) a majority of the original election board members must be at the precinct polling place at all times, and 2) if the election board chair leaves the polling place, he or she must designate a replacement until the chair returns.
- Section 6 amends Iowa Code §49.26(2) by striking current language which allows, based on the county election commissioner's judgment, the use of paper ballots when voting machines are available.
- Sections 7, 8, and 9 amend Iowa Code §§49.30 and 49.37 by striking existing provisions for separate paper ballots for township offices and by striking township offices from the ballot for "partisan county offices."
- Sections 10 and 11 amend Iowa Code §49.73 by: 1) adding the question of hotel-motel taxes for the unincorporated areas of a county to those elections in which the polls open at noon, and 2) changing the closing hours of polling places from 9pm to 8pm.
- Section 12 amends Iowa Code §50.9 by striking the existing provision that unused or spoiled ballots for non-federal offices must be preserved for six months and adds that such ballots for non-federal elections shall be destroyed the day after the last day to contest the election or the day after "the final determination of any pending contest."
- Section 14 amends Iowa Code §52.7 by adding provisions for what voting machines may be used at satellite voting stations or at the county election commissioner's office for voting absentee ballots.

- Section 15 amends Iowa Code §52.36 by striking the mandate ("shall") and making permissive ("may") the matter of observation of the proceedings of the counting center by at least one member of each political party.
- Section 16 amends Iowa Code §53.2 by adding that, for elections in which the polls open at noon, a voter may apply in person for an absentee ballot at the election commissioner's office from 8am until 11am on election day.
- Section 17 amends Iowa Code §376.11 by lengthening the time following the canvass of votes for city offices for those receiving write-in votes to take certain actions.

HF 2180 - Appointed County Attorneys

DV

County Attorneys, Supervisors

This bill amends the procedures for appointing a county attorney in the event of a vacancy. Up until now, a person appointed to be county attorney had to have actually resided in the county 60 days prior to the appointment. Now they only have to be a resident of the county at the time of the appointment. For all other elected county officials, the 60-day residency requirement still applies.

HF 2207 - Recording Farm Names

DV

Recorders

In this 24-page Code Editor's Bill, section 39 changes Iowa Code §331.602(29) regarding farm names. Previously the law had said that recorders are to "register" the name and description of a farm. The law is now changed to read that recorders shall "record" the name and description of a farm.

HF 2225 - Drainage and Levee Districts in Cities -

See Land Use & Rural Affairs

HF 2262 - Public Employee Retirement Systems

JS

All County Officials

HF 2262 makes a variety of changes to Iowa's public employee retirement systems. It also allows a payroll deduction for state employees who purchase supplemental insurance coverage, as long as the coverage is not provided by the state and is purchased from the same company by a group of at least 500 state employees.

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Public Safety Peace Officers' Retirement System (PORS)

The bill amends Iowa Code §97A.17, which relates to portability of service between membership in PORS and the Statewide Fire and Police Retirement System (SFPS). The change provides that the amount transferred from the former to the current retirement system to obtain service credit in the current system is the greater of the average accrued benefit earned or the amount the member could receive as a refund from terminating service under the former system. The eligible refund amount is defined as a "refund liability." A reciprocal change is made to language relating to the SFPS.

Iowa Public Employees' Retirement System (IPERS)

The bill adds airport firefighters to the protection occupation class and makes numerous conforming amendments. The bill also amends Iowa Code §97B.49C to phase in early retirement for county sheriffs and deputies, lowering the age from 55 to 50 by July 1, 2008. The early retirement option is available to those members who have accumulated 22 years or more of eligible service. The bill also changes contribution percent requirements, increasing the employee contribution from 40% to 50%, and reducing the employer contribution from 60% to 50%.

Iowa Code §97B.1A is amended to require a member making application for a retirement allowance to designate the member's intended first month of entitlement, in which he or she will receive the first monthly payment. The bill makes changes to the definitions of "service" and "covered wages" as they relate to determining retirement benefits. It also provides that an inactive member of IPERS does not become vested under IPERS solely by reaching age 55 as of July 1, 2005.

The bill permits IPERS to waive the collection of certain monies if three years passes before the mistake is discovered and there is no evidence of fraud or misconduct. The bill allows IPERS to reallocate a member's wages if a "distortion of the normal wage progression pattern" is identified. It gives IPERS the authority to refer a person to the state auditor and appropriate law enforcement officials if it believes a fraud has been committed.

Iowa Code §97B.42 is amended to allow members to participate in certain supplemental savings plans, including defined contribution plans, tax deferred annuities and deferred compensation plans, but not includ-

ing supplemental defined benefit plans. The bill amends various sections to provide that if an annual retirement benefit would be less than \$600, the payment must be made in a lump sum. The bill provides that if the accumulated contributions of a member who has a five-year break in service or is deceased are less than \$3,000, that amount shall be paid to the member or a beneficiary as full satisfaction of claims. A member of beneficiary has a 60-day window to repay the distribution and regain rights under IPERS.

The bill allows IPERS to charge a processing fee to members who elect to receive paper warrants rather than electronic deposits after July 1, 2005. The bill provides that if any payment remains unpaid because the payee cannot be located, the amount payable shall not be forfeited but shall be treated as a dormant account. It provides that the option of receiving an IPERS pre-retirement death benefit is only available to beneficiaries of eligible members. For the purposes of determining a bona fide retirement, the bill provides that "covered employment" does not include employment as a licensed health care professional by a public hospital.

Iowa Code §97B.53 is amended to provide that the 30-day period of required severance from covered employment begins on the termination date. The bill permits nontaxable amounts to be rolled over into an eligible retirement plan, and does the same for members of the SFPS. Iowa Code §97B.80C is amended to cover all purchases of service credit under the system, with certain exceptions. Iowa Code §97B.80C adds new subsections that provide that: 1) no retroactive adjustment in benefits will be made for a purchase of service credit under this section, 2) IPERS is to apply a service purchase only to the member's original retirement annuity, and 3) a member may purchase service covered under another public employer's retirement system without obtaining a waiver for up to 20 quarters, after which a waiver is required.

The bill also amends a provision from the 2002 Iowa Acts related to furloughed members. The bill allows members who exercised bumping rights and took a lower paid position in lieu of a layoff to be covered by the provision and also expands the period of time covered to June 30, 2005.

Statewide Fire and Police Retirement System (SFPS)

The bill allows civil service commissions to examine police officer, police matron and fire fighter candidates for the presence of the antibody to the human immu-

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nodeficiency virus (HIV) and to use the results of such a test in determining the eligibility of the candidate. Iowa Code §411.5 is amended to limit the amount medical providers may charge for providing copies of certain medical records. Iowa Code §411.6 is amended to eliminate the current timeline for retiree examination requirements, it permits the SFPS to require an examination upon its own determination. Also, a member's beneficiary is required to submit additional documentation as may be necessary to determine the beneficiary's gross wages.

Iowa Code §411.22 is amended to require the interest rate assumption adopted by the system to be used in calculating the system's subrogation amount. The bill changes the city population requirements for certain members of the SFPS board of trustees from 40,000 to 30,000. The provisions of this act concerning rollover of nontaxable amounts and amending the 2002 Iowa Acts are effective upon enactment and apply retroactively to January 1, 2002. The provision relating to vesting requirements for judges is effective upon enactment.

HF 2318 - Political Committees and Campaign Contributions

RM

All County Officials

This act makes numerous changes to the filing or dissolution of political campaign or candidate committees and to the giving or receipt of contributions. Its provisions include:

- Sections 1 and 2 amend Iowa Code §68A.201 by limiting the disclosure of a contribution by a committee or organization not under this chapter to a committee or organization under this chapter to any above \$50.
- Section 3 amends Iowa Code §68A.202 by stating that a permanent organization (as defined in Iowa Code §68A.402(6)) is allowed to make a one time contribution of more than \$750 to one candidate running for office.
- Section 4 amends Iowa Code §68A.301 by striking the definition for "campaign funds", by barring a candidate committee from making contributions to any other candidate committee, and by stating that a contribution does not include "the sharing of information in any format."
- Section 5 amends Iowa Code §68A.303(1)(a) by prohibiting contributions from a candidate committee to charitable organizations unless the candidate or certain immediate family members are employed by that charitable organization.
- Section 6 amends Iowa Code §68A.403(1) by stat-

ing that any report or statement filed for a political or a candidate committee is to be signed by the person filing the report.

- Section 7 amends Iowa Code §68A.503(4) by striking the subsection and substituting it with language which allows insurance companies, savings and loan associations, banks, credit unions, or corporations to make, solicit, or receive contributions used for the encouragement of voter registration, political participation, or publicizing public issues, but may not do so for the election or defeat of any candidate.
- Section 8 amends Iowa Code §68A.504 by rewriting much of the current provisions governing the prohibition of contributions to state officials during the legislative session.

HF 2319 - Operation of Political Committees

RM

All County Officials

This bill makes significant changes in Iowa Code §68A dealing with political and campaign committees, reporting requirements, attribution statements in political printed or electronic materials, and the size and placement of political signs. These changes include:

- Section 1 strikes existing language for Iowa Code §68A.402 and substitutes new provisions on 1) disclosure report due dates, 2) supplementary reports and non-election year reports for statewide and General Assembly candidates, city offices, school board "and other political subdivision elections", 3) committee reports for special elections, 4) reporting by statutory political committees, 5) reporting by political committees for county, city, and school boards candidates, and 6) reports by permanent organizations.
- Section 2 adds a new section, Iowa Code §68A.402A, which states what information must be disclosed on candidate reports.
- Section 3 adds a new section, Iowa Code §68A.402B, which sets forth the procedures for the dissolution of political committees.
- Section 4 strikes existing language for Iowa Code §68A.405 and substitutes new provisions having to do with attribution or official campaign approval of published material advocating the nomination, election, or defeat of a candidate or the passage or defeat of a ballot issue.
- Section 5 adds a new section, Iowa Code §68A.406B, which has to do with the placement of and size of campaign signs.
- Section 6 strikes unnumbered paragraph 2 of Iowa Code §68A.503(4).

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HF 2340 - Military-Related Vacancies

DV

All County Officials

This bill adds a new Iowa Code §69.20, which addresses the problems created when elected officials are called to military duty.

A "temporary vacancy" in an office is declared when an elected county official is placed on "active state service or federal service" as defined in Iowa Code §29A.1 and will be gone for more than 60 consecutive days. In the event of a temporary vacancy in the position of county supervisor, that vacancy may be filled by appointment by a majority of the remaining members of the body. In the event of a temporary vacancy in other elected office, the vacancy may be filled by the board of supervisors. A person temporarily filling a vacancy shall qualify for the office as provided in Iowa Code chapter 63 by taking the oath of office and giving bond.

When the elected official is released from active state service or federal service, he or she is automatically deemed reinstated to the elected position, and the person who filled the vacancy shall immediately be deemed to have been removed from office.

If an elected official dies or resigns during a temporary vacancy, a permanent vacancy occurs and shall be filled as otherwise provided by law. In other words, the person temporarily filling a vacancy does not automatically get the job. This bill is effective upon enactment.

HF 2381 - Budget Certification of County Hospitals

JS, JE

Auditors

This bill changes the budget certification deadline for county hospital budgets from March 1 to March 15.

HF 2403 - Administration of County Fairs

JE

Auditors, Supervisors

This bill amends provisions in Iowa Code chapter 174 regulating county and district fairs. It amends Iowa Code §174.1 to revise the definition of what constitutes a fair and a society which conducts a fair. It provides a specific definition for fairgrounds and provides that in order to qualify as a county or district fair, the fairgrounds, buildings, and improvements must have a fair market value of at least \$80,000 (increased from \$8,000). Under the bill, the term "society" is changed

to "fair" and the term "fair" is changed to "fair event."

The bill amends a number of provisions providing for state aid. Under current law, monies appropriated to the treasurer of state are allocated to the Association of Iowa Fairs (AIF), which in turn distributes the monies to eligible societies. The bill provides that a society must use state aid monies for the acquisition of land and capital improvements. Under Iowa Code §174.9, societies must file a statement with the AIF each year, and the bill makes a number of changes to those requirements. The filing deadline is changed from November 1 to November 15. The bill also changes when the AIF must submit a report to the governor and General Assembly from January 1 to February 1. The bill provides that as a condition of eligibility a society cannot use state aid to pay for entertainment venues or for equipment, supplies, or miscellaneous expenses. The bill provides that in order to be eligible, a society must be a member in good standing with the AIF. The bill eliminates a provision allowing a board of supervisors, upon petition, to submit to the voters a referendum upon the question of designating an official county fair. The bill amends related provisions in Iowa Code §174.10, which provide that state aid is distributed equally among all eligible societies conducting county fairs. The bill provides that the AIF's board of directors provides for the distribution.

The bill amends provisions in Iowa Code §174.12, which allows the AIF to pay \$1,000 in state aid to a society upon condition that it participate in certain functions such as the election of members to the Iowa State Fair Board. The bill provides that a society must send one delegate to the AIF's annual meeting.

The bill eliminates a provision which authorizes a society to appoint special police. This bill is effective upon enactment.

HF 2404 - City/County Mergers

LH, JE

All County Officials

This bill makes the process to merge city/county governments easier and less time consuming. In addition to being required to establish a commission to study city-county consolidation pursuant to a petition of the people, supervisors are now allowed to establish such a commission by resolution. The bill requires the commission to include a city council member from each participating city and two supervisors, one of whom resides in the unincorporated area. If no

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supervisor resides in the unincorporated area, the supervisors must appoint a resident of the unincorporated area in lieu of the second supervisor. Timeframes are shortened: commission appointment time (45 days to 30 days), the initial report (9 months to 7 months), and the final report (20 months to 12 months).

The bill also requires commission expenses to be paid by the participating cities and county; if the commission's report recommends no change to government structure, it must also include the pros & cons beyond the decision. All report summaries must be published in the newspaper of each participating city and county, and the commission is dissolved upon the new governing officers taking office. The bill allows two forms of consolidation: the merger of the county and participating cities into a single unit of government or a unified county government structure with participating city and county governments remaining separate. The bill also allows multi-county consolidations and allows for either partisan or non-partisan elections for the new government officials. The effective date is upon enactment and retroactive for charter commissions already in existence.

HF 2419 - School Board Election Petitions

JS

Auditors

This bill reduces the maximum signature requirement for candidates running in school board elections, whether they are at-large candidates or district-specific candidates, from 100 to 50.

HF 2450 - Notary Acknowledgments

DV

Auditors, Recorders

The upshot of this bill is to say that, in order to be deemed lawful, all acknowledgements must now comply with Iowa Code chapter 9E, rather than Iowa Code chapter 558. Most of the Iowa Code chapter 558 technical language regarding acknowledgment requirements is struck by this bill.

Iowa Code chapter 9E generally says that out-of-state acknowledgments do not have to comply with Iowa's format. As long as the acknowledgment meets the requirements of the state where it was performed, that satisfies Iowa law.

Section 1 amends Iowa Code §558.20 regarding acknowledgments. Until now, it provided that any acknowledgment of any deed, conveyance or other in-

strument by which Iowa real estate is conveyed or encumbered, if made within the state, must be before a judge, clerk of court, county auditor or notary public. Each of these officers were authorized to take and certify acknowledgments of all written instruments. This amendment strikes all mention of these particular officers and says acknowledgments, whether made inside of Iowa, outside of Iowa, or outside the United States, must comply with Iowa Code chapter 9E, "the Iowa Law on Notarial Acts."

The reference is to Iowa Code §9E.14, which says that a certificate of a notarial act is sufficient if it is in the short form set out in Iowa Code §9E.15, or a form approved by the laws applicable in the state where the notarial act was performed. So any acknowledgment that meets the requirements of the state in which it was performed is adequate. It does not necessarily need to be in the short form.

Iowa Code §558.40 currently provides that it is a serious misdemeanor to knowingly misstate a material fact in a certificate of authenticity or a certificate of acknowledgment. Section 2 of this bill amends this statute to apply to any of the certificates mentioned in Iowa Code chapter 9E as well.

Up until now, Iowa Code §558.42 had provided that a document was not deemed lawfully recorded unless it had previously been acknowledged or proved in the manner prescribed in Iowa Code chapter 558. Section 3 of this bill strikes the reference to Iowa Code chapter 558, and provides that now a document shall not be deemed lawfully recorded unless it has previously been acknowledged or proved in the manner prescribed in Iowa Code chapter 9E.

Section 4 amends the clerk of court's duties under Iowa Code §602.8102 to provide that the clerk shall certify an acknowledgment relating to real estate as provided in Iowa Code §9E.10.

Section 10 strikes Iowa Code §§558.21 through 558.30, related to acknowledgments outside of the state, acknowledgments by military officials and acknowledgments outside of the United States. It also strikes Iowa Code §§558.37 through 558.39, related to acknowledgments by officers of a corporation, acknowledgments by attorneys in fact and foreign acknowledgments.

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HF 2455 - Marriage License Requirements

JE

Recorders

This bill creates new Iowa Code §595.3B to provide procedures for an application to obtain a marriage license and premarital education. A certificate form shall be attached to each application for a marriage license and shall be completed and signed by the parties upon completion of premarital education as required. The certificate shall include the name of the person providing premarital education and the hours completed by the parties. The new section specifies those qualified to provide premarital education, including ordained or designated religious leaders, licensed psychologists, licensed master or independent social workers, licensed marital or family therapists or mental health counselors, or registered nurse practitioners specializing in adult psychiatric services.

Iowa Code §595.4, Code 2003 is amended to provide that parties who complete the premarital education requirements must wait three days from the issuance of the license in order for the license to become valid. Parties who do not participate in premarital education must wait 20 days from the issuance of the license in order for the license to become valid. A conforming change to these provisions was made in Iowa Code §331.605(6).

Section 4 of the bill creates Iowa Code §598.7B to provide that when a dissolution of marriage, annulment or separate maintenance agreement involves minor children, a parenting plan must be submitted to the district court within 30 days after the process of service. The plan may be prepared either separately or jointly. Such plan shall specify the arrangements that the party or parties believe to be in the best interests of any minor child. The Supreme Court is directed to prescribe rules to implement this section by September 1, 2004. The effective date for section 4 is upon enactment.

The bill broadens the applicability of the chapter by striking the following exceptions: where application of the chapter would require a rule of law to be interpreted contrary to the intent of the rule of law; to consumer transactions records serving as negotiable instruments and other instruments of title; to electronic transactions initiated at a satellite terminal or the processing and routing of transaction data by a central routing unit or data processing center; to transactions governed by a disclosure requirement associated with a consumer transaction; and to transactions governed by a rule of law governing living wills, general, durable, or healthcare power of attorney, guardianships or conservatorships.

The bill strikes the ability to vary by agreement a requirement to deliver a record in person or by courier and permits a requirement to send a record by first-class mail to be varied by agreement. The bill strikes the provision requiring the attribution and effect of an electronic record and electronic signature in a consumer transaction to be determined by the substantive law governing the transaction.

The bill strikes the requirement that board of regents institutions conform with national electronic record and electronic signature standards. The bill provides for the severability of the provisions of the chapter if any provision or applicability thereof is held invalid.

The bill repeals the sections of Iowa Code chapter 554D relating to legislative intent, prospective application of the chapter, the legal recognition of electronic records affecting interests in real property, the interoperability of the chapter with similar requirements adopted by other government agencies and the criminal penalty provisions for misrepresentation of identity or authorization to obtain a private key for use in a digital signature.

The Code editor is directed to renumber the choice of law provision in Iowa Code §554D.104(4), as new Iowa Code §554D.125.

HF 2490 - Uniform Electronic Transactions Act

JE

Auditors, Recorders, Treasurers

This bill relates to the Uniform Electronic Transactions Act. The bill strikes the definitions of "consumer", "consumer transaction" and "digital signature." The bill amends the definition of "transaction" to no longer include actions relating to the conduct of consumer affairs.

HF 2520 - Requests for Proposals

DV

All County Officials

This bill amends Iowa Code §73.1 to provide that no request for proposals for goods or services to be purchased at public expense shall knowingly be written in such a way as to exclude an Iowa-based company capable of filling the needs of the purchasing entity.

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HF 2527 - Birth Certificates to Biological Parents

WRP

Recorders

This bill regards providing a copy of a certificate of birth to a biological parent. The mailing of a certified copy of the certificate to a biological parent shall not be precluded by the execution of a release of custody under Iowa Code chapter 600A, and, upon request, a biological parent shall be provided with a certified copy of the certificate, unless the parental rights of the biological parent are terminated.

HF 2541 - Utility Replacement Excise Taxes

- See *Taxation & Finance*

HF 2544 - Auditor's Real Estate Records

JE

Auditors, Recorders

Current law authorizes the county auditor to collect a \$5 fee for each property transfer described in a deed. This bill clarifies and standardizes this fee to cover any instrument that unconditionally conveys real estate by conforming Iowa Code §331.507 with Iowa Code §558.57. The bill also requires that each county adopt a numbering and indexing system for each parcel of real property located in that county that assigns a unique number for each parcel within the county. This number will follow the parcel, not the owner. The bill also requires that in the situation where a life estate is terminated, a change of title shall be provided to the county recorder where the parcel of real estate is located.

HF 2560 - Fire Protection Services and Townships

JE

Auditors, Supervisors

This bill makes changes to the law relating to fire protection service by cities, counties, townships and benefited fire districts.

The bill also provides that in a county with a population of more than 300,000, fire protection agreements, fire protection and emergency medical services agreements, or contracts between a township and a city or another township that are in force on July 1, 2004, shall remain in force for FY05 and FY06. Thereafter, the county shall negotiate agreements for fire protection or fire protection and emergency medical services on behalf of those townships and shall levy amounts sufficient to meet the obligations under the agreements.

This subsection does not apply to a chapter 28E agreement entered into by three or more townships if such agreement provides for the creation of one fire department to provide fire protection services jointly to the townships that are parties to the agreement.

The bill specifies that the fire protection levy certified by a county for fire protection services shall be imposed in the township for which powers and duties of the township trustees relating to fire protection service have been assumed by the county board of supervisors.

The bill provides that during the process of dissolving a benefited fire district, the board of supervisors where the district is located shall continue to levy an annual tax for fire protection service in the district and shall negotiate agreements for continued fire protection service until such time as the board of trustees of the township assumes that duty. The bill increases the maximum annual tax to be levied during and after dissolution from 40 1/2 cents to 60 3/4 cents per \$1,000 of assessed value of taxable property. This section of the bill takes effect upon enactment.

HF 2568 - Individual Health Reinsurance Program

WRP

Auditors, Supervisors

This bill contains provisions related to issues considered by the individual health insurance task force, which was created in HF 647, as passed by the 2003 General Assembly. The provisions relate to individual health insurance market reforms under Iowa Code chapter 513C and the Iowa Comprehensive Health Insurance Association (ICHA) governed under Iowa Code chapter 514E and address program eligibility, benefit design, rate structures, program administration and funding of assessments. Counties, and other self-funded public entities, are required to contribute to the Iowa Individual Health Benefit Reinsurance Association (IIHBRA) pool. As the IIHBRA and ICHA pools are merged, public entities will no longer be required to make contributions. Regarding program eligibility, the bill modifies Iowa Code §513C.3 by specifying that an association policy under Iowa Code chapter 514E is not considered "qualifying existing coverage" or "qualifying previous coverage." Certain subsections of Iowa Code §513C.7 regarding basic and standard health plans are stricken effective January 1, 2005.

The bill amends Iowa Code §513C.8 to provide that the board of directors of the ICHA, instead of the commissioner, shall adopt forms and levels of coverage of

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basic and standard individual health benefit plans for the individual market that are substantially similar to the current state of the individual market.

The bill also amends Iowa Code §513C.10(1)(a), to provide that all insurers, as designated by the board of directors of the ICHA with the approval of the commissioner, shall be included as members of the IHBRA.

The bill amends Iowa Code §513C.10(4), to provide that the IHBRA shall develop not only procedures, but assessment mechanisms to make assessments and distributions as required to equalize individual carrier and organized delivery system gains or losses.

With the exception of those specific provisions noted above that take effect on January 1, 2005, the remainder of the bill takes effect July 1, 2004.

HF 2579 - Condemnation Proceedings

DV

Sheriffs

This bill adds language to the condemnation provisions of Iowa Code chapter 6B. It provides that if a condemnation damage award is appealed to district court, the amount deposited with the sheriff, minus the amount paid by the sheriff to the claimant, shall be transferred to the clerk of court where the appeal is filed, and the clerk shall deposit the money in an interest-bearing account. The district court shall then award the interest earned on the account in proportion to the amount of damages awarded.

SF 297 - Snowmobile and All-Terrain Vehicle Regulations and Fees - See *Transportation*

SF 371 - Document Formatting Standards

JE

Recorders

This bill specifies formatting standards for documents or instruments that are presented for recording by the county recorder. Each document or instrument, except a survey and plat or a drawing related to a survey or plat, is to be presented for recording with writing, printing or drawing only on one side of the page. Each page is to be no larger than 8.5 inches in width and 14 inches in length, and each page is to be of white paper of no less than 20-pound weight without watermarks. All preprinted text is to be at least eight point in size and no more than 20 characters and spaces per inch. All other text typed

or computer generated, including all names of parties to an agreement, shall be at least 10 point in size and no more than 16 characters and spaces per inch. If a document or instrument is presented for recording with pre-printed text smaller than eight point and 10 point type for all other text, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets type size requirements. All signatures on a document or instrument shall be in black or dark blue ink and of sufficient color and clarity to ensure that the signatures are readable when the document or instrument is reproduced. Each document or instrument shall have a top margin of at least three inches of vertical space from left to right, which shall be reserved for the recorder's use. All other margins shall be a minimum of three-fourths of one inch.

Each document or instrument containing any of the following information shall have that information on the first page of the document or instrument below the three-inch margin: the name, address, and telephone number of the preparer; the name and complete address of a taxpayer for any document or instrument of conveyance; a return address; the title of a document or instrument; all grantors' or grantees' names; an address required by statute; the legal description of the property and parcel identification number or a document or instrument number for statutory requirements. If there is insufficient space on the first page for all of the above information, the page reference of the document or instrument where the information is located shall be noted on the first page.

The following documents or instruments are exempt from the formatting requirements: a document or instrument which is signed before July 1, 2004; a military separation document or instrument; a document or instrument executed outside the United States; a certified copy of a vital record issued by a governmental agency; a document or instrument where one of the original parties is deceased or otherwise incapacitated; a document or instrument formatted to meet court requirements; a federal tax lien; or a filing under the uniform commercial code.

A document or instrument rejected for recording by the county recorder shall be returned to the preparer or presenter with an explanation of the reason for rejection.

On or after July 1, 2005, a document or instrument that does not conform to the format standards shall not be recorded except upon payment of an additional recording fee of \$10 per document or instrument. The

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additional recording fee applies only to documents or instruments dated on or after July 1, 2005, and does not apply to exempt documents or instruments.

SF 2059 - Birth Certificate Fees

JS

Recorders

This bill amends Iowa Code §144.13A(4)(a) by striking intent language and making appropriations. From July 1, 2003 to June 30, 2005, \$10 of each birth certificate registration fee is appropriated and shall be used for child abuse prevention programs, and \$5 of each fee is appropriated and shall be used for the Birth Defects Institute. Beginning July 1, 2005, the amount of the fee appropriated for the Birth Defects Institute is increased to \$10 to match the amount appropriated for child abuse prevention. This bill is effective upon enactment.

SF 2179 - Ethics

DV

All County Officials

This bill makes the following changes:

- Section 10 amends Iowa Code §68B.32A(11) regarding the Iowa Ethics and Campaign Disclosure Board (IECDB). Now there will no longer be "formal" and "informal" board opinions from the IECDB, only "board advisory opinions." Also, local officials and local employees can now seek advisory opinions from the IECDB concerning the application of Iowa Code chapter 68B, related to ethics and lobbying.
- Section 13 changes the requirements regarding the lobbyist's client reports that have to be filed with the IECDB. First, the filing date for the reports is changed from July 1 to July 31. Second, the reports now have to include specific information about reimbursement of expenses paid to the lobbyist. Until now, that information was included in a cumulative total but was not broken out separately.

SF 2187 - Local Exchange Services

JS

Auditors

This bill relates to local exchange services provided by municipal utilities. The bill requires an annual audit of a municipal utility providing local exchange services, and requires the records of such an audit to be public

records. If the municipal utility is owned by a city that is not required to be audited annually, then the city or municipal utility shall contract annually with the state auditor or other qualified auditor to perform the audit of the municipal utility in the off years. The bill allows a city to allocate reasonable costs for the use of city employees, facilities or equipment to the municipal utility, as long as such allocation "is not inconsistent with generally accepted accounting principles." The bill also provides that the sale of "communication services" by municipal utilities is exempt from all sales taxes. The provision of this act relating to a sales tax exemption amends HF 683 from last year, which is effective July 1, 2004.

SF 2261 - Liquor Sales to Minors

DV

Supervisors

This bill basically accomplishes two things:

- limits the liquor license revocation for sales-to-minors violations to the location at which the violations occurred; (for example if a Casey's store in Ankeny has the license revoked for four alcohol sales-to-minor violations, only the Ankeny location is revoked) and
- uses the date of the violation instead of the clerk's conviction to determine the time frame on civil penalties for alcohol sales to minors. (Previous law stated that the time frame on civil penalties was based on the date of the clerk's conviction.)

SF 2269 - Election Administration and the Help America Vote Act (HAVA)

RM

Auditors, Supervisors

This bill makes numerous changes to current election administration law in keeping with the provisions of the federal Help America Vote Act. Some of these changes include:

- Section 1 which amends Iowa Code §39A.4(1)(4) by adding provisions on 1) returning a voted absentee ballot by a person other than the voter, a ballot courier, a special precinct election official or a voter's designee and 2) on making a false statement about the above.
- Section 3 amends Iowa Code §47.1 by stating that the state election commissioner shall adopt administrative rules on complaint procedures or grievances involving violation of federal voting law.
- Section 4 amends Iowa Code §§47.7(2)(3) and 47.7(4) by striking those subsections and replac-

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ing them with language concerning the computerized statewide voter registration file.

- Section 6 amends Iowa Code §48A.6 by adding provisions on the identification required to be shown by a voter who has registered to vote by mail and who has not previously voted.
- Sections 7, 8, and 9 amend Iowa Code §48A.11 by further stating requirements for identification to be given by a voter.
- Sections 10 and 11 amend Iowa Code §48A.11 by adding questions which must be answered in mail voter registration.
- Sections 13 through 19 amend Iowa Code chapter 48A by adding new provisions concerning verification of information on a voter registration application, the validity of certain registrants for only state and local elections, change of address of a registrant, the new status of "local" or "pending" voter registrations and the removal of driver's license and certain identification numbers from voter registration lists.
- Sections 20 through 23 amend Iowa Code chapters 49 and 50 with new provisions dealing with provisional ballots.
- Sections 24 through 27 amend Iowa Code chapter 52 with new provisions involving the purchase of and use of accepted types of voting machines.
- Sections 28 through 33 amend Iowa Code chapter 53 by adding provisions on the application for absentee ballots, the delivery of absentee ballots, an absentee ballot courier program administered by county election commissioners and paying the postage for absentee ballots.
- Sections 34 through 36 amend Iowa Code chapter 53 with language concerning duties of the state commissioner of elections, including absentee ballot applications, armed forces ballots and the communications between the state and county election commissioners regarding federal write-in ballots.

SF 2270 - Recorder's Duties and Electronic Transactions Fees

JE

Recorders, Treasurers

Iowa Code §331.605A allows the county recorder to collect a fee of \$1 for each recorded transaction, in addition to any other fee, to be used for preserving and maintaining records. This bill specifies that these fees, and any interest earned on such fees, shall be deposited in a County Recorder's Records Management Fund.

The bill amends Iowa Code §331.605C, relating to the deposit and use of certain fees collected by county recorders for each recorded transaction for the purpose of planning and implementing electronic recording and electronic transactions in each county and developing county and statewide internet websites to provide electronic access to records and information.

Iowa Code §331.605C currently provides that beginning on July 1, 2003, and continuing until June 30, 2004, a county recorder shall collect a \$5 fee for each recorded transaction for which a fee is paid pursuant to Iowa Code §331.604 that shall then be placed in an account established and maintained by the county treasurer. On a monthly basis, the county treasurer is to pay \$1 of each \$5 collected to the treasurer of state for deposit into a fund designated the Local Electronic Government Transaction Fund, to be used for contract costs associated with a contract. The treasurer of state is required to enter into with the Iowa State Association of Counties affiliate representing county recorders, to fund the development, implementation and maintenance of a statewide internet website for purposes of providing electronic access to records and information recorded or filed by county recorders. Currently, the provisions relating to the Local Electronic Government Transaction Fund and the contract are to be repealed June 30, 2004. On a quarterly basis, the county treasurer is to pay the remaining \$4 of each \$5 fee collected to the treasurer of state for deposit into a fund designated the Pooled Local Government Electronic Transaction Fund. Monies credited to this fund are appropriated to the treasurer of state to be distributed equally to all counties. The monies are to be deposited into an account used by the county recorder for planning and implementing electronic recording and electronic transactions, and developing county and statewide internet websites to provide electronic access to records and information. The \$5 fee will not be collected after June 30, 2004, and therefore these contributions to the pooled local government electronic transaction fund will also cease on that date.

Currently, Iowa Code §331.605C also provides that, beginning on July 1, 2004, a county recorder shall collect a fee of \$1 for each recorded transaction for which a fee is paid pursuant to Iowa Code §331.604. The county treasurer is required, on a quarterly basis, to pay the \$1 fee collected to the treasurer of state for deposit into the Pooled Local Government Electronic Transaction Fund. The monies are to be distributed equally to all counties and deposited by the county into the account established and maintained for the

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purpose of paying the county's ongoing costs of maintaining the systems developed and implemented for electronic recording and electronic transactions and for county and statewide internet websites providing access to records and information.

This bill provides that the county treasurer shall establish a County Recorder's Electronic Transaction Fund, instead of an account, on behalf of the county recorder for the deposit of the \$1 fee collected pursuant to Iowa Code §331.605C. For each recorded transaction and the interest earned on monies deposited in this fund shall be computed based on the average monthly balance in the fund and shall be credited to the County Recorder's Electronic Transaction Fund.

The bill also provides that the \$1 fee collected by the county recorder after July 1, 2004, shall be paid to the treasurer of state for deposit into the Local Government Electronic Transaction Fund rather than the Pooled Local Government Electronic Transaction Fund, to be used by the treasurer of state to pay the ongoing costs of maintaining the statewide internet website developed and implemented during FY03 and FY04.

The bill strikes provisions referring to the contract between the treasurer of state and the Iowa State Association of Counties affiliate and provisions relating to the Pooled Local Government Electronic Transaction Fund. The bill also provides that the Local Electronic Government Transaction Fund maintained by the treasurer of state shall be known as the "Local Government Electronic Transaction Fund."

Iowa Code §331.608(6), provides for the confidentiality of veterans' military personnel records in the custody of the county recorder. Currently, one exception to this confidentiality is when access is required by the federal government, state government or a political subdivision. This provision is amended by adding a requirement that the records be released to the Commission of Veteran's Affairs, subject to the same state and federal confidentiality provisions that bind the county recorder. The bill also strikes an exemption to that confidentiality that allows access to persons conducting research who have received written approval from the county Commissioner of Veteran Affairs.

SF 2279 - Satellite Absentee Voting Stations

RM

Auditors

This bill amends Iowa Code §53.11(1) by:

- striking the minimum number of signatures of "not less than one hundred" for establishment of satellite voting stations by petition;
- stating that such a petition to the county commissioner of elections shall list the precincts for which the county commissioner is to provide ballots at such a station;
- stating that any petition to establish satellite voting stations must have the following minimum number of signatures:
 - for an unincorporated area - not less than 100
 - for a city of a population of less than 10,000 - 100
 - for a city of a population of 10,000 but less than 50,000 - 250
 - for a city of a population of 50,000 but less than 100,000 - 500
 - for a city of a population of 100,000 or more - 750

This bill also states that satellite voting stations established by petition must be open for at least one day for a minimum of four (rather than the previous six) hours.

SF 2289 - County Treasurers Duties - See Taxation & Finance

SF 2291 - Urban Revitalization for Abandoned Property - See Taxation & Finance

SF 2296 - Department of Revenue Policy Changes - See Taxation & Finance

Environment & Public Health

HF 2351 - Waste Tire Violations

JE Engineers, Environmental Health, Supervisors

This bill relates to the enforcement of the provisions of Iowa Code §455D.11 and provides a civil penalty. Iowa Code §455D.11 relates to waste tire violations and states that the Environmental Protection Commission or the Department of Natural Resources (DNR) director may issue any order necessary to secure compliance with or prevent a violation of a provision of Iowa Code §455D.11, or a rule adopted pursuant to Iowa Code §455D.11. The bill requires the Attorney General, upon request by the DNR, to 1) institute any civil or criminal legal proceeding necessary to obtain compliance with an order of the Commission or the DNR director, or 2) prosecute a person for a violation of a provision of Iowa Code §455D.11 or a rule adopted pursuant to the Iowa Code section.

The bill states that, unless otherwise provided, a person who violates a provision of Iowa Code §455D.11, a rule adopted pursuant to Iowa Code §455D.11, or a condition of a permit or order issued pursuant to Iowa Code §455D.11 shall be subject to a civil penalty not to exceed \$5,000 for each day of such violation.

HF 2352 - Illegal Dumping Enforcement Officer

RM Environmental Health

This bill creates Iowa Code §455B.307B by providing for the appointment, by the county supervisors, of an "illegal dumping enforcement officer" who shall be empowered to enforce the provisions of Iowa Code §§455B.307A and 455B.363, as well as local littering ordinances. No one may resist or interfere with the officer's enforcement duties.

HF 2401 - Aboveground Storage Tank Fund

RM Conservation, Engineers, Supervisors

This bill establishes an Aboveground Petroleum Storage Tank Fund. Iowa Code §455G.23(4) establishes a fund under the control of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board. Under this provision, this Board may reimburse the owner of an aboveground tank site up to \$25,000 per site, but not more than \$100,000 per owner, for the upgrade or the permanent closure of the aboveground tank. To qualify, the following guidelines must be met:

- The site must be registered with the state fire marshal.
- The tank in question must contain petroleum.

- Application for funding must be made by February 18, 2005.
- Expenses for the upgrade of an aboveground tank must begin after January 1, 2004 and no later than February 18, 2005. (Upgrades defined in section 4, subsection 2d.)
- Permanent closure must occur after January 1, 2004 and before February 18, 2005, unless an agreement with the board to complete closure at a later date.
- Exceptions to the above must be completed by December 31, 2006.

Section 5 repeals sections 1, 2, and 3 of this act on December 31, 2006. This bill is effective upon enactment.

HF 2517 - Waste Volume Reduction and Waste Oil

RM Engineers, Environmental Health

This bill makes changes which rid the Iowa Code of unnecessary or out-of-date provisions having to do with waste reduction goals and the use of recycled oil.

- Section 1 strikes a largely unused portion of Iowa Code §455B.306(3) which deals with using refuse-derived fuel in a solid waste agency's calculation of their waste volume reduction goals.
- Section 2 strikes Iowa Code §455B.412 which requires the Department of Natural Resources to adopt rules on the use of recycled oil for oiling roads or for dust or weed control. (This has, in effect, been outlawed by federal law.)
- Section 3 repeals Iowa Code §455D.20 which has to do with refuse-derived fuel as is mentioned in section 1 above.

HF 2538 - Environment First Fund Appropriation

- See Appropriations

HF 2551 - Department of Public Health Programs

RM Environmental Health

This bill creates or amends various provisions of the Iowa Code dealing with programs administered by the Iowa Department of Public Health (DPH). Those portions relevant to county officials include:

- Section 1 which amends Iowa Code §135.11 by moving the administration of the "grants-to-counties" program of testing private water supplies to the DPH from the Department of Natural Resources.

Environment & Public Health

- Section 2 creates new Iowa Code §135.105A which makes changes to DPH administered programs dealing with lead inspections and lead abatement training.

HF 2555 - Department of Public Health Programs: Lead and Radon

RM Environmental Health, Public Health Nurses

This bill makes a variety of changes to programs administered by the Department of Public Health (DPH). Among those changes relevant to county officials:

- Section 2 amends Iowa Code §135.103 by stating that the DPH's childhood lead poisoning prevention grants may provide federal, state and other funds, as well as matching funds to local boards of health or cities. This section strikes existing language which provides the conditions of matching funds for these grants to local public health agencies and substitutes language stating that the DPH may use federal, state or other funds provided for childhood lead poisoning prevention for the purchase of environmental and blood testing services from a laboratory.
- Section 5 amends Iowa Code §136B.3 by adding that inspections and testing of a property for radon gas levels shall be performed by the DPH "or its duly authorized agents."
- Section 8 amends Iowa Code §152.1(6)(b) by further defining "practice of the profession of a registered nurse" as someone licensed to execute a regimen prescribed by a physician or "an advanced registered nurse practitioner or a physician assistant."

HF 2577 - Appropriations from Tobacco Funds

- See Appropriations

SF 2153 - State Funding for Public Health Emergency

RM Environmental Health, Public Health Nurses

This bill amends Iowa Code §135.144 by stating that if an imminent threat to public health, safety, or welfare arises out of a public health emergency, the Department of Public Health (DPH), in conjunction with the governor, may provide financial assistance to the local governments as needed. If the DPH does not have necessary funds, the governor may request the Executive Council to commit up to \$1 million for such a

need. If more than \$1 million is needed, the Legislative Council's approval would be required.

SF 2209 - Childhood Immunizations

RM

Public Health Nurses

This bill states that, beginning January 1, 2006, early childhood immunizations in Iowa will not contain more than trace amounts of mercury. This will not apply to early childhood immunizations for influenza or during times of emergency or epidemic, as determined by the director of the Department of Public Health. This act also provides that third party payments for immunizations shall provide reimbursement for immunizations containing no more than the stated trace of mercury.

SF 2213 - Revocation of Fishing and Hunting Licenses

RM

Conservation, Recorders

This bill amends Iowa Code §483A.21 by stating that the Department of Natural Resources may revoke a fishing or a hunting license for nonpayment of the fee set for such a license.

Human Services

HF 2134 - Medical Assistance Program Changes

LH

Community Services, Supervisors

This legislation changes the definition of residential care facility (RCF) to allow the provision of Medicaid-funded waiver services in these facilities if they were licensed as an RCF as of December 1, 2003. The bill directs the Department of Human Services to provide counties with the opportunity to expand their number of waiver slots to accommodate this expansion.

to the Legislature in both July and December. In addition, this bill sets up a legal settlement dispute resolution process using administrative law judges.

HF 2577 - Appropriations from Tobacco Funds

- See Appropriations

SF 2272 - Chapter 812 Rewrite - *See Public Safety*

HF 2350 - Family Investment Program Changes

LH

Community Services

This bill removes the specific dollar amount allowed for a motor vehicle under the Family Investment Program and allows the value of one motor vehicle to be disregarded from income.

SF 2288 - Federal Block Grant Appropriations

- See Appropriations

HF 2537 - MH/DD Redesign

LH

Community Services, Supervisors

This legislation continues the commitment to redesigning the adult MH/DD services system based on the work of the MH/DD Commission. This bill changes the term "single point of entry process" to "central point of coordination" throughout the Code and changes the name of the commission from the MH/DD Commission to the MH/MR/DD/BI Commission, a signal that services to persons with brain injuries will be added to the county-managed service system.

Over the next two years, the Commission is directed to identify funding to support statewide delivery of core services, refine redesign proposals and begin redesign of the children's disability service system, develop cost estimates for serving additional populations and providing core services, propose standardized functional assessment tools, propose case rates and develop an implementation plan to eliminate legal settlement.

By July 1, 2005, the Department of Human Services (DHS) and the Commission are directed to propose a new disability services information system, consolidate disability services within DHS, improve interfaces among state departments involved in MH/DD services and solicit input from consumers, providers and county central point of administration administrators. This bill directs the Mental Health, Developmental Disabilities and Brain Injury Commission and the DHS to perform certain activities during FY05 and to report back

Land Use & Rural Affairs

HF 2145 - City Planning and Zoning Commission Membership

JE

Supervisors, Zoning

Under current law, a city is permitted to extend its zoning powers into the unincorporated area up to two miles beyond the limits of the city if the county where the two-mile area is located has not adopted a zoning ordinance for the county. If a city does exercise its extraterritorial zoning powers, it must add two members to its planning and zoning commission and its board of adjustment. One of the members to be added to the planning and zoning commission shall be a member of the board of supervisors of the county where the extended area is located.

This bill provides that, for supervisor membership on the planning and zoning commission, the board of supervisors may designate a person other than a member of the board to fill that office.

HF 2225 - Drainage and Levee Districts in Cities

RM

Supervisors

This bill amends Iowa Code §468.315 by forbidding a county board of supervisors from: 1) establishing a drainage or levee district located entirely within a city unless given the consent of that city's council by resolution, or 2) establishing a sanitary sewer district. This bill is effective upon enactment.

HF 2315 - Drainage Districts

JE

Engineers, Supervisors

This bill relates to drainage districts and agricultural conservation practices. It amends provisions in Iowa Code chapter 468, which authorizes a governing board. A governing board is usually a county board of supervisors and sometimes a joint board of supervisors or a board of trustees who establishes and administers a drainage district or districts and locates and establishes levees. The governing board is given the authority to maintain a levee, ditch, drain, watercourse or settling basin, and to modify natural watercourses within its jurisdiction. The cost of establishing and maintaining a district is borne by the owners of land within the district who are responsible for paying an assessment.

Iowa Code §468.126 authorizes the board to make repairs necessary to maintain or restore a drainage or

levee improvement. For example, it may remove silt and debris, repair damaged structures and remove weeds. The Iowa Code section provides that if the estimated cost of a repair exceeds \$10,000, or 75% of the original total cost of the district and subsequent improvements, whichever is greater, the board must notify landowners and set a date for a hearing. If the cost is less than that, a notice and hearing is not required and the cost is paid from the drainage district's monies and specifically the county drainage or levee fund. The bill increases the amount required in order to avoid the notice and hearing requirement to \$15,000. It also increases by the same amount monies that the board may borrow from county revenues in order to pay for weed control.

HF 2432 - Free Deer and Wild Turkey Licenses

WRP

Conservation, Recorders

This bill relates to the issuance of free deer and wild turkey hunting licenses to landowners and others. A farm unit means all parcels of land in tracts of 10 acres or more, not necessarily contiguous, which are operated as a unit for agricultural purposes and which are under the lawful control of the owner or tenant. An antlerless deer, regardless of sex, and one wild turkey license will be issued to the owner of the farm unit or a member of the owner's family annually by the Iowa Department of Natural Resources.

HF 2479 - Dog Breeders

DW

Zoning

Exempts land, residences, or other buildings or structures of licensed dog breeders from certain ordinances except for the agricultural land preservation ordinance.

HF 2518 - Soil and Water Conservation Control Contractors

RM

Conservation, Supervisors

This bill amends Iowa Code §161A.4 by providing that the soil and water conservation division of the Iowa Department of Agriculture and Land Stewardship, in consultation with soil and water conservation district commissioners, shall, every other year, conduct a review to find the availability of private soil and water conservation control contractors in each district.

Land Use & Rural Affairs

SF 443 - Community Based Seed Capital

WRP

Supervisors

This bill relates to criteria for community-based seed capital funds. Currently, one of the criteria for a qualifying community-based seed capital fund is that the fund, on or after January 1, 2002, has a total of both capital commitments from investors and investments in qualifying businesses of at least \$125,000, but not more than \$3 million. The bill provides that this criteria may be waived for a fund that is a rural business investment company under the federal rural business investment program if the fund meets all other criteria. The bill applies retroactively to January 1, 2002, for tax years beginning on or after that date.

SF 2282 - Loess Hills Study

JE

Supervisors

This bill requires the Loess Hills Development and Conservation Authority, in consultation with the state advisory board for preserves, to conduct a comprehensive study to determine the archaeological and paleontological significance and the significance of the flora and fauna of the Loess Hills. It is also to determine the feasibility of creating a state native prairie preserve and of the various uses of the Loess Hills. The bill also provides that the Authority may accept gifts, grants, bequests and other private contributions, as well as federal, state or local funds for the purpose of conducting the study.

The bill also directs the Authority and the state advisory board for preserves to file a joint report containing their findings and recommendations with the legislative services agency by December 15, 2006, for distribution to the General Assembly. This bill's effective date is contingent upon receipt by the authority of federal, state or local funding for the Loess Hills study and report.

SF 2288 - Federal Block Grant Appropriations

- See Appropriations

HF 2149 - Criminal Prosecutions

DV

Sheriffs, Supervisors

Some cities are located in two counties. If a crime is committed in the city, in which county does the criminal prosecution take place? Iowa Code §803.3(5) (2003) says that if a simple misdemeanor is committed in a city which is located in two or more counties, the trial shall be in the county in which the seat of government of the city is located. This bill amends that statute to add that if the simple misdemeanor is committed in conjunction with an offense greater than a simple misdemeanor, the trial of the simple misdemeanor shall be in the county where the greater offense was committed.

This bill also provides that when traffic violations or other scheduled violations are committed in a city which is located in two or more counties, the trial shall be in the county in which the seat of government of the city is located.

HF 2150 - Child Endangerment and Manufacturing Methamphetamine

JE

County Attorneys, Sheriffs

This bill establishes a child endangerment offense for permitting the presence of a child or minor at a location where a controlled substance manufacturing or precursor chemical possession violation occurs, but the violation does not result in a serious injury to the child.

The child endangerment offense occurs when a child or a minor is permitted to be present at a location where amphetamine, its salts, isomers, or salts of isomers, or methamphetamine, its salts, isomers, or salts of isomers is manufactured in violation of Iowa Code §124.401(1), or where a precursor chemical is possessed with the intent to manufacture a controlled substance in violation of Iowa Code §124.401(4). Iowa Code §124.401 is part of the offenses and penalties division of the controlled substances chapter. The referenced subsections include defined terms such as "manufacture" and a threshold for the amounts of controlled substances for which possession triggers a violation.

The bill classifies the new child endangerment offense as a class "D" felony, punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.

The bill includes conforming amendments to Iowa Code §124.401C clarifying terms of confinement and to Iowa Code §§702.11 and 726.6 to provide that the new offense is not a forcible felony.

HF 2259 - Selling Pseudoephedrine

DV

Sheriffs, Supervisors

This bill prohibits retailers from selling more than two packages of pseudoephedrine in a single transaction and prohibits people from buying more than two packages of pseudoephedrine in a single transaction.

It also outlines how pseudoephedrine must be displayed in the store and requires the posting of warning signs. Violations of the pseudoephedrine sales restrictions result in a scheduled fine of \$100. Enforcement of the scheduled fines by either the state or a political subdivision shall be in magistrate court.

Normally we would not include changes in criminal provisions in this summary book. There are two reasons we included this bill: 1) it prohibits counties from setting requirements or establishing penalties which are higher or more stringent than those in this bill; and 2) it provides that all civil penalty monies collected by a political subdivision pursuant to this bill shall be retained by the political subdivision, rather than being returned to the state.

HF 2343 - Vaccinations for First Responders

WRP *Emergency Management, Sheriffs, Supervisors*

This bill establishes a vaccination program for first responders. If federal funding is received for administering vaccinations to first responders, the Department of Homeland Security shall offer a vaccination program to first responders who may be exposed to infectious diseases when deployed to disaster locations. First responders are state and local law enforcement personnel, fire department personnel and emergency medical personnel who will be deployed to sites of bioterrorism attacks, terrorist attacks, catastrophic disasters, natural disasters or other disasters. This bill is effective March 18, 2004.

Public Safety

HF 2367 - Prison Labor Fund

DV

Sheriffs, Supervisors

This bill amends Iowa Code §904.703 related to Department of Corrections (DOC) inmates, and provides for the creation of an Inmate Labor Fund, established and under the control of the DOC. All grants, fees, appropriations and reimbursed costs received by the DOC related to inmate labor shall be deposited into the fund, and the fund shall be used "to offset staff and transportation costs related to providing inmate labor to public entities."

HF 2462 - Child Welfare Diversion and Mediation Pilot Projects

LH

County Attorneys

This bill directs the Department of Human Services to implement one or more child welfare diversion and mediation pilot projects through the offices of the county attorney. In addition, DHS is directed to implement one child in need of assistance family case staffing project.

HF 2471 - Out-of-State Prisoners

DV

Sheriffs, Supervisors

This bill comes in response to an Attorney General's opinion concluding that counties could not legally hold out-of-state prisoners in their jails. The bill makes the following changes:

- Section 1 requires that the sheriff account to the supervisors for all fees collected for holding prisoners under the order of another state.
- Section 2 amends Iowa Code §356.1 to say that Iowa jails are for persons detained or committed by authority of the federal courts, as well as the courts of "any state." It had said the courts of "this state."
- Section 3 clarifies that in the case of out-of-state prisoners, all charges and expenses shall be paid by "the governmental entity from the other state sending the prisoners."

This bill is effective upon enactment.

HF 2569 - Criminal Surcharge

DV

Sheriffs, Supervisors

Section 1 provides that the board of supervisors may, by resolution, allow a \$5 "county enforcement surcharge" to be assessed on any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff.

Section 5 requires the clerk of district to remit all monies collected from the county enforcement surcharge to the county where the citation was issued for deposit in the county general fund no later than the 15th day of each month.

Section 9 provides that if a county has adopted a resolution pursuant to section 1, and the court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff, the clerk of court shall assess a \$5 surcharge for each violation. The surcharge shall be deposited in the county general fund.

The bill provides that this surcharge is subject to the provisions of Iowa Code chapter 909 governing the payment and collection of fines.

SF 2044 - Voluntary Emergency Service Providers Death Benefit

WRP

Emergency Management, Supervisors

This bill concerns eligibility for state payment of a line of duty death benefit to volunteer emergency services providers. Volunteer emergency services providers include volunteer fire fighters, volunteer emergency medical care providers, volunteer emergency services providers and reserve peace officers. The bill provides that if the death was the result of a heart attack or stroke, the death will be presumed to have been as a result of a traumatic personal injury and compensable if the provider had engaged in non-routine stressful or strenuous activity and the death occurred while engaging in that activity, while still on duty after that activity, or within 24 hours after the activity, and the presumption cannot be overcome by medical evidence.

SF 2272 - Chapter 812 Rewrite

DV

*Community Services,
County Attorneys, Sheriffs, Supervisors*

This bill is the culmination of a three-year effort spearheaded by the Iowa County Attorney Association to rewrite Iowa Code chapter 812. That chapter contains the procedures that courts use in handling criminal defendants who may be mentally incompetent to stand trial. This bill reflects the work of many stakeholders, including county supervisors and CPCs.

The bill is cost-neutral and does not address the funding issue, since no agreement could be reached among Department of Human Services (DHS), Department of Corrections (DOC) and the counties as far as who should pay for the treatment of those found incompetent to stand trial. But the hope is that the same representatives that worked on this bill can come back together to address the funding piece. This bill may achieve cost savings through increased efficiencies in the system.

The current version of Iowa Code chapter 812 had major problems, including:

- inadequate procedures and unclear language which resulted in uneven application of the law; and
- unclear time lines for hearings and for treatment, which resulted in increased and necessary expenditures.

Section 5 rewrites Iowa Code §812.3 to provide that if the defendant in a criminal proceeding claims that he suffers from a mental disorder which prevents him from appreciating the charge against him, understanding the proceedings, or assisting effectively in his defense, upon application to the court, the court shall hold a hearing to determine if probable cause exists to support the claim. Upon a finding of probable cause, the court shall suspend further criminal proceedings and order a psychiatric evaluation.

Section 6 rewrites Iowa Code §812.4 to provide that a competency hearing shall be held within 14 days of the court order.

Section 7 rewrites Iowa Code §812.5 to provide that if the court finds the defendant is suffering from a mental disorder, the court shall suspend the criminal proceedings indefinitely and order the defendant to be placed in a treatment program.

Section 8 rewrites Iowa Code §812.6 to outline how the defendant shall receive mental health treatment

designed to restore the defendant to competency. A defendant who does not pose a danger to public peace and safety and is otherwise qualified for pretrial release, the court shall order as a condition of pretrial release that the defendant obtain mental health treatment designed to restore the defendant to competency. Generally a defendant who poses a danger to the public peace or safety shall be committed to the custody of the DOC, and a defendant who is not a danger but is otherwise being held in custody or refuses to cooperate with treatment shall be committed to the custody of DHS.

Section 9 rewrites Iowa Code §812.8 to provide that within 30 days of placement DHS or DOC shall provide a written status report stating whether the defendant can be restored to competency. Progress reports shall follow every 60 days or less.

Section 10 rewrites Iowa Code §812.9 to provide that upon a finding by a psychologist or psychiatrist that competency has been restored, the court shall immediately be notified. If there is a finding that there is no substantial likelihood that competency shall be restored in a reasonable amount of time, the court shall immediately be notified.

Upon receiving such notice, the court shall schedule a hearing within 14 days. If the court finds that competence has been restored, the criminal proceedings shall be reinstated. The court may order continued treatment to maintain the competency of the defendant.

If the court finds there is no substantial likelihood that competency shall be restored, the court shall terminate the commitment. The state may then commence civil commitment proceedings. If it appears that the defendant regains competency later, the state can apply to the court to reinstate the prosecution.

Section 11 is new, and provides that the defendant shall not remain in treatment beyond the maximum term of confinement for the crime for which he is charged, or 18 months, whichever occurs first.

SF 2288 - Federal Block Grant Appropriations

- See Appropriations

Taxation & Finance

HF 2039 - State Budget Limitation and Fund Transfers

JS

All County Officials

This bill transfers \$45.8 million from the state cash reserve fund to the general fund for FY03. The bill calls for an annual appropriation at the conclusion of FY06 and succeeding fiscal years of 1% of the adjusted revenue estimate for the fiscal year from the general fund surplus to the Senior Living Trust Fund (SLTF). If the surplus is less than 2% of the adjusted revenue estimate, then the appropriation to the SLTF is half of the surplus. The appropriation to the SLTF takes precedence over the appropriation to the cash reserve fund, and is repealed when the SLTF balance is equal to \$118 million. The appropriation from the general fund to the SLTF is in lieu of the appropriation from the Iowa economic emergency fund to the SLTF.

The bill also reduces the state general fund expenditure limitation from 99% to 98%, effective beginning in FY06.

The section of this act transferring money from the cash reserve fund to the general fund is effective upon enactment and is retroactive to June 30, 2003.

HF 2302 - Gambling

LH

Supervisors

This bill reflects the resolution of the tax dispute between the state and the racetrack casinos. The racetrack casinos can now have table games and will pay a tax rate of 22% or 24%, depending on gross receipts and whether a riverboat is in the county. In exchange, they will pay the new rate retroactive to June 2002, pay a one-time licensing fee for table games (\$3 million in Dubuque, \$10 million in Council Bluffs and Altoona) and forgo the back taxes the state owed pursuant to the court case (approximately \$110 million plus interest). The riverboats tax rate will be 22% and they will pre-pay \$30 million in taxes for the next two years to the Rebuild Iowa Infrastructure Fund, which will generate a tax credit in that amount over five years beginning in 2010.

Other changes include: requiring casinos to pay a minimum 3% of adjusted gross receipts to charitable and civic causes; dividing one half of 1% of state taxes, about \$5 million per year, equally among community foundations in counties without gambling; and increasing gambling treatment funds from \$2.4 million to \$6 million per year. The legislation does not prohibit the

issuance of new licenses by the Iowa Racing and Gaming Commission, thus, keeping the door open for expansion in the six counties where voters have passed a referendum to allow gambling.

HF 2541 - Utility Replacement Excise Taxes

JS

Auditors, Supervisors, Treasurers

This bill makes a number of changes to the administration of utility replacement excise taxes. It expands the definition of "major addition" to include the acquisition of electric transmission lines greater than \$1 million. This is important because it will rectify the current situation in which it is possible for a taxing district to receive little or no replacement tax revenue, even if a considerable amount of transmission line property runs through the district.

The bill also makes changes to the way utility replacement taxes are estimated for budgeting purposes. It strikes language that bases the taxable valuation of utility property on the prior year's replacement tax. Instead, it requires all taxpayers who paid at least \$500,000 in replacement tax in the previous year, as well as taxpayers who expect their tax liability to vary at least 10% from the previous year, to estimate their current year replacement taxes to the Department of Revenue (DOR) by October 1. The bill requires companies to report mid-year additions of operating property and estimated replacement taxes associated therewith. These changes make two improvements: 1) they increase the number and scope of taxpayers who will be estimating their replacement tax liability each year; and 2) they delay the date that estimates need to be made from July 15 to October 1. Allowing companies to base their estimates on two and a half additional months of data should improve the accuracy of their estimates, and in turn, the accuracy of local budgets. Finally, the bill moves the DOR's deadline for certifying gas and electric utility valuations to county auditors from August 31 to October 31, in order to accommodate the reporting changes noted above. This bill is effective upon enactment and applies retroactively to January 1, 2004.

SF 2026 - Phaseout of Sales Tax on Residential Utility Bills

JS

Auditors

This bill restores the phaseout of the sales tax on gas, electricity and other fuel delivered to residential customers including apartments and condominiums. The

Taxation & Finance

Legislature inadvertently eliminated the phaseout last year, which would have resulted in the sales tax reverting to 5% as of July 1, 2004. With the restoration, the state sales tax rate will remain at 2% through calendar year 2004, fall to 1% for 2005 and be eliminated starting January 1, 2006. However, any local option sales tax imposed pursuant to Iowa Code chapters 422B or 422E will remain in place on the sales of residential utility services even after the state tax is phased out. This act amends HF 683 from last year, which is effective July 1, 2004.

SF 2119 - Collateral Pledge for Public Assets

WRP

Supervisors, Treasurers

This bill amends Iowa Code §12C.22, which was enacted pursuant to HF 681 during the 2002 legislative session (2002 Acts, chapter 1096). The section principally requires that financial institutions, and in particular banks, pledge certain types and amounts of collateral with the treasurer of state in order to secure the deposit of public monies. The Code section requires the treasurer of state to adopt rules necessary to administer the section's provisions. As part of its rulemaking duties, the treasurer of state must establish procedures which allow a bank to substitute different collateral for the collateral which was originally pledged. The bill provides that the treasurer of state must also adopt rules that establish procedures to allow a bank to add or release pledged collateral. This bill was effective April 16, 2004.

SF 2284 - Regional Transit Districts

- See Transportation

SF 2289 - County Treasurers Duties

JE

Treasurers

This bill makes various changes relating to the duties of county treasurers.

The bill enacts new Iowa Code §321.23A to allow persons to file a notarized affidavit of correction with the county treasurer to correct information printed incorrectly on a certificate of title, application for certificate of title, damage disclosure statement or other document required for a motor vehicle title transfer.

Iowa Code §§321.47 and 555C.3 are amended to make application by a third party for a new certificate of title

for a valueless mobile, modular or manufactured home a transfer by operation of law.

Iowa Code §321.50 is amended to increase from \$5 to \$10 the fee required for an application for a new certificate of title listing a security interest or an application for notation of security interest on a certificate of title that has already been issued on certain motor vehicles and mobile or manufactured homes.

Iowa Code §321.134, relating to annual vehicle registration fees, is amended to provide that if payment of a registration fee is made by electronic means through the county treasurer's authorized website only, the payment must be initiated by midnight on the first business day of the next month if the last day of the month in which it is due falls on a Saturday, Sunday or a holiday.

Iowa Code §331.552 is amended to add a new subsection which requires the county treasurer to destroy special assessment records within the county system after 10 years have elapsed from the end of the fiscal year in which the special assessments were paid in full.

Iowa Code §331.553, relating to rates, charges, rentals or special assessments certified as a lien to the county treasurer for collection is amended to provide that the administrative expense charge on a lien will be applied each year to the annual installment amount, if the amount of the lien is paid in annual installments.

Iowa Code §445.37, relating to payment of the semi-annual installment of property taxes, is amended to provide that if payment of taxes is made by electronic means through the county treasurer's authorized website only, the payment must be initiated by midnight on the first business day of the next month if the last day of the month in which it is due falls on a Saturday, Sunday or a holiday.

Iowa Code §446.16, relating to the sale of delinquent property taxes, is amended to provide that the county treasurer may collect a registration fee from each registered bidder at the tax sale. Currently, the county treasurer is allowed to collect a registration fee from each purchaser at tax sale.

Taxation & Finance

SF 2290 - Economic Development Incentives

JS

Supervisors

This bill relates to economic development incentives under the new jobs and income program, the new capital investment program and the enterprise zone program.

The bill requires agreements under the new jobs and income program to include payback provisions for all incentives received under the program if the job creation requirements are not met. The bill allows tax credits to be applied against certain eligible expenses of a third-party developer. The bill also expands the tax credits to cover sales taxes attributable to the cost of racks, shelving and conveyor equipment to be used in a warehouse or distribution center, and imposes aggregate limitations on the value of a credit in any fiscal year. Finally, the bill repeals the portion of the enterprise zone program that allows an eligible development business to receive incentives and assistance under the program. This bill is effective upon enactment.

SF 2291 - Urban Revitalization for Abandoned Property

JS

Assessors, Auditors, Treasurers

This bill amends Iowa Code chapter 404 to provide new urban revitalization exemption schedules for qualified real estate that meets the definition of abandoned property. One schedule allows a partial exemption for a period of 15 years and another provides a full exemption for five years. The bill also amends some provisions of Iowa Code chapter 446 relating to delinquent taxes on residential property sold to a city for use as low or moderate income housing. The bill allows the property to be used for any type of housing and shortens the redemption period from nine months to three months.

The bill also amends Iowa Code chapter 657A to allow a city to petition the court to award title to a property to the city if the court deems the property to be abandoned, or if the owner or persons with an interest in the property agree to award the title to the city, or if those persons do not make a good faith effort to comply with local housing official orders within 60 days. Finally, the bill strikes a provision that requires a city with a population less than 100,000 to include an allegation that a building is abandoned and in a dangerous or unsafe condition when petitioning for abatement.

This bill is effective upon enactment. Provisions relating to urban revitalization apply to exemptions allowed on or after the effective date. Provisions relating to delinquent property taxes apply to tax sales held on or after the effective date.

SF 2296 - Department of Revenue Policy Changes

JS

Assessors, Auditors, Treasurers

This bill makes various changes to voter registration policies and administrative provisions of sales, use, income, property and other tax law.

The bill requires the director of the Department of Revenue (DOR) to link its official website to the Iowa voter registration form and to the Secretary of State's official website. It also repeals Iowa Code §48A.24, which requires that two voter registration forms be inserted in each individual income tax instruction booklet every other year. Iowa Code §§422.42 and 423.1 are amended to exclude from sales and use taxes trade discounts given or allowed by manufacturers, distributors or wholesalers to retailers for transactions that occurred between January 1, 1997 and July 1, 2004. Retailers may apply for refunds prior to October 1, 2004, and the aggregate refund amount is capped at \$25,000. Iowa Code §423.3(82) is amended to expand the sales tax exemption related to molding and sand handling machinery and equipment to include replacement parts and the costs of utilities and installation associated with such machinery.

The administration of hotel/motel, local option and other taxes is amended to treat the collection of those taxes as trust fund taxes, which gives the state of Iowa and the local jurisdiction imposing the taxes priority over other interest holders. Iowa Code §441.21 is amended to require the owner of section 42 property to notify the assessor by March 1 of the assessment year when the property is withdrawn from the program; the section provides a penalty of \$500 if the notification is not forthcoming. Iowa Code §421.1(4) is amended to permit the DOR to appeal a decision of the state board of tax review to district court. The section exempting trade discounts from sales and use taxes is effective upon enactment, applies retroactively to January 1, 1997, and is void on and after July 1, 2004.

SJR 2010 - "People's Right to Vote" Constitutional Amendment

JS

All County Officials

SJR 2010 proposes a Constitutional Amendment that would require all tax and fee increases that produce "new annual revenue" exceeding 1% of the state's general fund budget, currently about \$45 million, to be ratified by voters at the next general election before they take effect. The amendment would apply to all taxes except debt service taxes, which are generally already subject to a vote of the people, and all fees except motor vehicle fees and fuel taxes.

The bill includes in the definition of a tax increase "legislation that has the effect of reducing total state funds transferred to all local governments" and "legislation that has the effect of requiring local governments to incur aggregate net cost increases" if the reduced funding or increased costs exceed the 1% threshold. That means that a legislative decision to eliminate property tax credit funding or to impose significant new mandates on local governments, the cost of which would exceed \$45 million, would be subject to a ratification vote of the people before those decisions would take effect. The bill allows for a one-year temporary exception to the limit if the Governor declares an emergency and the specific tax or fee increase exceeding the 1% limitation is approved by a two-thirds vote in each house. The amendment must pass both houses of the next General Assembly in identical format and thereafter be approved by a vote of the people before it takes effect.

Transportation

HF 2351 - Waste Tire Violations - See *Environment & Public Health*

HF 2433 - County Issuance of Drivers' License *JE Engineers, Supervisors, Treasurers*

This bill increases the amount of the fee retained by a county treasurer for the issuance or renewal of driver's licenses and non-operator's identification cards from \$5 to \$7 per transaction. A temporary increase in the fee amount from \$3.75 to \$5 was effective on July 1, 2003, and due to expire on July 1, 2005. The bill repeals that expiration provision.

The bill requires the auditor of the state, in consultation with the Department of Transportation (DOT) and the Iowa County Treasurers Association, to conduct a study of the fiscal impact of the county driver's license issuance program and report its findings to the General Assembly prior to January 1, 2006. The study shall compare costs for the issuance of driver's licenses and non-operator's identification cards by both the county treasurers and the DOT. Every four years after that a study and report is required. The state's costs for conducting the study will be paid by the DOT. The fee retained by the county treasurers shall be adjusted based on the results of the study.

SF 297 - Snowmobile and All-Terrain Vehicle Regulations and Fees *RM Engineers, Recorders, Sheriffs*

This bill re-writes all of Iowa Code chapter 321G in omitting all-terrain vehicles (ATVs) from the regulatory provisions which they had shared with snowmobiles. All mention of ATVs are stricken from this chapter. The bill makes the following changes (other than the above) to Iowa Code chapter 321G:

- Section 5 amends Iowa Code §321G.4 by changing the snowmobile fee from \$25 to \$15 and a writing fee.
- Section 7 amends Iowa Code §321G.6 by providing for an annual, rather than a biennial, registration for snowmobiles. Registration should be made by September 1 and renewals for the subsequent year beginning each January 1.
- Section 8 amends Iowa Code §321G.7 by stating that unused license forms must be submitted to the Natural Resources Commission (NRC) by the county recorder prior to January 10 of each year. Fees submitted by the recorder to the NRC shall

go to a special snowmobile fund, which will pay for grants, contracts and cost-sharing of snowmobile programs with local governments or private organizations. Monies in this fund shall not revert to the state general fund at the end of the fiscal year.

- Section 16 amends Iowa Code §321G.10 by stating that if a snowmobile is involved in an accident which leads to injury, death or property damage of a \$1,000 or more (it had been \$200) the county sheriff or other law enforcement shall be notified.
- Section 33 amends Iowa Code §321G.24 by saying that a safety certificate for a snowmobile shall cost \$5 (it had been \$3) and that permit fees collected under this section shall go to the new special snowmobile fund created in Iowa Code §321G.7.
- Section 36 amends Iowa Code §321G.27 by stating that the county recorder shall collect a writing fee for snowmobile registration of \$1.25 (it had been \$1).
- Section 39 amends Iowa Code §321G.30(5) by saying that \$5 of the certificate of title fees for snowmobiles remitted to the treasurer of state by the county recorder shall go to the special snowmobile fund. As has been the case, the remaining \$5 is retained by the recorder and goes to the county general fund.
- Beginning with section 44 of this act, ATVs are regulated and fees are set in a new Iowa Code chapter 321I.
- Section 47 creates Iowa Code §321I.4 which provides for registration of ATVs with the county recorder for a fee of \$15 plus a writing fee. ATVs from another state with an expired registration may be registered with payment of these fees and a \$5 penalty. The ATV registration certificate must be in triplicate, one copy to the owner, a second to the NRC and the third to be kept on file by the county recorder. The recorder shall notify the NRC of each ATV in storage. The owner of a stored ATV, in renewing registration, shall make application and pay registration fees to the county recorder. Registration fee refunds are not allowed for a stored ATV.
- Section 48 creates Iowa Code §321I.5 which provides for non-resident user permits, which include a writing fee of \$1.
- Section 50 creates Iowa Code §321I.7 providing for ATV registrations, renewal and transfer of ownership and resulting fees and fines. A post-September 1 ATV registration for the remainder of the calendar year shall be \$5 in addition to the \$15 for the subsequent year plus a writing fee. An ex-

pired ATV registration renewal includes a penalty of \$5 and a writing fee, plus the original registration fee.

- Section 51 creates Iowa Code §321I.8 which provides for the fees to be sent to the NRC. ATV fees are to be sent to the NRC by the county recorder within 10 days after the end of each month.
- Section 52 creates Iowa Code §321I.9 which lists all exempt vehicles.
- Section 53 creates Iowa Code §321I.10 which states where ATVs may be operated, including the parts of county highways designated by the supervisors.
- Section 72 creates Iowa Code §321I.28 establishing a writing fee by the county recorder of \$1.25 for ATVs.
- Section 73 creates Iowa Code §321I.29 which allows a local government to write special rules on ATV operations.
- Section 74 creates Iowa Code §321I.30 on ATV owner certificate of title.
- Section 75 creates Iowa Code §321I.31 providing for a \$10 fee for an ATV certificate of title, \$5 of this is retained by the county.
- Section 77 creates Iowa Code §321I.33 which states the procedures for perfecting the security interest in an ATV.
- Section 81 amends Iowa Code §321.234A by allowing highway use of an ATV if operated by a local government, a public utility for construction, or emergency services.

SF 2070 - Department of Transportation Policy Bill

JE

Engineers, Supervisors, Treasurers

This bill makes technical and substantive changes to Code provisions related to registration and titling of motor vehicles, as well as to provisions governing miscellaneous administrative duties of the Department of Transportation (DOT).

Iowa Code §321.1 is amended to update the definition of "electric personal assistive mobility device" and to exempt such devices from the definition under Iowa Code §216E.1.

Iowa Code §321.15 is amended to provide that pamphlets containing Code provisions and rules, which the DOT is required to furnish to county treasurers, may be distributed electronically. A corresponding amendment to Iowa Code §321J.1A allows the DOT to include educational information about drunk driving in electronically distributed publications as well as in printed form.

Iowa Code §321.20, which prescribes the requirements for applications for vehicle registration and titling, is amended to allow for acceptance of electronic signatures. In addition, the requirement that the applicant's social security number or passport number and Iowa or other driver's license number be contained on the application is amended. The Code now requires either the social security number, Iowa driver's license number or Iowa nonoperator's identification card number of the owner or lessee, or the Iowa driver's license number or Iowa nonoperator's identification card number of the primary user if the owner is a nonresident. A related provision in Iowa Code §321.109 is amended to allow a nonresident who purchases a vehicle in this state for removal to another state to list, on the application for title, the purchaser's social security number, passport number or driver's license number of a license issued in this state, another state or another country. Also in Iowa Code §321.20, the DOT's authorization to develop and implement electronic procedures for commercial vehicle registration and titling is expanded to include all motor vehicles.

Iowa Code §§321.20A and 321.24 are amended to allow the DOT or county treasurer to deliver a certificate of title to the owner or first secured party of a motor vehicle or commercial vehicle by electronic means. To facilitate electronic procedures, the bill eliminates the requirement that a title application be attached to a certificate of title and the requirement that a certificate of title be typewritten or printed by mechanical means. The bill also provides that if the holder of a security interest cannot be located, the DOT may authorize issuance of a certificate of title to an owner who provides evidence that the security interest has been extinguished.

Iowa Code §321.31, which requires the county treasurer to maintain a record system for vehicle registration and certificate of title documents, is amended to require that the date of perfection be included in information from the certificate of title.

Iowa Code §321.34 is amended to eliminate the requirement that an owner of a motor vehicle surrender the current registration receipt when exchanging regular registration plates for certain special plates.

Iowa Code §321.42 is amended to specify that fees and surcharges collected for replacement of a certificate of title are not refundable in the event the replacement title is no longer needed.

The bill strikes requirements in Iowa Code §§321.46

Transportation

and 321.126 that an applicant for a refund of registration fees must provide a copy of the registration receipt. Also, the bill strikes a redundant requirement that a transferee list a driver's license number on the application for title.

This bill amends provisions in Iowa Code §321.50 relating to security interests in motor vehicles to allow for electronic procedures and to require that the date of perfection of a security interest is the date the application for the security interest is delivered to the county treasurer. Related Code provisions that refer to security interests in motor vehicles are amended to reflect these changes. The bill repeals redundant amendments passed during the 2003 legislative session which were to take effect in July 2004, and the bill delays the repeal of a provision in Iowa Code §321.50 that sets a deadline for a person who takes possession of a certificate of title to deliver the title to a county treasurer for notation of a security interest. Iowa Code §321.50 is also amended to require that an application for a security interest include the federal employer identification number or social security number of the secured party.

Iowa Code §321.74 is amended to include reports received through the national motor vehicle title information system in the state's file of stolen or embezzled vehicles and to allow for electronic notification of recovered vehicles.

Iowa Code §321.134 is amended to require the DOT to waive the penalties imposed for late payment of motor vehicle registration fees for an owner who is in the United States military service and is relocated as a result of being placed on active duty on or after September 11, 2001.

Iowa Code §321.149 is amended to remove the requirement that the documents the DOT furnishes to county treasurers must be paper documents.

Iowa Code §321.153 is amended to allow electronic submission of a county treasurer's monthly statement of fees and penalties to the DOT.

Iowa Code §321.160 is amended to require the DOT to maintain a current statement of registered vehicle makes and models rather than update it annually. Also, the bill allows for electronic distribution of the statement.

Iowa Code §321.188 is amended to require that a commercial driver who applies for a hazardous material

endorsement must comply with federal application and security threat assessment requirements. The DOT shall revoke or deny the endorsement if the DOT determines that the applicant has not complied with or met security threat assessment standards.

Iowa Code §321.235A is amended to permit the operation of an electric personal assistive mobility device by a person at least 16 years of age on sidewalks and bikeways.

Provisions in the bill that relate to electronic titling and registration procedures and perfection of security interests take effect January 1, 2005. Otherwise, the bill is effective upon enactment.

SF 2112 - Transportation Appropriations

- See Appropriations

SF 2118 - Utility Right-of Ways

JE

Engineers, Supervisors

This bill permits public utilities to construct and maintain utility facilities (such as cable, pipes, and poles) within public road right-of-ways. The location of new utility facilities must be approved pursuant to Iowa Code §319.5 and cannot cause interference with use of the road by the public. The term "public utility" is broadened to include waterworks, joint water utilities, rural water districts and cooperative water associations. This bill is effective upon enactment.

SF 2253 - Disclosure Requirements for Motor Vehicle Ownership Transfer

JE

Treasurers

This bill amends Iowa Code §321.69, relating to disclosure requirements for the transfer of ownership of a motor vehicle. Current law requires that a transferor must disclose damage resulting from a single accident for which the cost of repairs is \$6,000 or more, whether the damage was reported by prior owners or sustained during the transferor's period of ownership. The bill changes the amount of damage that must be disclosed to match the standard for establishing a vehicle as a wrecked or salvage vehicle, which is damage for which the retail cost of repair exceeds 50% of the fair market value of the vehicle before it became damaged. The current requirement that a damage disclosure statement provides whether the transferor

knows if the vehicle was ever titled as salvage or flood vehicle is amended to include rebuilt titles. A similar provision relating to vehicles transferred by nonresidents is amended to require disclosure of a previous flood title, in addition to salvage and rebuilt titles. The bill also amends the requirement that a lessee makes a damage disclosure upon termination of a lease by changing the damage standard for reporting to the wrecked or salvage vehicle standard.

The bill retains the requirements that disclosures are made prior to the time of sale of a vehicle and that they are in the form of a statement on the face of the certificate of title or on a separate disclosure document. The bill retains the provision that licensed vehicle recyclers and motor vehicle dealers are not liable to subsequent owners, drivers or passengers because of false or inaccurate damage disclosure statements of prior owners or lessees, but the provision is amended to include vehicles previously titled as flood vehicles.

Disclosure requirements relating to nonoperative or missing airbags apply for all motor vehicles except motor homes. The bill makes a corrective amendment to provide that penalties for airbag disclosure violations apply for all of these vehicles as well. Under current law, vehicles more than nine model years old are exempt from damage disclosure requirements other than airbag disclosure requirements. The bill amends the exemption by making it applicable to vehicles more than seven model years old.

Existing law provides that a person who knowingly makes a false damage disclosure statement commits a fraudulent practice. Otherwise, failure to comply with a duty imposed under Iowa Code §321.69 constitutes consumer fraud.

SF 2284 - Regional Transit Districts

JS, JE Auditors, Engineers, Supervisors, Treasurers

This bill creates Iowa Code chapter 28M which allows for the establishment of regional transit districts in certain counties and provides for funding. The bill, as amended by SF 2298, allows a county with a population greater than 175,000 to create a regional transit district by initiating a 28E agreement with another county or cities. A district includes only unincorporated areas of participating counties, unless cities choose to participate. Cities of participating counties are allowed to join the district whether or not they have existing public transit systems of their own, and a city

in an eligible county may elect to join the district even if the county in which the city is located does not participate.

The bill amends Iowa Code §331.461(2) by including a regional transit district as a qualifying county enterprise. That gives the district all the powers and rights of a county enterprise under Iowa Code §§331.462 through 331.469, including the right to issue revenue bonds and, with the approval of the board of supervisors, the right to issue general obligation bonds as an essential county purpose.

The bill requires the appointment of a regional transit commission, comprised of representatives of the various participating governing bodies, to operate the transit district. The commission shall be responsible for adopting and certifying a budget (which is subject to protest under Iowa Code chapter 24), including the allocation of revenue responsibilities of the participating entities, establishing a schedule of fares, holding title to property and levying the tax allowed under Iowa Code §28M.5. The county treasurer in the largest participating county shall establish a fund for the district, out of which monies are payable only at the direction of the commission. The commission is subject to the public bidding requirements in Iowa Code §§331.341 and 331.342 and shall issue a detailed annual financial report to each of the participating counties and cities.

The bill creates Iowa Code §28M.5, which authorizes the district to levy a tax of up to 95 cents per thousand dollars of taxable valuation in the district. The tax shall be deducted from the maximum tax rates otherwise allowed by law to be imposed by the participating cities and counties. For a county with a population over 300,000, the transit district tax levy may be deducted from either the general basic or rural basic levy authority, as applicable. For a county with a population less than 300,000, the transit district tax levy must be deducted from the general basic levy authority. For cities, the regional transit district levy, when combined with the municipal transit system levy currently authorized in Iowa Code §384.12(10), may not exceed 95 cents per thousand.

Appropriations

HF 2402 - Restricting Executive Branch Ability to Transfer Appropriations

JS

All County Officials

This bill restricts the ability of the executive branch, specifically the governor and the director of the Department of Management, to transfer appropriations between state departments. It limits the total amount of interdepartmental transfers to \$1 million per appropriation per fiscal year, unless the transfer occurs in the final 30 days of the year or is approved by the Legislative Council.

HF 2538 - Environment First Fund Appropriation

JS

Conservation, Environmental Health

This bill transfers \$17.5 million from the Cash Reserve Fund to the Environment First Fund, by way of the Rebuild Iowa Infrastructure Fund (RIIF). It provides that if a tax on the adjusted gross receipts of gambling games conducted at racetrack enclosures is enacted by the General Assembly in 2004, then the tax proceeds credited from the gambling tax to the RIIF will be used to repay the transfer from the Cash Reserve Fund. The bill is effective upon enactment.

HF 2549 - Waste Tire Management Fund

JS

Conservation, Environmental Health

This bill changes the allocation of appropriations from the Waste Tire Management Fund. It provides that 30% of the appropriation shall be used by the Department of Natural Resources for administering permits and registrations for various activities and for performing compliance checks and inspections. Ten percent shall be used for a public education and awareness initiative, and another 30% is to be used for market development initiatives for waste tires. The final 30% is to be used for waste tire stockpile abatement initiatives, which requires a cost-share agreement with the landowner.

The bill repeals a pending repeal of the fund, meaning it will remain in existence. It also repeals the waste tire grant program and programs awarding monies to regent institutions for using tire-derived fuel and end-users of processed waste tires.

HF 2577 - Appropriations from Tobacco Funds

JS

All County Officials

This bill relates to and makes appropriations from the Healthy Iowans Tobacco Trust and the Tobacco Settlement Trust Fund.

Department of Human Services (DHS)

The bill makes appropriations involving the Medicaid program to DHS to maintain reimbursement rates of or cost-of-living adjustments for the following: all non-institutional providers for the continuation of the resource-based relative value system of reimbursement; dental services; hospitals; home health care services and habilitative day care for children with special needs; the expansion of respite care services provided through home and community-based services waivers; rehabilitative treatment and support service providers; adoption, independent living, shelter care, and home studies services providers; and service providers under the purview of DHS.

Children's health insurance	\$200,000 (no change)
Treatment of breast or cervical cancer	\$250,000 (no change)
Treatment of breast or cervical cancer	\$250,000 (no change)
Medicaid supplementation	\$14,346,750 (no change)

Appropriations

Department of Public Health

Tobacco use prevention and control	\$5,011,565 (+ \$11,565)
Smoking cessation	\$75,000 (no change)
Substance abuse treatment	\$11,800,000 (no change)
Healthy Iowans 2010 plan	\$2,346,960 (no change)
Automated external defibrillator grant program, if enacted	\$250,000
High school mentor program	\$400,000 (no change)
• The bill establishes a set of requirements for eligible programs.	

Department of Corrections (DOC)	\$980,000 (+ \$60,000)
DOC Special Needs Unit	\$1,187,285 (+ \$87,285)

Department for the Blind

• Statewide program to provide audio news and information services	\$130,000
Assistance to counties with limited MH/DD fund balances	\$146,750 (no change)
Iowa empowerment fund	\$2,153,250 (no change)
The bill transfers \$6,316,077 from the endowment for Iowa's health account to the healthy Iowans tobacco trust. The section of this act relating to requirements for the high school mentor program is effective upon enactment.	

SF 2059 - Birth Certificate Fees - See County Administration & Organization

SF 2112 - Transportation Appropriations

JS, JE

Engineers, Supervisors, Treasurers

This bill makes appropriations for FY05 from the Road Use Tax Fund (RUTF) and the Primary Road Fund to the Iowa Department of Transportation (DOT), and makes changes to the allocation and use of monies for the Keep Iowa Beautiful Fund (KIBF).

Appropriated from the RUTF:

Drivers' licenses production costs	\$2,820,000 (no change)
• Unexpended funds shall not revert to the general fund but shall remain available in subsequent years for the purpose specified.	
Operating costs in the motor vehicles division	\$30,378,726 (+ \$1,580,389)
Costs associated with county drivers' licenses issuance	\$1,096,000 (+ \$1,066,000)

Appropriated from the Primary Road Fund:

Operating costs in the motor vehicles division	\$1,226,838 (+ \$79,457)
• To fund no more than the following full-time equivalent positions	507 (-1)

The bill allows the DOT to authorize payments from the KIBF in accordance with Iowa Code §314.28.

SF 2288 - Federal Block Grant Appropriations

JS, LH

All County Officials

This bill appropriates funds made available from federal block grants for the federal fiscal year beginning October 1, 2004 and ending September 30, 2005 to various state departments and agencies. The bill also establishes procedures for reducing or increasing the appropriations if actual federal funds differ from anticipated funds, or if additional federal funds become available.

Drug Policy Coordinator

Drug control and system improvement grants	\$5,432,952 (- \$1,298,572)
Local law enforcement block grants	\$150,000 (- \$154,748)

Appropriations

Department of Economic Development

Community development appropriations \$30,981,000 (- \$1,619,000)

Department of Human Rights

Community services \$6,955,510 (- \$632)

- 96% is to be distributed to eligible community action agencies for programs benefiting low-income persons.
- Each eligible agency shall receive at least \$100,000.
- The funds shall be distributed on the basis of poverty-level population.

Low-income home energy assistance \$32,792,887 (+ \$1,676,771)

- Up to 15% may be used for residential weatherization or related home repairs for low-income households.

Department of Human Services

Community mental health services \$3,704,898 (+ \$92,071)

- 95% is to be distributed to eligible community mental health service providers
 - 70% of the allocation goes to accredited community mental health centers designated or established by the counties, and is to be used for the purpose of developing and providing evidence-based practices and emergency services to adults with a serious mental illness and children with a serious emotional disturbance.

Social services \$17,216,209 (- \$362,285)

- MH/MR/DD/BI community services (local purchase) \$7,736,793 (- \$162,807)
- The bill requires DHS to develop a plan for the use of federal social service block grant funds, including identifying the state programs and local programs the grants shall be used to fund, and the manner for distribution of the federal social services block grant funds to counties.

Child care and development \$42,310,187 (+ \$220,420)

- If sufficient funds are available, DHS shall set child care provider reimbursement rates based on the most recently completed rate reimbursement survey.

Department of Justice

Stop Violence Against Women program \$1,614,000 (- \$239,100)

Department of Public Health

Substance abuse treatment and prevention \$12,915,707 (+ \$837,268)

Maternal and child health services \$7,115,676 (- \$15,333)

Preventive health and health services \$1,505,162 (no change)

SF 2298 - Omnibus Appropriations

All Staff

All County Officials

This 300-page monster appropriates \$4.464 billion from the general fund and another \$4.859 billion from non-general fund sources for the fiscal year beginning July 1, 2004. When applicable the change in an appropriation from FY04 is provided parenthetically.

Division I – Administration and Regulation

Iowa Ethics and Campaign Disclosure Board \$411,296

Governor's Office of Drug Control Policy \$254,386 (- \$718)

Department of Management \$2,137,824 (+ \$75,712)

- For statewide property tax administration

Department of Revenue \$24,776,391 (- \$200,321)

- For statewide property tax administration, compliance and resource management

State Tax Implementation Committee \$50,000

Appropriations

Division II – Agriculture and Natural Resources

Department of Agriculture and Land Stewardship

Membership in the Missouri River Authority	\$9,535 (- \$245)
Testing and monitoring avian influenza	\$50,000

Department of Natural Resources

Enforcing snowmobile laws	\$100,000 (no change)
Enforcing navigation laws and water safety	\$1,400,000 (no change)
Underground storage tank programs	\$200,000

Division III – Economic Development

For community development programs	\$5,505,725 (- \$244,471)
For business development programs	\$6,084,500
Rural Community 2000 program	
• Financial assistance to councils of government	\$150,000 (no change)
• Rural development programs	\$120,000 (- \$30,000)
For pilot immigration service centers	\$160,000 (no change)

Division IV – Education

Vocational Rehabilitation Services Division

- General operations
- Matching funds for persons with severe physical or mental disabilities
- Highest priority shall be given to programs focusing on finding and maintaining employment for persons with disabilities

Iowa Empowerment Fund

- School ready children grants

The bill provides that the total quota allocated to counties for care of indigent patients for FY05 shall not be lower than for FY99. The quota is to be allocated on the basis of the 2000 census.

Division V – Health and Human Services

Department of Elder Affairs

Aging programs	\$2,625,146 (- \$28,076)
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Department of Public Health

Adult wellness	\$304,067 (+ \$43,485)
Child and adolescent wellness	\$915,803 (+ \$79,844)
Elderly wellness	\$9,233,985 (- \$236,769)
Local health care delivery systems	\$1,267,359 (- \$19,799)
Reducing public exposure to environmental hazards	\$251,808
Infectious diseases prevention and care	\$1,079,703 (+ \$102,363)
Public protection	\$6,598,873 (+ \$88,002)

The bill requires local health care providers or non-profit organizations, when they apply for a grant, to prove that they have coordinated their services with other local entities providing similar services. The bill states the intent and expectation of the General Assembly for state agencies, local communities and individuals to form strategies and partnerships which promote healthy lifestyles and healthy communities for Iowa.

Commission of Veterans' Affairs

General operations	\$293,971
Iowa Veterans Home	\$16,189,139

Department of Human Services (DHS)

Temporary Assistance for Needy Families (TANF) Block Grant

- Family Investment Programs
- Job Opportunities and Basic Skills (JOBS)
- Field operations
- General administration
- Local administrative costs
- State child care assistance

Appropriations

<ul style="list-style-type: none"> The above figure does not include an additional transfer of \$7,350,000 for eligible community-based early childhood programs. 	
MH/DD community services	\$4,500,610 (+ \$201,344)
Child and family services	\$33,475,728 (+ \$8,219,157)
Child abuse prevention grants	\$250,000 (no change)
Pregnancy prevention grants	\$2,514,413 (no change)
Welfare reform reporting	\$1,037,186 (no change)
HOPES program	\$200,000 (no change)
Family Investment Program Account	
<ul style="list-style-type: none"> Family development and self-sufficiency grants Food stamp employment and training program 	\$5,133,042 (no change) \$64,278 (+ \$1,278)
Family Investment Program assistance	\$39,045,438 (+ \$2,857,559)
Child support recovery	\$5,715,656 (+ \$232,863)
Medical assistance	\$352,794,101 (- \$4,691,972)
Health insurance premium payment program	\$606,429 (+ \$32,443)
Medical contracts	\$9,725,035 (+ \$735,000)
State supplementary assistance	\$19,273,135 (+ \$74,400)
Children's health insurance	\$12,118,275 (+ \$1,000,000)
Child care assistance	\$5,050,752 (no change)
<ul style="list-style-type: none"> The DHS shall present a plan for voluntary child care provider quality rating service to the governor by December 15, 2004. 	
Juvenile Institutions	
<ul style="list-style-type: none"> Iowa juvenile home at Toledo State training school at Eldora 	\$6,061,266 (- \$99,612) \$9,570,563 (- \$715,133)
Child and family services	\$96,935,253 (- \$10,156,000)
<ul style="list-style-type: none"> Up to \$6.2 million of the amount appropriated for child and family services under TANF may be used for juvenile delinquent graduated sanction services. Up to \$2 million of the amount appropriated for child and family services under TANF may be used for decategorization of child welfare services. \$148,000 shall be used for funding one or more child welfare diversion and mediation pilot projects. 	
Juvenile Detention Home Fund	
<ul style="list-style-type: none"> Grant renewal for implementation of a runaway plan Continuation and expansion of child protection sites 	\$80,000 (no change) \$318,000 (+ \$159,000)
Family support subsidy program	\$1,936,434 (no change)
Conner Decree	\$42,623 (no change)
Mental Health Institutes (MHI)	
<ul style="list-style-type: none"> State MHI at Cherokee State MHI at Clarinda State MHI at Independence The MHI shall continue its 30 psychiatric medical institution for children (PMIC) beds as long as no net state expenditure exceeds the amount appropriated. Counties are not responsible for PMIC costs. State MHI at Mount Pleasant 	\$12,927,556 (+ \$526,310) \$7,410,346 (+ \$344,674) \$17,239,768 (+ \$327,466) \$6,109,205 (+ \$278,395)
State Resource Centers (SRC)	
<ul style="list-style-type: none"> SRC at Glenwood SRC at Woodward 	\$8,550,280 (+ \$4,150,801) \$4,520,459 (+ \$1,860,222)
Purchase of local services for MI/MR/DD state cases	\$11,014,619 (no change)
MH/DD community services fund for FY05	\$17,727,890 (no change)
Pilot project for personal assistance services	\$205,748 (no change)
Commitment and treatment of sexually violent predators	\$2,833,646 (+ \$158,467)
Department field operations	\$53,097,364 (+ \$2,439,536)
Department general administration	\$11,089,434 (+ \$285,808)

Appropriations

Coordination of volunteer services \$109,568 (no change)
 Medicaid, SSA and Provider Reimbursement Rates

- Generally, provider rates for FY05 remain the same as for FY04.

The bill freezes the actual and allowable reimbursement rates for juvenile shelter care homes at the previous year's level. That rate is \$130.34 per child per day, of which the county pays up to \$46.65. The bill includes a provision to make it clear that counties may seek reimbursement from parents for the costs of juvenile shelter care homes pursuant to Iowa Code §232.141. The bill creates a Medicaid Crisis Intervention Team made up of representatives of hospitals, doctors, pharmacists, insurers, community providers and others. The team is to project Medicaid costs through June 30, 2008, hold at least four public meetings around the state prior to December 1, 2004, make recommendations on services, eligibility, rates, care management and program administration. DHS is required to support the team by providing the number of Medicaid enrollees grouped by age, income, disability and optional eligibility projected through 2008. The bill strikes a \$2 million appropriation made last year to the risk pool, and instead directs the money to be used for Medicaid reimbursement. Certain provisions of this division relating to the risk pool and child and family services are effective upon enactment.

Division VI – Senior Living and Hospital Trust Funds

DHS

Grants to nursing facilities, intermediate care facilities, long-term care providers and community-based services \$20,000,000 (no change)
 Medicaid supplement (from senior living trust fund) \$101,600,000 (no change)
 Health care service reimbursement \$1,733,406 (no change)
 Nursing facility provider reimbursements \$29,950,000
 Medicaid supplement (from hospital trust fund) \$37,500,000

The bill creates a senior living revolving loan program to provide financing for the construction of affordable assisted living facilities and service-enriched housing for seniors and persons with disabilities. It also creates a home and community-based services revolving loan program to develop and expand facilities and infrastructure that provide adult day services, respite services and congregate meals for persons with low income.

Division VII – County MH/MR/DD Allowed Growth Factor Allocations

Mental health care of the elderly or poor in county hospitals \$200,000
 Distribution of the allowed growth factor for FY06 \$28,507,362 (+ \$4,768,613)
 • Allowed growth \$12,000,000
 • Per capita \$14,507,362
 • Risk Pool \$2,000,000

The bill directs the MH/DD Commission to develop a procedure for counties to report certain information concerning provision of MH/MR/DD/BI services. The procedure shall comply with HIPAA and other state and federal confidentiality laws.

Preliminary distribution to counties of the allowed growth factor for FY05

- Allowed growth \$12,000,000 (no change)
- Per capital \$19,157,111 (+ \$4,665,111)
- Community services \$17,727,890 (no change)

Withholding factors for FY05

- For an ending fund balance of less than 10% - 0%
 - Counties in this category shall also receive an inflation adjustment factor equal to 2.6% of the gross expenditures for the fiscal year.
- Ending fund balance between 10% and 24% - 25%
 - The amount withheld shall not be more than the amount of the fund balance in excess of 10%.
- Ending fund balance greater than 25% - 100%

Withholding target for FY05 is \$9,418,362

The bill directs counties to submit to ISAC, before January 31, 2005, a report regarding the unaudited expenses from the county services fund for the first half of FY06.

Appropriations

Division VIII – Judicial Branch Appropriations

To the judicial branch, including clerks of court \$117,837,862
The state court administrator shall approve all district court clerk appointments.

Division IX – Justice System Appropriations

Department of Justice

For the investigation and prosecution of environmental crimes \$20,000 (no change)

Department of Corrections (DOC)

For reimbursement for county confinement of state prisoners \$674,954 (no change)

The bill allows nonprofit or governmental organizations to use inmate labor to restore or preserve rural cemeteries and historical landmarks, and clean up roads and water sources around the state. **The organization using inmate labor is immune from civil or employer liability.** The bill requires the DOC to provide a report of inmate capacity, available bed space and population data for each county jail, detention facility or municipal jail in the state. The report should also analyze options for integrating jails into the DOC. The report is to be completed by December 15 of each year and submitted to counties and other appropriate stakeholders.

Iowa Law Enforcement Academy (ILEA) 1,066,890 (+ \$64,261)

- The bill allows the ILEA to charge more than one-half the cost of providing the basic training course if a majority of the ILEA council authorizes it, but only until June 30, 2005.

Homeland Security and Emergency Management Division \$1,123,400

The bill requires the Department of Natural Resources to grant access to a public road to an owner of a parcel of land if certain prohibitive conditions exist.

E-911 Administrator \$200,000 (no change)

- This provision is effective upon enactment.

Division X – Standing Appropriations and Miscellaneous Provisions

The bill increases membership on the state Commission of Veterans' Affairs to nine members, including additional members appointed by the adjutant general and the Iowa affiliate of the Reserve Officers Association. The bill also makes it a duty of the Commission to establish and operate a state veterans' cemetery. The bill amends Iowa Code §346.27 to allow all voters of a county to vote on questions regarding bonds issued by a joint city-county authority. The bill also amends Iowa Code chapter 422E to allow a school district to exceed the 10-year time limit on a school infrastructure local option tax by referendum. The bill appropriates from the cash reserve fund, not the general fund, monies to fund the following property tax credits:

- Homestead \$102,945,379 (no change from ATB cut level)
- Agricultural land & family farm \$34,610,183 (no change from ATB cut level)
- Military service \$2,568,402 (+ \$62,933 from ATB cut level)
- Low income, elderly & disabled \$19,540,000 (+ \$3,304,495 from ATB cut level)

- If funding for the low income credit is insufficient to fully fund all claims, then claims of both homeowners and renters shall be prorated at the appropriate level.

The bill allows the local government innovations fund to award any amount of grants from the \$975,000 fund; previously, only 20% could be used for grants.

Division XI – Rebuild Iowa Infrastructure Fund Appropriations

Structural and technological improvements to local libraries \$600,000 (no change)

County fair infrastructure improvements \$1,060,000 (no change)

Veterans' trust fund \$1,000,000

The bill stipulates that previously appropriated monies for community-based corrections that remain unencumbered at the end of FY04 shall revert to the general fund at the end of FY07. If projects are completed earlier, unencumbered monies shall revert to the general fund at the close of this fiscal year in which the projects are completed. This provision is effective upon enactment.

Division XII – Environment First Fund Appropriations

Department of Agriculture and Land Stewardship (DALS)

Alternative drainage systems \$500,000 (no change)

Appropriations

Conservation Reserve Enhancement Program	\$1,500,000 (no change)
Flood & erosion control, water quality & conservation	\$2,700,000 (no change)
Loess Hills Development and Conservation Fund	\$600,000 (no change)
Southern Iowa Development and Conservation Fund	\$300,000 (no change)
<i>Department of Economic Development</i>	
Brownfield redevelopment	\$500,000 (no change)
<i>Department of Natural Resources (DNR)</i>	
Water quality monitoring	\$2,955,000 (no change)
Air quality monitoring equipment	\$500,000 (no change)
Local cost share grants for boating accessibility	\$2,300,000 (no change)
Resource Enhancement and Protection Fund	\$11,000,000 (no change)

Division XIII – Tobacco Settlement Fund Appropriations

Rebuild Iowa Infrastructure Fund	\$10,966,960 (+ \$966,960)
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Division XIV – Miscellaneous Funds Appropriations

Implement the Help America Vote Act	\$765,000
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- Not less than 80% shall be distributed to counties.
- This section takes effect upon enactment.

Housing trust fund, from the Iowa Finance Authority	\$800,000 (no change)
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Division XVI – Miscellaneous Provisions

The bill requires an entity that requests a video classroom ICN site that is authorized, but not funded, by the originator of the communication to be billed for the appropriate costs. The bill amends SF 2284 – Regional Transit Districts. See summary in *Transportation*. The bill increases the issuance fee for special natural resources license plates from \$35 to \$45, and the renewal fee from \$10 to \$25.

- Ten dollars of each issuance and \$15 of each renewal shall be allocated to the DNR for non-game wildlife programs.
- This provision takes effect January 1, 2005.

The bill allows the board of supervisors to enter into agreements with the DOT as provided in Iowa Code §313.2, notwithstanding any provision to the contrary. The bill directs the DHS to use vacant space at the state MHI at Cherokee for a program for persons with a developmental disability who exhibit sexually violent behavior.

Division XVII – Corrective Provisions

The bill amends SF 297 to allow cities to designate streets within their boundaries which may be used for driving all-terrain vehicles. The bill amends SF 371 to make all documents or instruments signed before July 1, 2005 exempt from formatting requirements. The bill amends HF 401 to require the Department of Cultural Affairs to establish by rule the procedure for awarding property rehabilitation tax credits.

Division XVIII – Community Attraction and Tourism (CAT)

The bill amends Iowa Code §15F.204 to allow projects with a total cost exceeding \$20 million to receive financial assistance under the CAT program. It also appropriates a combined \$12 million annually from the Rebuild Iowa Infrastructure Fund (RIIF) and the franchise tax revenues to the CAT fund for FY05 thru FY2010. In FY05, all \$12 million is appropriated from the RIIF, in the subsequent years \$5 million comes from the RIIF and \$7 million from franchise tax revenues. The bill allows an applicant to receive multi-year funding from the fund, but not in excess of \$4 million in any one fiscal year.

Division XX – Wind Energy Production Tax Credits

This division creates a wind energy production tax credit. That tax credit is allowed for Iowa facilities that produce electricity from wind and begin service between July 1, 2004 and July 1, 2007. The tax credit may be applied against personal or corporate income, franchise or insurance taxes. The amount of the credit is the product of one cent multiplied by the total number of kilowatt-hours of qualified electricity sold by the owner to non-related persons during each taxable year of a 10-year period beginning on the date the facility begins

Appropriations

service. The credit is capped for each year at 32% of the total number of kilowatts of nameplate generating capacity. The bill stipulates that a facility which receives special valuation under Iowa Code §§427B.26 or 441.21(8), or a sales tax exemption under Iowa Code §§422.45(48) or 423.3(53) is not eligible to also receive the production credit, unless the facility has a capacity of less than one megawatt and is owned by only one owner. The credits are transferable to a second taxpayer, but may only be transferred once.

The bill finances the production credit, which is estimated to cost about \$160 million over 10 years, by requiring the property taxes levied against qualified wind energy production facilities to be remitted to the state for a period of 12 years. The bill includes a "county home rule" provision that first requires the board of supervisors of a county in which the eligible property is located to approve or disapprove an application for the tax credit and the payment of property taxes to the state. If the board disapproves the application, the credit is not granted and the property taxes are not required to be paid to the state. If the board approves the application, or does not act within 45 days of receipt of the application, the applicant may proceed to apply to the state board of utilities. Qualified facilities are exempt from the utility excise generation tax in Iowa Code §437A.6 and shall be centrally assessed. This division is effective upon enactment and applies retroactively to taxable years beginning on or after January 1, 2004.

Division XXII – Income Tax Check Offs

The bill creates a volunteer fire fighter preparedness fund in the state treasury and appropriates money from the fund to the Department of Public Safety (DPS) for providing volunteer fire fighter training and the costs of volunteer fire fighting equipment. It also creates an income tax check off for the fund. The bill reenacts certain code sections relating to the Keep Iowa Beautiful Fund and a corresponding income tax check off. The purpose of the fund is to educate and encourage Iowans to take greater responsibility for improving their community environment and enhancing the beauty of the state through litter prevention, waste management, recycling and beautification projects. The above provisions of this division are retroactively effective to January 1, 2004.

Division XXIII – State Tax Implementation Committee

This division repeals the Property Tax Implementation Committee and calls for the establishment of a similar state tax implementation committee by July 1, 2004. The general composition of the new committee is relatively unchanged; a representative of utility taxpayers is added and the representatives of the state agencies are deemed to be non-voting, ex officio members. The bill directs that the only vote committee members shall take is the vote on the final report issued by the committee, which is due no later than the end of the 2005 regular legislative session. The report is to include the committee's analysis of: revenue sources available to the state and local governments; various exemptions, credits, deductions and so forth; services provided at the local level and the corresponding funding sources, including the role of property taxes; alternative systems of property taxation, assessment procedures, protesting assessments and various methods of controlling property tax revenues and expenditures. This division is effective upon enactment and is repealed on June 30, 2005.

Division XXIV – Enhanced 911

This division is essentially the Senate approved version of HF 2434. Much of the bill includes technical changes to update current language in Iowa Code chapter 34A dealing with enhanced 911 (E911). The bill changes the definition of "enhanced 911" to include the automatic display of the caller's location at the public safety answering point (PSAP). The bill adds Iowa Code §§34A.2(14-16), which defines "wireless E911 phase one" as display of the call-back number and the address of the tower that received the call to the PSAP; "wireless E911 phase two" as display of the call-back number and the latitude and longitude coordinates of the caller's wireless telephone to the PSAP; and "wire-line E911 service surcharge" as the charge established by the E911 service area operating authority and imposed on all wire-lines that physically terminate within the service area. Iowa Code §34A.7(2) is amended to allow joint E911 service boards to request certain information from local exchange service providers, including the identity of the exchange from which the surcharge is collected, the number of lines to which the surcharge is applied and the number of lines which are exempt per exchange. The bill increases the statewide monthly wireless surcharge from fifty to sixty-five cents, and

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directs how the specific E911 surcharge is to appear on a subscriber's billing. It provides that the surcharge is exempt from sales or use tax.

The bill changes the priority order for the E911 program manager to allocate revenues from the wireless surcharge. The bill first allocates monies appropriated from the surcharge to the administrator and program manager for general operations and for an annual audit of funds. Twenty-one percent of the surcharge shall go to wireless carriers to recover the cost of delivery of E911 phase one service; this allocation is to be prorated if insufficient funds are available. Wire-line carriers are to be reimbursed for their costs of transporting wireless phase one service. Then the program manager shall reimburse wire-line carriers and database providers for maintaining and upgrading the service components. The program manager is to use up to \$500,000 per quarter for retiring wireless E911 phase one debt incurred prior to July 1, 2004. Up to \$127,000 per quarter is to be allocated to eligible E911 boards and the DPS; each eligible entity shall receive at least \$1,000 in surcharge revenues per quarter. When the debt is retired, up to \$400,000 of the surcharge revenue per quarter shall be allocated to PSAPs and the DPS based on the size of the service area and the number of wireless E911 calls received. All funds received by PSAPs are to be used for communication equipment located inside the PSAP for implementation and maintenance of phase two. The bill requires local service boards and the DPS to provide estimates of phase two implementation costs by January 1, 2005, and requires the government oversight to committee to review the priority order of revenue distribution at least every other year.

The bill allows monies remaining in the fund after fulfilling the above obligations to carry over as operating surplus. Such surplus shall not revert to the state general fund. Finally, the bill requires the program manager to quarterly submit a financial report to the legislative services agency.

2004 Bills 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 89	Local Civil Service
HF 243	School Transport Funding
HF 513	Snowmobile Fees
HF 701	Income Tax Reform/Supermajority Amendment
HF 2066	Homestead Tax Credit Payments
HF 2068	County Budget Deadline
HF 2083	County Budget Deadline
HF 2100	State Patrol Funding
HF 2131	Sharing County Services
HF 2166	Order Time Limits
HF 2175	Sanitary Landfill Closures
HF 2213	Homestead Tax Credit
HF 2214	Natural Gas Taxes
HF 2232	Law Enforcement Academy
HF 2249	Truck Plate Fees
HF 2293	Restoring Mental Fitness
HF 2454	Order Time Limits
HF 2469/HSB 651	Maximum Gross Weight
HF 2473	Involuntary Hospital Placement
HF 2479	Dog Breeders
HF 2523	Air Quality
HF 2531	Residential Setbacks
HF 2556	Education Funding and Taxes
HF 2574/HSB 727	Tax Policy Technical Changes/Assessor Liability
HSB 617	Repeal Prorate Tax Credits
HSB 633	Tax Referendums
HSB 662	Tax Referendums
HSB 718	Property Tax Limitation

Senate Files and Study Bills

SF 39	Unimproved Lot Assessments
SF 53	Local Civil Service
SF 193	Farmland Rental Credit
SF 313	Public Employee Collective Bargaining
SF 2011	Property Tax Interest-Delinquent Sales
SF 2028	County Budget Deadline
SF 2060	County Duty Contracts
SF 2097	Budget Certification Date
SF 2111	Military Property Tax Credit
SF 2137	Commitment of Defendants
SF 2197	Residential Setbacks
SF 2262	Air Quality
SF 2297/SSB 3168	Property Tax Limitation
SSB 3088	Maximum Gross Weight
SSB 3101	Natural Gas Taxes

2004 Bills That Failed

Unfortunately, some key proposals initiated in whole or in part by ISAC failed, too. Those bills are listed below.

House Resolutions, Files and Study Bills

HR 101	Public Input in the Legislative Process
HF 114	School Budget Certification Deadline
HF 213	Housing Trust Fund
HF 533	Subdivision Sewers
HF 590	Merged School Elections
HF 593	Elections, Voter Registration and Polling Hours
HF 2029	Restore Bank Franchise Revenues
HF 2125	Open Legislative Meetings
HF 2148	County Recorder Fees
HF 2185	Siting Animal Feedlots
HF 2268	County Deputy Pay
HF 2286	Mental Health Advocates
HF 2301	Livestock Pollution
HF 2359	Confinement Standards
HF 2414	Mental Health Advocacy Study
HF 2472/HF 488	Land Management Planning
HSB 536	Electronic Public Records Access
HSB 721	County Recorder Transaction Fees

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SF 58/SF 2056/SF 2058/SF 2094	Mental Health Coverage
SF 326	Food Inspection Fees
SF 335	Hotel/Motel Tax
SF 2008/SF 2025	Restore Bank Franchise Revenue
SF 2096	County Recorder Fees
SF 2116	Mental Health Advocates
SF 2156	Livestock Pollution
SF 2298	State Budget - State Tax Implementation Committee (line item veto)

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Affiliate Legislative Liaisons

Assessors

Rick Ellars - City of Cedar Rapids 319-286-5888
Jim Maloney - Polk County 515-286-3014
Tim McGee - Lucas County 641-774-4411

Auditors

Mary Mosiman - Story County 515-382-7210
Philippe Meier - Boone County 515-433-0502

Community Services

Larry Sundall - Emmet County 712-362-7431
Craig Wood - Linn County 319-892-5620

Conservation

Steven Lekwa - Story County 515-232-2516

County Attorneys

Fred McCaw - Dubuque County 563-589-4470
Julie Fleming - Iowa County Attorneys Association 515-281-5428

Emergency Management

Ned Wright - Linn County 319-363-2671
Justin Dehnert - Polk County 515-286-2107

Engineers

Royce Fichtner - Marshall County 641-754-6343

Environmental Health

Ron Osterholm - Cerro Gordo County 641-421-9306
Mark Linda - Black Hawk County 319-291-2413

Information Technology

Carl Wilburn - Carroll County 712-792-1022
Jeff Rodda - Polk County 515-286-3031

Public Health Nurses

Russ Milane - Hamilton County 515-832-9565

Recorders

Sue Vande Kamp - Story County 515-382-7230
Kathy Flynn Thurlow - Dubuque County 563-589-4434

Sheriffs

Chris Hinds - Dallas County 515-993-4567
Tom Sheets - Poweshiek County 641-623-5679

Supervisors

Mike Wentzien - Iowa Supervisors Association 641-473-2693
Mike King - Union County 641-782-1720

Treasurers

David D. Jamison - Story County 515-382-7330
Kim Reynolds - Clarke County 641-342-3311

Zoning

Tim Huey - Scott County 563-326-8643
Kim Johnson - Buena Vista County 712-749-2555



Contact Information:

Iowa State Association of Counties
501 SW 7th St., Ste. Q
Des Moines, IA 50309-4540
Phone: 515-244-7181
Fax: 515-244-6397
www.iowacounties.org