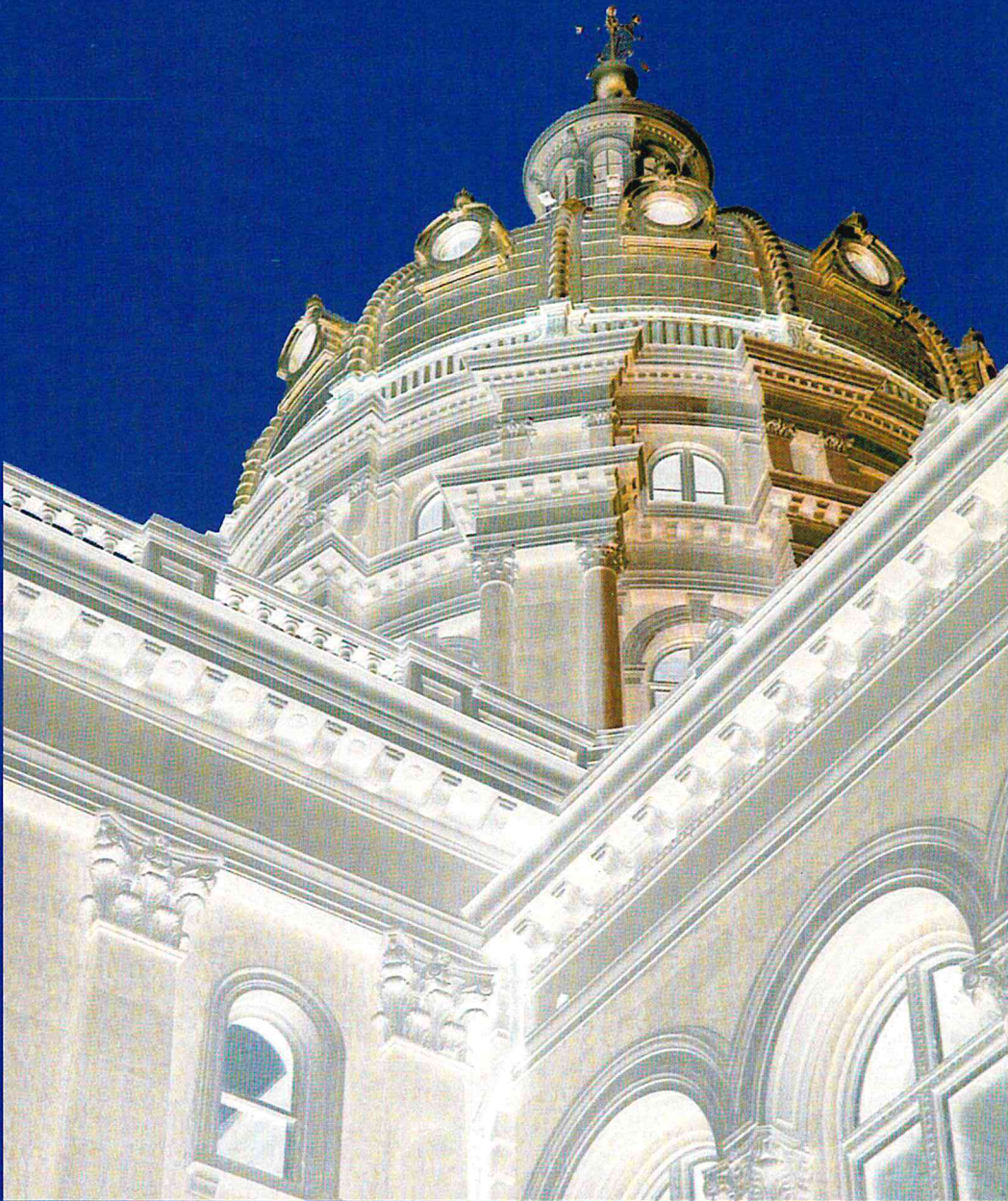


# **Iowa State Association of Counties**



**81st General Assembly  
1st Session**

**2005 Summary  
of Legislation**





# ABOUT ISAC

The Iowa State Association of Counties (ISAC) is a private, nonprofit corporation. The organization was established by law on June 30, 1971 with the signing of Senate File 37. ISAC members are elected and appointed county officials from all 99 counties. ISAC is comprised of several statewide associations called affiliates. For example, all the county treasurers in the state have their own association, which is called the Iowa State County Treasurers' Association and is cited as one of ISAC's affiliates. In total, there are 15 of these associations that are affiliated with ISAC.

The main purpose of ISAC is to secure and maintain cooperation among the counties and county officials, promote comprehensive study of local problems and find ways of solving them, provide methods of interchange of ideas among various county officials, and promote and work for the enactment of legislation that is most beneficial to the citizens of Iowa. Counties pay voluntary dues to belong to ISAC. In return, ISAC provides a number of services to member counties, such as training, benefit programs, education, technical assistance, and intergovernmental services.

ISAC's mission is to promote effective and responsible county government for the people of Iowa. ISAC's vision is to be the principal, authoritative source of representation, information and services for and about county government in Iowa.



**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](http://www.iowacounties.org)

# TABLE OF CONTENTS

Introduction .....	6
ISAC Priorities Update .....	7

## County Administration and Organization

HF 141 .....	Liquor Licenses .....	8
HF 222 .....	Elections of Township Officers .....	8
HF 253 .....	Campaign Finance .....	8
HF 312 .....	Campaign Finance Regulation .....	8
HF 332 .....	Title Guarantee Program .....	8
HF 339 .....	Tobacco Retailers .....	9
HF 374 .....	Veteran's Issues .....	9
HF 772 .....	Open Meetings and Public Records .....	9
HF 774 .....	Increasing Number of Linn County Supervisors .....	9
HF 828 .....	Boat and Watercraft Regulations .....	9
HF 836 .....	Cemeteries .....	11
SF 403 .....	Public Records .....	11

## Environment and Public Health

HF 252 .....	Noxious Weeds .....	12
HF 602 .....	Household Hazardous Waste .....	12
HF 770 .....	Food Code to Department of Public Health .....	12
HF 789 .....	Public Health Programs .....	12
HF 834 .....	Private Sewage Disposal Facilities .....	12
SF 71 .....	Reimbursement of Soil and Water Conservation Commissioners .....	13

## Human Services

HF 420 .....	Mental Health Parity .....	14
HF 538 .....	Child Mental Health Treatment .....	14
HF 616 .....	De-categorization of Child Welfare and Juvenile Justice Funding Projects .....	14
HF 617 .....	Assisted Living Waiver Services .....	14
HF 760 .....	Dependent Adult Abuse .....	14
HF 771 .....	Mental Competency Hearings .....	14
HF 821 .....	Prescription Drug Assistance Program .....	14
HF 841 .....	Medicaid Reform: IowaCare Act .....	14
SF 75 .....	Veterans' Benefits .....	15
SF 404 .....	Property Tax Relief Payment .....	15

## Land Use & Rural Affairs

HF 642 .....	Agricultural Seed .....	16
HF 805 .....	Open Feedlots .....	16
SF 206 .....	Deer Hunting .....	16
SF 390 .....	Renewable Energy Tax Credits .....	17

## Public Safety

HF 440 .....	Motor Vehicle Operating Privileges .....	18
HF 476 .....	Ammonium Nitrate Sales .....	18
HF 682 .....	Deferred Judgments .....	18
HF 716 .....	National Incident Management System (NIMS) .....	18
HF 717 .....	Traffic Signal Preemption Devices .....	18
HF 757 .....	Disposition of Abandoned Vehicles .....	18
HF 777 .....	Infectious Diseases .....	19
HF 826 .....	Speed Limits .....	19
SF 169 .....	Methamphetamine Precursors .....	19
SF 283 .....	Department of Public Safety Duties .....	19



# TABLE OF CONTENTS

## Taxation and Finance

HF 187 .....	Utility Replacement Tax Task Force .....	20
HF 438 .....	Soil and Water Conservation District Assessments .....	20
HF 589 .....	Property Taxation of Nursing Homes .....	20
HF 607 .....	Township Emergency Services .....	20
HF 708 .....	Rural Improvement Zones .....	20
HF 868 .....	Grow Iowa Values Fund .....	20
SF 78 .....	Tax Exemption During Annexation .....	21
SF 265 .....	County Treasurers' Duties .....	21
SF 365 .....	Enterprise Zone Certification Deadline .....	22
SF 413 .....	Department of Revenue Policy Bill .....	22

## Transportation

HF 216 .....	Motor Vehicle Regulations .....	23
HF 581 .....	Interstate Pipelines .....	24
HF 591 .....	DOT Highway Policy .....	24
HF 674 .....	Secondary Road Fund Distribution Advisory Committee .....	24
HF 718 .....	Refunding Motor Vehicle Registration Fees .....	25
HF 879 .....	Snowmobiles .....	25
SF 141 .....	Aboveground Petroleum Storage Tanks .....	25
SF 339 .....	Regional Transit Districts .....	25
SF 340 .....	Motor Vehicle Registrations, Delinquent Parking Fines and Civil Penalties .....	26

## Appropriations

HF 466 .....	Transportation Appropriations .....	27
HF 807 .....	Judicial Branch Appropriations .....	27
HF 808 .....	Agriculture and Natural Resources Appropriations .....	27
HF 809 .....	Economic Development Appropriations .....	27
HF 810 .....	Administration and Regulation Appropriations .....	28
HF 811 .....	Justice System Appropriations .....	28
HF 816 .....	Education Appropriations .....	29
HF 825 .....	Health and Human Services Appropriations .....	29
HF 862 .....	Appropriations from Tobacco Funds .....	31
HF 875 .....	Infrastructure Appropriations .....	32
HF 882 .....	Standing Appropriations .....	32
SF 342 .....	Supplemental Appropriations .....	34
SF 346 .....	Federal Block Grant Appropriations .....	35

2005 Bills That Failed .....	36-37
Steering Committee Chairs & Legislative Liaisons .....	38

# INTRODUCTION

In 2005, Iowa counties participated with the 81st General Assembly in the development of many important public policy decisions. ISAC registered to lobby on 326 pieces of legislation this year. This summary contains 74 bills affecting counties that passed the legislative process. Affiliates of ISAC also requested that ISAC "track" another 89 bills without registering to lobby on them. In addition, ISAC notified affiliates of an estimated 428 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 229 bills and the summary contained 78 items.

These bill summaries are organized according to ISAC steering committees. In addition, most appropriations bills are located in the section entitled "Appropriations," regardless of the topics contained. 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 involuntary annexations would be found under "Land Use and Rural Affairs." However, there are some occasions where a bill could logically fit under more than one committee. We have cross-referenced those bills for your convenience.

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

At the end of each summary, you may find the effective date for the bill or certain portions of the bill. If no effective date is listed, the bill is effective July 1, 2005. On the title line of each summary you will find the initials of the ISAC staff member(s) who summarized the bill. Their initials are:

DV - David Vestal, General Counsel

DW - Deborah Westvold, Case Management Director

JE - John Easter, Director of Intergovernmental Affairs

JS - Jay Syverson, Fiscal Analyst

LH - Linda Hinton, Assistant Legal Counsel

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 38, 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 PRIORITIES UPDATE

## Property Tax Reform

During the 2004 interim, ISAC and the Iowa League of Cities joined together to create a plan for property tax reform to bring to the General Assembly. This comprehensive package was designed to make the system more simple, equitable, stable and fair. The proposal included changes to assessments and valuations, changes to county and city budgets and tax systems, and an inflationary revenue limitation to replace the current levy rate limits. The measure removed local governments from the complicated system of state property tax credits and repealed the "rollback" in order to reduce the tax burden disparity among classes of property. Legislation reflecting the entire proposal was introduced in the Senate as SSB 1240 and in the House of Representatives as HSB 293. While these bills were never moved out of subcommittee in either chamber, ISAC and the League established strong credibility by bringing forth this comprehensive proposal. Property tax issues also received a great deal of attention in the Governor's Task Force on Local Governance. One subcommittee was charged with evaluating the property tax system and making recommendations for reform. For most of the session, legislative attention on property tax issues focused on this subcommittee. ISAC and the League presented our proposal to the subcommittee, and many other groups presented theirs. In the end, however, the subcommittee was not able to reach consensus on any particular legislative proposal. Numerous other property tax bills were introduced throughout the session. Most offered solutions to only specific parts of the system; some contained parts of the ISAC/League plan. The House and Senate approved separate property tax bills, neither of which reflected the ISAC/League plan, and neither of which was considered in the opposite chamber. Ultimately, the only substantive property tax legislation that passed was inserted into the Grow Iowa Values Fund bill amid the last-minute frenzy of the session. The legislation creates a statewide assessment appeal board and requires assessors to adhere to rules and guidelines promulgated by the Department of Revenue.

## SRFDAC

HF 674 reflects the recommendation of the Secondary Road Fund Distribution Advisory Committee (SRFDAC). This measure changes the methodology for distributing the county share of the road use tax fund (RUTF). Over the years, the Quadrennial Needs Study, used by the Iowa Department of Transportation (DOT) as the basis for distribution, has become increasingly inefficient. Drastic swings in county funding were causing budget and planning problems for supervisors and engineers, so a new and more predictable system became necessary. In the 2002 legislative session, SF 2192 directed that the SRFDAC be established to consider alternate methodologies for distributing secondary road and farm-to-market funding among counties, and to make recommendations to the General Assembly. The committee included members appointed by the supervisors and engineers associations, as well as by the DOT; county members represented small, medium and large counties. The committee recommended a new "Factor Breakdown Method" to more consistently distribute RUTF monies among counties. The proposal includes a five-year phase-in period. To date, 89 counties have affirmatively adopted resolutions supporting this plan, while only six counties oppose the plan. The remaining counties have taken a position of conditional support or no position at all. This legislation passed both the House and Senate and is pending before Governor Vilsack for his signature. He is expected to sign it into law.

## Technical Elections Legislation

HF 644 was a package containing many non-controversial changes to Iowa elections laws to help make the process operate more efficiently and cost-effectively. It has been introduced each of the last few years but has always become a vehicle for other, more controversial, election amendments. This year was no exception. From the beginning of this year, ISAC and the county auditors have requested that any amendments that are controversial be left out of the bill. Throughout most of the session, that request was heeded and lawmakers fought back inclinations to politicize the bill with controversial amendments. But in the end, and at the insistence of the Secretary of State and others, the Senate added an amendment requiring voting machines to be capable of producing a Voter Verified Paper Audit Trail (VVPAT). It was well-known around the Capitol that the House would pass the bill if the Senate left out VVPAT but ignore it if VVPAT was included. The Senate included VVPAT language anyway and HF 644 died. In the final hour before adjournment, the Senate did approve HF 222-Nonpartisan Township Elections. This item was contained in the auditors' recommended package but ran as a stand-alone bill. Therefore, it was the only elections item to make it through the process. At the time of this writing, HF 222 is pending before Governor Vilsack for his signature and he is expected to sign it into law.

## Involuntary Commitments

Mental health and substance abuse placements are becoming more difficult to find due to the state decreasing the number of beds at the four mental health institutes. Since 1999, available state beds have decreased by 40%, while private psychiatric beds have decreased by 60 beds. Because of these conditions, there is continued pressure to shift the responsibility for finding placements for persons committed under Iowa Code chapter 229 from the state to the counties. Accordingly, ISAC has been working to clarify that finding placements is the state's responsibility unless a solution is mutually agreed upon at the local level. ISAC was not able to move this issue forward in 2005; however, we were able to defeat HF 280, which would have shifted the responsibility for such placements to the counties. The net result is to retain the status quo – the Iowa Code does not require counties to accept the responsibility for finding beds for persons being committed to a hospital for psychiatric care.



# COUNTY ADMINISTRATION & ORGANIZATION

## **HF 141 - Liquor Licenses**

DV

*Supervisors*

This bill amends Iowa Code §123.32(4) relating to the training of bouncers. Previously, a board of supervisors could require that, as a condition of "obtaining" a liquor license, a designated security employee must be trained and certified in security methods. Under this bill, a board of supervisors can make that a requirement of "obtaining and holding" a liquor license.

## **HF 222 - Election of Township Officers**

JE

*Auditors, Supervisors*

This bill makes the offices of township trustees and township clerks nonpartisan, nominated for election by the petition process and without regard to political affiliation. A nominating petition for a township office requires signatures of at least 10 eligible electors of the township.

## **HF 253 - Campaign Finance**

DV

*Auditors*

This bill makes changes relating to receptions held during the legislative session where all legislators are invited. The word "reception" is changed to "function." Also, expenditure reports regarding these functions are to be sent to the Secretary of the Senate and the Chief Clerk of the House, who will forward the reports on to the Iowa Ethics and Campaign Disclosure Board. Up until now, a copy of the report had to be provided directly to the Board.

The bill also pertains to campaign finance disclosure reports and statements. It strikes the provision that allows the Iowa Ethics and Campaign Disclosure Board to require the county commissioner of elections to "periodically file summary reports" with the Board.

## **HF 312 - Campaign Finance Regulation**

JE

*All Elected Officials*

The bill redefines "consultant" to include a person providing services not only to a candidate, but also to a ballot issue committee or a political committee.

The bill exempts a county statutory political committee from the reporting requirements of Iowa Code chapter 68A if the committee accepts donations of \$750 or less, or incurs debt or expenditures of \$750 or less, in a calendar year.

Concerning the permissible use of campaign contributions and property, the bill prohibits the use of committee funds or property for the personal benefit of committee officers, members or associates. Consumable campaign property cannot be transferred to another candidate for less than fair market value compensation.

The bill establishes a requirement that state and county statutory political committees must file reports on the same dates required for candidate committees in both election and non-election years.

The bill changes the reporting deadline for political committees expressly advocating the nomination, election or defeat of candidates for statewide office or the General Assembly. In non-election years, the deadline for reporting for the period of the first half of the calendar year is currently January 19<sup>th</sup> of the following year – over six months after the period ended. The bill moves the deadline up to July 19<sup>th</sup>, 19 days after the reporting period ends.

The bill changes the reporting deadline for ballot issue political committees. In an election year, committees must file a report five days before the election that covers all activity up to 10 days prior to the election. In non-election years the report that covers the time period of nine days before the election through December 31 must be filed by January 19 of the next calendar year. The bill amends the meaning of the term "election year" for reporting purposes. Except for a ballot issue committee, the term means a year in which primary and general elections are held.

The bill defines "independent expenditures" to include one or more expenditures in excess of \$750 in the aggregate. It also expands the coverage of the term to include the nomination of a candidate as well as the election or defeat of a candidate or the passage or defeat of a ballot issue.

The bill amends current statutory language relating to "ballot issue" campaign signs placed on property leased by a candidate, committee or organization. The current language is expanded to include campaign signs advocating the nomination, election or defeat of a candidate.

The bill prohibits placing campaign signs within a specified distance of an absentee voting site or satellite absentee voting station during the hours when absentee ballots are available in the office of the county commissioner of elections or the voting station, respectively. The separation distance is increased from 30 feet to 300 feet. The bill also changes a reference from "yard signs" to "campaign signs."

## **HF 332 - Title Guaranty Program**

JE

*Recorders*

This bill allows an abstractor who is participating in the title guaranty program to request a mortgage release from the title guaranty division of the Iowa Finance Authority.



# COUNTY ADMINISTRATION & ORGANIZATION

## **HF 339 - Tobacco Retailers**

DV

*Auditors, Supervisors*

This bill requires retailers who sell tobacco products, other than cigarettes, to get a retail permit. Currently, retailers who sell cigarettes are required to have a permit. Only one permit is required for selling cigarettes exclusively, tobacco products exclusively or both cigarettes and tobacco products.

This bill creates new Iowa Code §453A.47A. This section is particularly aimed at people who sell tobacco products, other than cigarettes, such as cigars and chewing tobacco. Under this new section a person shall not sell tobacco products without having a permit as a tobacco products retailer. A retailer who only holds a cigarette permit, and has that permit suspended, cannot sell other tobacco products during the suspension.

Cities shall issue retail permits to retailers within the city limits. County boards of supervisors shall issue retail permits to retailers outside of the city limits. Permits shall be issued only upon application, accompanied by the required fee, made upon forms issued by the Department of Revenue. Counties are required to use the new forms. All permits expire June 30. The price of a permit is \$50 annually, and it is prorated depending on the month of purchase.

## **HF 374 - Veterans' Issues**

WRP *Auditors, Records, Supervisors, Veterans' Affairs*

This bill establishes the Department of Veterans' Affairs (DVA). However, the Veterans' Affairs Commission shall continue to have primary responsibility for state veterans' affairs.

The bill provides that a county board of supervisors may increase beyond the current fixed amount of \$25 per month the compensation received by a member of a county commission of veterans' affairs for each month in which the member attends commission meetings.

The bill amends the scope of resident veterans who were disabled or were prisoners of war during their military service, and thus qualify to purchase a lifetime hunting and fishing combined license. The bill also changes the definition of "veteran" from the definition contained in Iowa Code §35.1 to include any Iowa resident who served in the armed forces of the United States for a minimum aggregate of 90 days of active federal service.

For the purposes of the property tax exemption for military service, the bill defines a veteran as "a resident of this state who is a former member of the armed forces of the United States and who served a minimum aggregate of three years and who was discharged under honorable conditions."

The portions of the bill relating to the military service property tax exemption apply to property taxes due and payable in fiscal years beginning on or after July 1, 2005. The remainder of the bill is effective upon enactment.

## **HF 772 - Open Meetings and Public Records**

DV

*All Elected Officials*

This bill changes the Open Meetings Law and the Public Records Law. Currently, upon a third conviction of a violation of either law during a local elected official's term, that official is automatically removed from office. Under this bill, removal will take place after a second conviction. Removal only occurs after two convictions under the same law; one Open Meetings Law violation and one Public Records Law violation would not result in removal from office.

The net effect of this bill is negligible, since ISAC is unaware of any county official that has ever been convicted of two such violations, let alone being convicted twice in one term of office.

## **HF 774 - Increasing Number of Linn County Supervisors**

DV

*Supervisors*

This bill only affects Linn County. Up until now, Iowa Code §331.205 had provided that in counties where there is a city of more than 75,000 population operating under the commission form of government (Cedar Rapids), there were specific requirements for the petition and vote regarding increasing or reducing the number of county supervisors.

The bill strikes that Iowa Code section, meaning that Linn County will now be subject to the same law as every other county regarding the procedures for increasing or decreasing the number of county supervisors.

## **HF 828 - Boat and Watercraft Regulations**

JE

*Conservation, Records, Sheriffs*

This bill strikes a provision requiring the director of the Department of Natural Resources (DNR) to provide specified reports to the Natural Resources Commission every five years. It requires the Commission, by rule, to define "aquatic invasive species."

The bill increases vessel registration fees and changes the registration period for a vessel from two years to three years for vessels registered after January 1, 2007. The new registration fees are as follows:

- for vessels of any length without motor or sail – \$12;
- for motorboats or sailboats less than 16 feet – \$22.50;



# COUNTY ADMINISTRATION & ORGANIZATION

- for motorboats or sailboats from 16-26 feet – \$36.00;
- for motorboats or sailboats from 26-40 feet – \$75.00;
- for motorboats or sailboats of 40 feet in length or more – \$150.00; and
- for all personal watercraft – \$45.

The bill provides that every registration certificate and number issued becomes delinquent at midnight on April 30 of the last calendar year of the registration period. If an application for the new three-year registration period is not made before May 1 of the last calendar year of the existing registration period, the applicant shall be charged a penalty of \$5. The bill also provides that for an unregistered vessel that is registered after May 1 of the second year of its three-year registration period, the fee is 66% of the full registration fee; if the vessel is registered after May 1 of the third year of its three-year registration period, the fee is 33% of the full registration fee. A vessel that has an expired registration certificate from another state may be registered in this state upon proper application, payment of all applicable registration and writing fees, and payment of a penalty of \$5. The bill changes the registration period for a vessel with a valid marine document issued by the US Bureau of Customs, and for a special certificate, from two to three years.

The bill prohibits any person under 12 years of age from operating a vessel propelled by a motor of more than 10 horsepower unless accompanied by a responsible person of at least 18 years of age who is experienced in motorboat operation. The bill also provides that a person who is 12 years of age or older but less than 18 years of age shall not operate any vessel propelled by a motor of more than 10 horsepower unless 1) the person has successfully completed a DNR-approved watercraft safety course and obtained a watercraft safety certificate, or 2) the person is accompanied by a responsible person of at least 18 years of age who is experienced in motorboat operation. A person who is required to have a watercraft safety certificate must carry and exhibit or make the certificate available upon request of a DNR officer. A violation of this provision is a simple misdemeanor, except that a person charged with a violation of this requirement shall not be convicted if the person produces the certificate in court within a reasonable time. The bill provides that the cost of the certificate shall not exceed \$5. Previously these provisions only applied to persons who operated a personal watercraft.

The bill stipulates that a vessel either for hire or offered for hire is subject to inspection at any time. Currently such vessels are subject to an annual mandatory inspection. The bill also eliminates the requirement that the owner of a vessel file an application for inspection of such vessels with the Commission. The bill provides that an officer of the Commission or any peace officer who is trained in enforcing and who, in the regular course of duty, enforces boating and navigation laws has the power to determine

whether a vessel for hire is safe and upon what waters it may be used. The officers also have the power to determine the seaworthiness of any private vessel. The bill eliminates the requirement that vessels that have been inspected be issued a current inspection seal that must be posted in a conspicuous place.

The bill strikes references to suspension or revocation of a person's pilot's or engineer's license under specified circumstances and instead refers to suspension or revocation of a person's privilege to operate a vessel for hire or commercial vessel under specified circumstances. The bill provides that if an owner or operator of a vessel for hire or commercial vessel permits such vessel to be occupied by more passengers and crew than the registration capacity allows, or continues to operate such a vessel after the person's privilege to operate the vessel has been revoked, the person is guilty of a serious misdemeanor. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$250 but not more than \$1,500.

The bill provides that fees collected by a county recorder for the registration of vessels shall be forwarded to the state treasurer to be placed in the state fish and game protection fund, instead of a special conservation fund. The bill provides that this money is appropriated to the Commission solely for the administration and enforcement of navigation laws and water safety. The bill also provides that, notwithstanding these provisions, any increase in revenues received on or after July 1, 2007, as a result of fee increases pursuant to the bill, shall be used by the Commission during the fiscal period beginning July 1, 2007 and ending June 30, 2013 only for the administration and enforcement of programs to control aquatic invasive species and for the administration and enforcement of navigation laws and water safety upon the inland waters of this state. The bill also provides that the Commission shall not reduce the amount of other funds being expended annually for these purposes as of the effective date of the bill. The bill requires the Commission to submit annual reports to the General Assembly from 2007 through 2013 summarizing the activities of the DNR in controlling aquatic invasive species and administering and enforcing navigation laws and water safety, including the amount, source, and use of all funds expended. Beginning July 1, 2013, the moneys collected can be used only for the administration and enforcement of navigation laws and water safety.

The bill increases the writing fee retained by the county recorder for transactions under Iowa Code chapter 462A from \$1 to \$1.25 per registration.

The bill allows any peace officer, as well as an officer of the Commission, to stop and inspect a vessel being launched, operated, or moored upon the waters of this state to determine whether the vessel is properly registered, numbered and equipped. An officer may board a vessel if the operator is unable to supply visual evidence that the vessel is properly registered and equipped, so long as the inspec-



# COUNTY ADMINISTRATION & ORGANIZATION

tion does not include an inspection of an area that is not essential to determine compliance with these provisions.

The bill eliminates the requirement that owners of kayaks, regardless of length, apply for a certificate of title. Finally, the bill repeals Iowa Code §§462A.21 and 462A.22, which relate to inspections of vessels operated for hire and to engineer or pilot licenses for operators of vessels for hire.

## **HF 836 - Cemeteries**

DV

*Auditors, Sheriffs, Supervisors*

This bill provides that if a county is notified of the existence of a newly-discovered cemetery or burial site within the county, the county "shall as soon as is practicable" notify the owner of the land and inform the owner of his or her duty to preserve and protect the site. If there is reason to believe the site is more than 150 years old, the county shall also notify the state archeologist. The county "shall preserve and protect" the site as necessary to restore or maintain its physical integrity as a cemetery or burial site. The county may enter into an agreement to delegate that task to a historical preservation organization.

If a law enforcement officer determines that someone is wrongfully in possession of cemetery-related items, such as grave markers or tombstones, the officer may take possession of the items and make arrangements for their return to the cemetery.

If a person notifies a county that a relative is buried on private property in the county, the county shall notify the property owner that the person has a right to visit the burial site.

Any person discovering human remains shall notify a law enforcement agency as soon as is reasonably possible. If there is reason to believe that the remains are more than 150 years old, the law enforcement agency shall notify the state archeologist.

The bill provides that the governing body of a county may purchase, establish, operate, enclose, improve or regulate a cemetery. It also provides that a county "may act as a permanent trustee for the perpetual maintenance of interment spaces in the cemetery."

The bill provides that "in the absence of a trustee for care funds, unless otherwise provided by law, the care funds shall be placed in the hands of the county auditor, who shall provide a receipt for, loan, and make annual reports of the care funds." The bill further provides that the county auditor shall make full report of the trustee's actions and trust funds annually in January.

The bill provides that counties and townships "are trustees in perpetuity, and are required to accept, receive and

expend all moneys and property donated or left to them by bequest for perpetual care" only for those purposes.

The bill allows a township having one or more cemeteries under its control to designate up to two officials from each cemetery as delegates to attend meetings of cemetery officials, and expenses not exceeding \$25 may be paid out of the cemetery fund of the township.

The cemetery officials of every township having a cemetery under its control may subscribe to one or more publications devoted to cemetery management and the subscriptions may be paid out of the cemetery fund of the township.

## **SF 206 - Deer Hunting - See Land Use & Rural Affairs**

## **SF 403 - Public Records**

DV

*All County Officials*

This bill amends Iowa Code chapter 22, Iowa's Public Records Law, in several important ways. It allows a person to request a public record without coming to the county office. Counties will have to respond to requests made by phone, fax or email and will have to mail the records to the requestor upon request. Counties may require prepayment of copying charges but they must inform the requestor in advance of the estimated cost of the copying charges. Further, a county may only charge actual costs of providing the copies, meaning only those costs directly attributable to the making and providing of the copies; the requestor cannot be charged for things such as depreciation, maintenance, insurance or electricity. (This has already been established through court cases and Attorney General Opinions, but has not been expressly stated in the Code). Finally, a county can charge the requestor for the salary of the county employee for the time spent responding to the record request, but not for the employee's benefits. This clarifies existing law.

# ENVIRONMENT & PUBLIC HEALTH

## **HF 252 - Noxious Weeds**

JE

*Engineers, Supervisors*

This bill amends Iowa Code chapter 317, which provides for the control of noxious weeds. Currently, a weed commissioner is required to notify via personal service a property's owner or tenant prior to entering the property to control any noxious weeds. The bill provides that, in lieu of personal service, a weed commissioner may provide notice via certified mail.

## **HF 602 - Household Hazardous Waste**

JE

*Engineers, Supervisors*

This bill states that a private agency which provides for the collection and disposal of household hazardous waste as part of an approved comprehensive plan may use a portion of solid waste tonnage fees for the establishment of permanent household hazardous waste collection sites.

Currently, 9.5% of the tonnage fees deposited in the solid waste account of the groundwater protection fund is used by the Department of Natural Resources (DNR) to establish permanent household hazardous waste collection sites. The bill decreases that percentage to 6.5% for FY06 and to 3% for FY07 and every fiscal year thereafter. The bill provides that any moneys remaining unexpended at the end of a fiscal year shall be used to pay transportation costs related to household hazardous waste collection programs.

Currently, 3% of the tonnage fees deposited in the solid waste account of the groundwater protection fund is used by the DNR for payment of transportation costs related to household hazardous waste collection programs. The bill increases that percentage to 6.5% for FY06 and to 9.5% for FY07 and every fiscal year thereafter.

## **HF 770 - Food Code to Department of Public Health**

LH

*Environmental Health*

This bill moves administration of the hotel sanitation code and the Iowa food code, the regulation of home food establishments and egg handlers, and the inspection of cosmetology and barbering licensees from the Department of Inspections and Appeals to the Department of Public Health.

## **HF 789 - Public Health Programs**

LH

*Emergency Management, Environmental Health, Public Health Nurses*

This bill makes numerous technical changes requested by the Iowa Department of Public Health (DPH). Of particular interest to county officials, the bill:

- changes the names of "Disaster Medical Assistance Teams" to "Public Health Response Teams" to recognize that the teams consist of environ-

mental and epidemiological professionals in addition to medical professionals, and expands their duties so that they may be deployed during the period leading up to a potential disaster.

- changes requirements for state-appropriated local public health funding to provide greater flexibility for local public health offices to work on preventing new public health threats.
- authorizes the DPH to issue an order controlling, restricting, or otherwise regulating the distribution and administration of vaccines in the event of a shortage and provides for civil liability immunity for those complying with this order.
- clarifies the state and county medical examiners' ability to protect evidence and clarifies which entity has jurisdiction over a body.
- establishes a Regional Response Team Taskforce to study the current and future capacity of the public health workforce to respond to bioterrorism, emerging infectious diseases, and other public health threats and emergencies.

## **HF 828 - Boat and Watercraft Regulations** - See County Administration & Organization

## **HF 834 - Private Sewage Disposal Facilities**

LH, JE

*Environmental Health, Supervisors*

This bill allows the Department of Natural Resources (DNR) to contract with county boards of health for the inspection of land application sites, records reviews and equipment inspections related to commercial cleaning of private sewage disposal facilities.

The bill requires an annual septic disposal management plan to be submitted to and approved by the DNR, and also to be filed with the county board of health in the county where the proposed septic application site is located.

The bill requires the DNR to submit a written report to the General Assembly by January 1, 2006 regarding the land application and treatment of septage. The report shall include a county-by-county analysis of the amount of septage collected at sources in each county, the amount of septage applied to land in each county and the treatment capacity of wastewater treatment facilities in each county. The report shall include an analysis of the environmental impact of land application of septage and the fiscal impact of a statewide prohibition of the land application of septage.

## **HF 862 - Appropriations from Tobacco Funds** - See Appropriations



# ENVIRONMENT & PUBLIC HEALTH

## SF 71 - Reimbursement of Soil and Water Conservation Commissioners

JS                      *Conservation, Environmental Health*

This bill amends SF 2298 from the 2004 session. It appropriates \$250,000 from the environment first fund to the Department of Agriculture and Land Stewardship to be used to reimburse soil and water conservation district commissioners for certain administrative expenses. The reimbursements are directed to be paid within 10 days of the effective date of the bill. The bill is effective upon enactment.

# HUMAN SERVICES

## **HF 420 - Mental Health Parity**

LH

*Community Services, Supervisors*

This bill requires group health insurance plans for employers with more than 50 employees and small employers as defined in Iowa Code §513B.2, as well as public employee group plans established pursuant to Iowa Code chapter 509A, to include the same coverage benefits for treatment of a biologically-based mental illness as they include for other physically-based illnesses. Biologically-based mental illnesses are defined to include schizophrenia, bipolar disorders, major depressive disorders, schizoid-affective disorders, obsessive-compulsive disorders, pervasive developmental disorders and autistic disorders.

## **HF 538 - Child Mental Health Treatment**

LH

*Community Services*

This bill eliminates the requirement that parents relinquish custody of a child with emotional, behavioral or mental health disorders in order for that child to receive services from a psychiatric mental institution for children (PMIC). It prohibits the determination that a child is in need of assistance (ChINA) when the parents are financially unable to provide treatment. In addition, the bill directs the Department of Human Services to seek a waiver from Medicaid to provide non-facility based services to a maximum of 300 children who meet the PMIC level of care. There is a contingent effective date for the portions of the bill requiring federal approval.

## **HF 616 - De-Categorization of Child Welfare and Juvenile Justice Funding Projects**

LH

*Community Services, Supervisors*

This bill amends Iowa Code §232.288, which relates to the de-categorization of child welfare funding, to provide greater clarity and to codify current practice. County supervisors and community services personnel may be on the De-Categorization Governance Board, which coordinates the project's planning and budgeting activities. The bill clarifies that unencumbered or unobligated funds remaining at the end of the fiscal year shall not revert to the Department of Human Services, but shall remain available to the De-Categorization Governance Board until the close of the succeeding fiscal year.

## **HF 617 - Assisted Living Waiver Services**

LH

*Community Services*

This bill directs the Department of Human Services to seek a Medicaid waiver to add assisted living services to the home and community based services waiver for the elderly.

## **HF 760 - Dependent Adult Abuse**

DW

*Community Services*

This bill allows the Department of Human Services to petition the district court for an order authorizing the provision of protective services and specifies that persons previously adjudicated as incompetent are entitled to the care, protection and services under the dependent adult abuse provisions of Iowa Code chapter 235B. The bill also provides that upon a finding of probable cause to believe that dependent adult abuse has occurred and is either on-going or likely to reoccur, the court may enter the necessary orders, including temporary restraining orders, to third persons enjoining them from specific conduct.

## **HF 771 - Mental Competency Hearings**

LH

*Community Services, Sheriffs*

This bill amends Iowa Code chapter 812 to require that a hearing to determine a person's competence to stand trial must be held within 14 days of his/her arrival at a psychiatric facility for the evaluation. Currently the hearing must be held within 14 days of the filing of the order for an evaluation.

## **HF 821 - Prescription Drug Assistance Program**

LH

*Community Services*

This bill directs the insurance commissioner to create a clearinghouse to help uninsured or underinsured individuals access manufacturer-sponsored prescription drug assistance programs. It directs the commissioner to seek federal funding and, in lieu of that, appropriates \$250,000 from the Senior Living Trust Fund to pay for start-up costs.

## **HF 825 - Health and Human Services Appropriations -**

*See Appropriations*

## **HF 841 - Medicaid Reform: IowaCare Act**

LH

*Community Services, Supervisors*

This bill represents a comprehensive reform of Iowa's Medicaid program and creates new Iowa Code chapter 249J. The bill is in response to an order from the federal Department of Health and Human Services to rescind Iowa's intergovernmental transfers, the mechanism currently used to match federal Medicaid funds. The bill is contingent on federal approval.

Beginning July 1, 2005, the Medicaid program will be expanded to include adults ages 19-64 who are at or below 200% of the federal poverty level; these new participants will be eligible for certain limited benefits at the University of Iowa Hospitals and Clinics, Broadlawns Hospital and the state mental health institutes. Funds supporting those three institutions, including Polk County property tax funds



and the state papers program funds, will be used as the state match for the expansion program. The state papers programs, with the exception of the state psychiatric papers, will be eliminated effective July 1, 2005.

The expansion program is not an entitlement and enrollment or services available in the expansion program may be limited, closed or reduced depending on the availability of funds. Each expansion population member will pay a monthly premium, unless the premium is waived, and incur the same co-payments as other Medicaid program recipients.

The bill requires the Iowa Department of Human Services (DHS) to increase the level of care required for new nursing facility admissions and maintain the same level of care requirements for home and community-based waiver services. It also requires the DHS to implement by January 1, 2007 a case-mix adjusted reimbursement system for both institution-based and community-based services for persons with mental retardation or developmental disabilities.

Finally, the bill designates the state resource centers and the mental health institutes as a single state medical institution and directs the DHS to submit a waiver to the federal government to provide coverage for specified services under the Medicaid program.

## **HF 862 - Appropriations from Tobacco Funds - See Appropriations**

## **SF 75 - Veterans' Benefits**

*LH Community Services, Veterans' Affairs*

This bill appropriates \$10,000 to community mental health centers to provide counseling services to soldiers and families of soldiers who are National Guard members or reservists assigned to active duty service. Services are on a first come, first served basis and are limited to three visits per family.

In addition, the bill appropriates \$1.7 million to the Iowa Finance Authority to be used for a home ownership assistance program for persons who are eligible members of the armed forces. Eligibility also extends to surviving spouses of those who are eligible for loans under the program.

## **SF 404 - Property Tax Relief Payment**

*JS Auditors, Community Services, Supervisors*

This bill directs that a county that filed its annual financial report after December 1, 2004 but before March 15, 2005 shall be eligible for state payments for mental health property tax relief and allowed growth. The bill is effective upon enactment.

# LAND USE & RURAL AFFAIRS

## **HF 642 - Agricultural Seed**

DV

*Supervisors*

This bill prohibits counties from adopting or enforcing any local legislation regarding the production, sale or use of agricultural seed. Local legislation in violation of this section is void and unenforceable. The bill does not apply to local legislation of general applicability to commercial activity or to agricultural seed owned by a county.

The bill is contrary to the concept of county home rule, but the effect is not significant, since Iowa counties are not generally in the business of regulating agricultural seed.

## **HF 805 - Open Feedlots**

DV

*Supervisors, Zoning*

This highly technical 19-page bill creates new Iowa Code chapter 459A regulating open feedlot operations. The bill does not create any specific role for counties regarding open feedlots; it is not like confinement facilities, where counties can choose to review construction applications using the master matrix.

The bill gives the Department of Natural Resources (DNR) the authority to establish administrative rules regarding the construction and operation of open feedlot structures. It requires that applicants submit construction permit applications to the DNR and sets out the documentation that must be submitted. All construction permit applications must include a soils and hydrologic report and applicants must submit verification from an engineer that the feedlot was constructed in accordance with the approved design plans.

The bill requires applicants of open feedlots with an animal unit capacity of 1,000 animal units or more to develop and implement a nutrient management plan. The bill allows the DNR to set the construction design standards for open feedlots and establishes construction requirements for open feedlot effluent basins. It requires the use of effluent control methods and provides for civil penalties for violations of the chapter.

## **HF 834 - Private Sewage Disposal Facilities** - See *Environment & Public Health*

## **SF 206 - Deer Hunting**

JE

*Conservation, Recorders*

This bill contains various provisions intended to help manage Iowa's deer population. The bill stipulates that whitetail deer on hunting preserves are not "farm deer" that are subject to regulation by the Department of Agriculture and Land Stewardship (DALs) but are instead subject to regulation by the Department of Natural Resources (DNR).

The bill specifies that a landowner shall not keep whitetail deer unless kept as farm deer or as preserve whitetail on a hunting preserve as defined in new Iowa Code chapter 484C. The provision authorizes the DALs to regulate whitetail kept as farm deer and requires DNR to regulate preserve whitetail kept on hunting preserves.

The bill allows nonresidents to purchase an antler-less deer only hunting license for \$100 in conjunction with a nonresident antlered or any sex deer hunting license.

The bill requires a resident or a nonresident who purchases a deer hunting license to pay a \$1 fee that shall be used and is appropriated for the purpose of deer herd population management, including assisting with the cost of processing deer donated to the help us stop hunger (HUSH) program administered by the Natural Resources Commission.

The bill limits the Commission to issuing 6,000 nonresident antlered or any sex deer hunting licenses per year; after those licenses have been issued, any additional licenses issued shall be for antler-less deer only. The bill allows the Commission to determine the number of antler-less deer only hunting licenses will be available for issuance each year. It provides that all nonresident deer hunting licenses issued shall be allocated by the Commission among zones based on their deer populations.

The bill allows the Commission to continue to issue nonresident deer hunting licenses for use only during the period beginning on December 24 of each year and ending on January 2 of the following year. The bill requires a person who obtains a license to pay the \$1 fee for the purpose of deer herd population management, including assisting with the cost of the HUSH program.

The bill requires the Commission to establish by rule a deer harvest reporting system for the purpose of collecting information from deer hunters concerning the deer population in the state. Each person who is issued a deer hunting license in this state shall report specified information to the Commission.

The bill amends the definition of "farm unit" by requiring that parcels of land must be certified by the Commission to be in tracts of two or more contiguous acres which are operated as a unit for agricultural purposes and are under the lawful control of the owner or the tenant.

The bill requires the DNR to issue annually, upon application but without fee, one antlered or any sex deer hunting license and one antler-less deer only deer hunting license to the owner of a farm unit or a member of the owner's family, but only a total of two licenses for both, and to the tenant of a farm unit or a member of the tenant's family, but only a total of two licenses for both. A person who receives a free deer hunting license pursuant to this provision is required to pay a \$1 fee for the purpose of assisting with



# LAND USE & RURAL AFFAIRS

the cost of processing deer donated to the HUSH program.

The bill allows the Commission to establish a special season deer hunt for antler-less deer in counties where paid antler-less only deer hunting licenses remain available for issuance. The provisions include quotas by county and a daily limit of one deer. Qualified licensees shall pay the wildlife habitat fee. A person who violates this section is guilty of a simple misdemeanor punishable as a scheduled violation with a fine of \$100.

The bill creates new Iowa Code chapter 484C to provide for the regulation of hunting preserves by the DNR.

The bill provides for a joint study by the DALS and the DNR to consider issues relating to the keeping of whitetail farm deer and whitetail deer for hunting preserves. A joint report of the study including findings and recommendations shall be made to the government oversight committees by November 2005.

The bill creates a preserve whitetail committee to be appointed by the Governor and the director of the DNR. The committee is directed to develop recommendations for the Natural Resources Commission when considering waivers for minimum acreage requirements for preserves. Such recommendations are due to the commission by January 1, 2006.

## **SF 390 - Renewable Energy Tax Credits**

*JS*

*Supervisors*

This bill creates tax credits for the purchase of renewable energy from qualified renewable energy facilities. Qualified facilities include wind, biogas and biomass, solar and methane gas facilities that are located in Iowa and majority-owned by an Iowan or Iowa facility. The credits may be applied against income, sales, franchise, insurance premium or utility excise taxes. The amount of the credit varies depending on the type of renewable energy purchased. The credit is 1.5 cents per kWh of electricity; \$4.50 per million BTUs of methane or other biogas; and \$1.45 per 1,000 cubic feet of hydrogen. The Iowa Utilities Board is charged with administering the program. Approved applicants will receive the credit for up to seven years, and the credit is transferable. The bill caps the maximum capacity that can be certified for the credit at 90 megawatts for wind farms and 10 megawatts for other facilities.

# PUBLIC SAFETY

## **HF 440 - Motor Vehicle Operating Privileges**

JE

*Sheriffs, Treasurers*

This bill provides that a court may order suspension of a person's driver's license or nonresident operating privilege in lieu of, or in addition to, any other penalty which may be imposed upon a second or subsequent conviction for theft of motor fuel not exceeding \$200 in value from a retail dealer. In a case of extreme hardship, the person whose driver's license was ordered suspended may petition the district court which has jurisdiction over the person's residence for a temporary restricted license to drive from the person's home to specified places involving employment, health care, education, substance abuse treatment or court-ordered community service. A temporary restricted license applies only to noncommercial motor vehicle operation.

Under current law, theft of property not exceeding \$200 in value is a simple misdemeanor, punishable by a fine of at least \$50 but not more than \$500, imprisonment for no more than 30 days or both.

## **HF 476 - Ammonium Nitrate Sales**

DV

*Sheriffs*

This bill regulates the sale of ammonium nitrate by fertilizer dealers. The concern is that ammonium nitrate can be used to make a bomb, which happened in the Oklahoma City Courthouse bombing.

The bill requires a retailer who sells ammonium nitrate to store it in a secure location, to sell it only to a purchaser with a valid identification and to maintain records of each sale. The bill makes it a serious misdemeanor to intentionally present false identification when purchasing ammonium nitrate.

## **HF 682 - Deferred Judgments**

DV

*County Attorneys*

This bill creates a criminalistics laboratory fund as a separate fund in the state treasury under the control of the Department of Public Safety. It provides that upon the entry of a deferred judgment, a defendant shall be assessed a civil penalty in an amount not less than the amount of the criminal fine for the offense. The additional money collected goes to the state general fund. This concept, which came from the Iowa County Attorneys Association, was an ISAC priority, even though all the money goes to the state.

## **HF 716 - National Incident Management System (NIMS)**

DV

*Emergency Management*

This bill amends the duties of the homeland security and emergency management division within the Department of Public Defense. Previously, the division had been given

the duty to "develop, implement and support a uniform incident command system...." That has now been changed to "implement and support the national incident management system as established by the United States Department of Homeland Security..." The bill strikes a requirement that the system developed shall be consistent with the requirements of (OSHA).

## **HF 717 - Traffic Signal Preemption Devices**

DV

*Sheriffs*

Traffic signal preemption devices are capable of changing traffic lights to green out of sequence. This bill makes the possession or use of traffic signal preemption devices a simple misdemeanor with a minimum fine of \$250.

## **HF 757 - Disposition of Abandoned Vehicles**

JE

*Engineers, Sheriffs, Supervisors*

This bill amends several provisions in Iowa Code §321.89 relating to the disposition of abandoned vehicles. Under current law, a police authority's expenses related to the custody and disposal of an abandoned vehicle are paid from proceeds from the sale of the vehicle, with any excess amount paid from the road use tax fund. Private entities hired by local authorities to take custody of abandoned vehicles must make a claim to local authorities for reimbursement of their expenses from moneys available from the road use tax fund. The bill requires the Department of Transportation (DOT) to establish procedures for reimbursing expenses to private entities, and requires police authorities to file claims with the DOT for reimbursement of towing fees to private entities, to be paid from the road use tax fund.

The bill amends the definition of "demolisher" to specify that it means a person licensed as a vehicle recycler. The current provision that allows for disposal of an abandoned vehicle to a demolisher is amended to eliminate the requirement that the vehicle be in an inoperable condition or have a value of less than \$500. A police authority or private entity that complies with certain notification procedures may dispose of any vehicle to a demolisher without public auction.

The bill strikes the requirement that a police authority which takes custody of an abandoned vehicle constituting a traffic hazard must file a report describing the hazard with the authority in control of the highway.

The bill also strikes a provision that allows the owner of a vehicle and any lien holders or claimants to obtain a five-day extension to the 10-day period allowed for reclaiming a vehicle or personal property that has been taken into custody.



## **HF 771 - Mental Competency Hearings** - See Human Services

## **HF 777 - Infectious Diseases**

DV

*Sheriffs*

This bill amends existing Iowa Code §356.48 regarding the testing of jail prisoners who attempt to spread contagious or infectious diseases. First, the statute is expanded to apply to all those in the custody of a peace officer, rather than just those in jail. Second, the bill amends the definition of "contagious or infectious disease," which now cross-references the definition in Iowa Code §141A.2. Third, now a "potentially infected person" may apply to the court for an order compelling the testing. Finally, any "potentially infected person" now must take appropriate measures to prevent the transmission of the disease to other persons.

## **HF 826 - Speed Limits**

DV

*Sheriffs*

This bill raises the speed limit on all interstates to 70 miles per hour; however, it allows the Department of Transportation (DOT) to lower the speed limit on any interstate on its own motion or in response to a recommendation from a metropolitan or regional planning commission or a council of governments.

The fee for court costs in scheduled violation cases is raised from \$17 to \$30.

The scheduled fine for speeding in speed zones greater than 55 miles per hour is raised:

- if not more than five miles over the speed limit – from \$10 to \$20.
- if 6-10 miles over the speed limit – from \$20 to \$40.
- if 11-15 miles over the speed limit – from \$40 to \$60.
- if 16-20 miles over the speed limit – from \$60 to \$80.
- if more than 20 miles over the speed limit – from \$60 to \$90, plus \$5 for each mile over 20 miles per hour over the speed limit.

## **HF 828 - Boat and Watercraft Regulations** - See County Administration & Organization

## **SF 169 - Methamphetamine Precursors**

LH, DV Community Services, County Attorneys, Sheriffs

This bill regulates substances that are precursors to amphetamine and methamphetamine. This bill restricts the purchase of pseudoephedrine without a prescription to one 360 milligram package within 24 hours or 7,500 milligrams within a 30-day period. The bill makes the pur-

chase of more than 7,500 milligrams in a 30-day period a serious misdemeanor. The sale of products that contain more than 360 milligrams of pseudoephedrine is restricted to sale by pharmacies, while those products with 360 milligrams or less may still be sold by retailers other than pharmacies. Retailers must keep the product in locked cabinets or behind the sales counter, require purchasers to present government-issued photo identification, require purchasers to legibly sign a log book and print their names and addresses, match the photo identification to the logbook and maintain the logbook for 12 months from the date of purchase.

This law makes ephedrine a Schedule V controlled substance and also preempts any local ordinances adopted to regulate the display or sale of products containing pseudoephedrine.

The bill provides that a city or county may enforce the provisions of this bill if certain procedural requirements are followed. The Iowa Attorney General has construed this language to mean that a county attorney may initiate an action in district court.

The section of this bill that makes ephedrine a Schedule V controlled substance is effective upon enactment.

## **SF 283 - Department of Public Safety Duties**

DV

*Sheriffs*

This bill relates to the practices and procedures of the Department of Public Safety (DPS). The bill expands the list of the department's duties to state that the DPS "shall be primarily responsible for the enforcement of all laws and rules relating to any controlled substance or counterfeit substance."

The bill rewrites Iowa Code §80.24, a provision regarding the use of DPS peace officers. Previously the law had stated that they could only be used in industrial disputes if actual violence has occurred. Now the law is rewritten to say that they may be used in industrial disputes if there is the threat of imminent violence. The governor still has to approve such use.

The same section expands that Iowa Code section to provide that DPS peace officers may now be used in any municipality, even without an industrial dispute, if there is the threat of imminent violence and the governor approves such use.

# TAXATION & FINANCE

## **HF 187 - Utility Replacement Tax Task Force**

WRP

*Auditors, Supervisors, Treasurers*

This bill extends the continuation of the Utility Replacement Tax Task Force through January 1, 2008. It also designates the directors of the Department of Management (DOM) and the Department of Revenue (DOR) as co-chairpersons of the task force. Specific recommendations from the task force for modifications to the replacement tax are to be transmitted to the General Assembly by the DOM.

## **HF 374 - Veterans' Issues** - See County Administration & Organization

## **HF 438 - Soil and Water Conservation District Assessments**

WRP

*Supervisors, Treasurers*

This bill amends Iowa Code chapter 161A, relating to soil and water conservation districts, which are usually organized on a county basis. A conservation district may include sub districts and sub districts may have a territory within several counties (see division III of the chapter). A district is administered by a board of five commissioners called the "governing body." When a sub district is located in more than one district, the combined boards of commissioners for the affected districts constitutes the governing body for that sub district (see Iowa Code §161A.19).

Iowa Code chapter 161A includes a number of provisions relating to assessments levied upon landowners in a district which are used to benefit the district and finance improvements. An assessment is levied against the benefited property by the county board of supervisors, paid together with any accrued interest or delinquency penalty to the county treasurer, and then deposited in a dedicated account in the county's general fund on behalf of the conservation district. This bill provides that an assessment and any accrued interest or delinquency penalty shall be deposited in a fund established by the district's governing body pursuant to a resolution adopted by the commissioners and delivered to each appropriate county treasurer. The bill also provides that if the commissioners fail to adopt and deliver such a resolution, the moneys shall be deposited into a separate account in the county's general fund.

## **HF 589 - Property Taxation of Nursing Homes**

JS

*Assessors*

This bill provides that a nursing facility which is exempt from federal income tax as a 501(c)(3) organization and meets the other qualifications for exemption shall be fully exempt from property taxes, regardless of the proportion of residents of the facility for whom the cost of care is paid by Medicaid or privately paid. It essentially prohibits assessors from denying a full exemption to a nursing facility solely on the basis of the source of payment for care provided to its

residents. The bill is effective upon enactment and applies to property taxes payable in fiscal years beginning on or after July 1, 2005.

## **HF 607 - Township Emergency Services**

JS

*Auditors, Supervisors*

The bill provides that if a township in Polk County has in place, as of July 1, 2006, an agreement to receive emergency services from a city or another township, the board of supervisors shall be responsible for negotiating and entering into an agreement for continued emergency services for that township for fiscal years beginning on or after July 1, 2007. The bill also applies the township levy rate limitations to counties that are responsible for levying for emergency services protection for their townships. The bill is effective upon enactment and retroactive to January 1, 2005.

## **HF 708 - Rural Improvement Zones**

WRP

*Supervisors*

This bill provides that a county with a population of less than 20,000, based on the 2000 federal census and not counting persons admitted or committed to an institution under the control of the Department of Human Services or the Department of Corrections, may qualify to establish a rural improvement zone.

## **HF 868 - Grow Iowa Values Fund**

LH, JS

*All County Officials*

This bill creates the Grow Iowa Values Fund in the Department of Economic Development (DED) and includes various other provisions, including some related to property taxes.

The bill includes various tax credits and incentives and delineates the following programs:

- a business resource center program for micro-enterprises in towns with populations of 50,000 or less.
- economic development regions;
  - a regional development plan must be approved by DED to receive funds.
- small business development centers;
- a business accelerator program;
- cultural and entertainment districts and tax credits;
- workforce training and economic development funds; and
- the Iowa great places initiative.

In addition, the bill amends the definition of a "qualified community foundation" for Endow Iowa from one that "meets or exceeds" national standards to one that "substantially complies" with national standards. It also broad-



# TAXATION & FINANCE

ens the definition of "charitable purpose" as it relates to charitable organizations eligible to receive funds from a community foundation.

The bill establishes a cost share program with retailers for equipment changes needed to sell E-85 blended gasoline and makes changes to the excise tax on the fuel.

The bill authorizes two or more local governments to create a port authority for the purpose of encouraging economic development. The bill includes provisions stipulating the powers and duties of the port authority, outlining its governance structure and membership, and establishing various other requirements.

The bill appropriates \$10,000 to Community Mental Health Centers to provide counseling services to members, and their families, of the National Guard or reservists assigned to active duty. Services are on a first come, first served basis and are limited to three visits per family. In addition, \$1.7 million is appropriated to the Iowa Finance Authority to be used for a home ownership assistance program for persons who are eligible members of the armed forces. Eligibility also extends to surviving spouses of those who are eligible for loans under this program.

The bill creates a statewide property assessment appeal board. A property owner or an assessor who wishes to appeal a decision of the local board of review may appeal to the statewide appeal board or directly to district court. Decisions of the statewide appeal board may be appealed to district court, but the court's jurisdiction is restricted to correcting errors of law. The bill outlines the membership of the new board, and establishes various powers, duties and requirements.

Finally, the bill requires assessors to value property in accordance with rules and guidelines established by the Department of Revenue (DOR). If the DOR finds that an assessor has "willfully disregarded" those rules, the director may take steps to withhold up to 5% of the homestead credit reimbursement until the assessor becomes compliant. The DOR shall notify the assessor and each member of the conference board when it determines that its rules and guidelines have been willfully disregarded, and shall allow for a period of time to come into compliance prior to withholding the homestead credit reimbursement.

## **SF 78 - Tax Exemption During Annexation**

JS

*Assessors, Auditors*

Current law allows a city to exempt from taxation a portion of newly annexed property valuation according to a five-year schedule outlined in Iowa Code §368.11. This bill extends the schedule from five to 10 years, maintaining the phased-in exemption amounts so that each exemption level applies for two years instead of one year. The bill is effective upon enactment.

## **SF 265 - County Treasurers' Duties**

JE

*Treasurers*

This bill makes various changes to the delinquency deadlines for special assessments to conform them to other provisions of the Iowa Code. It deals with duties relating to payment of property taxes, titling procedures for manufactured and mobile homes, duplicate application procedures, and tax sales.

During the 2002 and 2004 legislative sessions the Legislature amended the Iowa Code to extend the deadline to pay property taxes without late interest to the next business day if the deadline fell on a Saturday, Sunday or holiday. The bill amends Iowa Code §§311.18, 317.21, 384.60 and 384.65 to make a similar change to the deadline for paying special assessments.

The bill provides that the owner of a manufactured or mobile home shall apply for a certificate of title in the county where the home is located. This change expedites the transfer process for the customer by immediately transferring the title and obtaining the ownership document in the county where the tax information is available. The change allows for instant verification that taxes are paid current and for owner information to be documented in the county responsible for sending out tax information.

The bill amends Iowa Code §321.42 to waive the five-day waiting period required to obtain a duplicate title if the applicant is a lien holder. In most cases the vehicle has already been sold and this will expedite obtaining the title when the lien has been satisfied.

Currently a county treasurer may require taxes to be paid electronically through the treasurers' authorized website when the amount owed exceeds \$100,000; the bill reduces that threshold to \$50,000.

The bill provides that insufficient funds on payments made electronically may be treated the same as on payments made via a paper check so that the insufficient check charge is applicable to electronic funds transfer payments.

The bill removes the minimum payment amount requirement when accepting partial payments. It provides that taxpayers may make multiply payments on current and delinquent taxes.

The bill amends Iowa Code §445.5(2) to clarify existing language that allows the county treasurer to charge a reasonable fee, not to exceed the cost of producing the information, when the requestor is a mortgagee, financial institution organized or chartered holding an authorization certificate pursuant to Iowa Code chapters 524, 533, or 534, or federally chartered financial institutions.

The bill allows a treasurer, upon written request, to deliver a tax statement to a person or entity other than titleholder.



# TAXATION & FINANCE

The provision specifies that no fee will be charged by the treasurer in this case.

The bill provides that the percentage a tax sale purchaser designates to pay toward the full amount of delinquent taxes shall not be less than one percent.

Current code allows a county to adopt an ordinance authorizing the county and cities to bid on and purchase delinquent taxes on abandoned properties and to assign the tax sale certificate to a person who intends to rehabilitate the property. The bill adds "vacant lots" to the type of property to which the ordinance pertains, and defines the terms "abandoned property" and "vacant lot."

The bill amends various tax sale provisions to clarify existing standards and establish new standards related to tax sale titles. It consolidates actions to challenge tax sale titles under Iowa Code §§447.8 and 448.6. Iowa Code §446.37 is amended to state that if the "affidavit of notice of expiration of right of redemption" has been stayed, the time period for filing the affidavit shall not expire until the later of six months after the stay has been lifted or three years from the time of the tax sale. The cost of a record search is included in the cost to redeem with limitations. The provisions clarify and expand existing code language relating to actions to challenge tax sale deeds and statutes of limitations applicable to the time limits for filing

The bill is effective upon enactment. The amendment to Iowa Code §446.37 applies to tax sale certificates in existence before, on and after the effective date of the bill, while the remainder of the bill applies to parcels sold at tax sales on or after June 1, 2005.

## **SF 365 - Enterprise Zone Certification Deadline**

JS

*Supervisors*

Currently, a city or county may apply to the Department of Economic Development by July 1, 2005 for an area to be certified as an enterprise zone. This bill extends the deadline to March 1, 2006.

## **SF 390 - Renewable Energy Tax Credits - See Land Use & Rural Affairs**

## **SF 413 - Department of Revenue Policy Bill**

JS

*Assessors, Auditors, Supervisors*

This bill makes a number of changes to sales, income, property and hotel/motel tax policies.

The bill makes the sale of lottery tickets subject to local option taxes and requires entities that collect state sales tax to also collect local option sales taxes even if the entity has no "physical presence" in the local jurisdiction. The bill also strikes the state and local option sales taxes on

the rental of hotel and motel rooms and reconstitutes each as excise taxes. The taxes are to be imposed on the same basis and with the same exemptions as current law, so existing local hotel/motel taxes are unaffected by the change. These amendments are intended to help Iowa conform to the nationwide Streamlined Sales Tax Project.

The bill requires that a local hotel/motel tax shall be imposed only on January 1 or July 1 and repealed only on June 30 or December 31 of a year; previously, the tax could also be imposed on April 1 or October 1 and repealed on corresponding dates.

The bill strikes a redundant requirement for the Department of Revenue (DOR) to estimate the percent of the homestead credit which will be funded by the state appropriation. It allows boards of supervisors to abate the taxes levied against property acquired by gift by a tax-exempt entity if the acquisition occurred after the deadline for filing for exempt property status. The bill strikes a requirement that the conference board consider the physical condition, general reputation and fitness of a candidate to become an assessor. The bill requires the conference board to notify the assessor in writing at least 90 days prior to the end of his or her term if the board intends not to reappoint the assessor to another term; failure to meet that deadline results in automatic reappointment. The bill allows the director of the DOR to waive certain continuing education requirements for assessors if good cause exists. The bill explicitly allows property owners to combine on one form multiple assessment appeals if they are appealing based on the same grounds for each property. If a taxpayer chooses to appeal a decision from the board of review, he or she must give notice of the appeal within 20 days after the adjournment of the board or by May 31, whichever is later. The bill imposes criminal penalties for an assault on certain employees of the DOR when performing department assignments.

Finally, the bill requires the Linn County board of supervisors to abate the property taxes levied against an educational facility which did not file for exemption.

The portions of the bill deleting the exemption from local option sales taxes for lottery tickets and deleting the "physical presence" requirement are effective upon enactment and apply retroactively to July 1, 2004. The portions of the bill relating to assessment appeals apply to protests filed on or after January 1, 2006. The portion of the bill relating specifically to Linn County is effective upon enactment and applies retroactively to property taxes payable in the fiscal years beginning July 1, 2004 and July 1, 2005.



# TRANSPORTATION

## **HF 216 - Motor Vehicle Regulations**

*JE Engineers, Sheriffs, Supervisors, Treasurers*

This bill amends provisions relating to the regulation of motor vehicles by the Department of Transportation (DOT).

The bill eliminates obsolete provisions relating to temporary restricted and restricted drivers' licenses for minors. The amendments reflect that a person under age 18 must be attending a public or nonpublic school, competent private instruction, alternative school or adult education classes to be eligible for a driver's license. Minors who have been issued a restricted license under current law will retain that license, subject to the conditions and restrictions that currently apply.

The bill defines bona fide residence, bona fide address and bona fide business address for the purpose of administering motor vehicle laws. The bill eliminates the obsolete term "remanufactured vehicle" from the Iowa Code.

The bill allows county officials who issue drivers' licenses, motor vehicle registrations and titles to administer oaths and acknowledge signatures, as DOT officers and employees do, for the purpose of administering motor vehicle laws.

In order to comply with federal requirements, the bill makes several changes to provisions relating to drivers of commercial motor vehicles. It allows for the retention of records of convictions or revocations for operating while intoxicated for purposes of disqualifying actions. The exemption from commercial driver licensing requirements for military personnel operating United States military equipment is broadened to include certain National Guard and United States coast guard personnel. The bill establishes a \$10 fee for a school bus endorsement for a driver's license. It requires the DOT to file accident and conviction reports received from other jurisdictions and to use them when considering applications for renewal of licensure. The bill authorizes the DOT to use a conviction or administrative decision from another state as grounds for disqualification from operating a commercial motor vehicle in this state. It also mandates disqualification from operating a commercial motor vehicle for specified periods of time based on a conviction or administrative decision for certain offenses committed in another state. The bill strikes the exemption for special trucks from inspections required under motor carrier safety rules; a special truck is a motor truck or truck tractor with a gross weight of 6-32 tons used in connection with farming.

The bill requires the owner of a specially constructed or reconstructed vehicle to title and register the vehicle within 30 days of state inspection. The owner of a vehicle subject to bonding requirements must register the vehicle within 30 days of receipt of authorization from the DOT. The bill makes changes to reflect that motor vehicle title and registration information will appear on the front rather than the

reverse side of motor vehicle registration receipts, registration cards and junking certificates.

The bill allows special ex-prisoner of war motor vehicle registration plates to be issued to the owner of a motor vehicle who was a prisoner of war during any time of military conflict, rather than during specified wars and conflicts. The bill requires a vehicle that has been assigned by the DOT a distinguishing number in lieu of a serial number to be titled and registered within 30 days of issuance of the number. The bill replaces in-transit stickers with permits to be issued to automobile dealers moving vehicles between Iowa and another state.

The bill stipulates that special minor drivers' licenses, which are issued to persons 14 to 18 years of age to drive to and from school, may be used for driving from the person's residence to the closest school bus stop or public transportation service. The bill also requests the legislative council to establish an interim study committee to consider and report on special minor drivers' licenses.

The bill extends the validity of commercial and chauffeur drivers' licenses for six months following a person's separation from active duty in military service. This benefit is currently available to holders of valid noncommercial drivers' licenses.

The bill specifies that the flashing light used on a towing or recovery vehicle or a utility, municipal or highway maintenance vehicle may be amber in color. It provides that a privately owned towing or recovery vehicle may be designated by the DOT as an authorized emergency vehicle. The vehicles shall display flashing red or white lights during an emergency or flashing blue lights when authorized for use by a fire department. The bill specifies that modulating headlamps that conform to federal regulations are permitted on motorcycles.

The bill provides that instead of citing the taxi driver, a law enforcement officer shall cite the parent, legal guardian or other responsible adult traveling with a child in a taxicab when a violation of child restraint requirements occurs.

The bill eliminates a permit requirement for vehicles exceeding the maximum height limit of 13 feet 6 inches. A maximum height of 14 feet still applies to a vehicle or combination of vehicles coupled together and transporting other vehicles.

The bill makes a technical amendment to remove the requirement that a statement on the purchase order for a motor vehicle advising the purchaser that liability insurance is not included in the purchase must be in a distinctive color of ink. The new language requires that the statement be printed or stamped conspicuously on the purchase order.

The bill lifts the restriction that 72-hour trip permits, which are issued to commercial vehicles registered out-of-state,



# TRANSPORTATION

may only be used for interstate commerce. The bill specifies that the 72-hour permit cannot be substituted for a permit required in this state for a vehicle of excessive size and weight. The bill also reduces the duration of a fleet owner's authority to operate a commercial vehicle under a temporary permit from 90 days to 60 days.

The bill eliminates the requirement that removable windshield placards issued to organizations or persons providing transportation to elderly or disabled persons must be replaced every four years. The bill also strikes the requirement that the DOT compile and provide a list of vendors who sell wheelchair parking cones.

Finally, the bill allows refunds of motor fuel taxes for fuel used in taxicabs under contract with an Iowa urban transit system when used to provide transportation services for certain specified purposes.

**HF 440 - Motor Vehicle Operating Privileges** - See *Public Safety*

**HF 466 - Transportation Appropriations** - See *Appropriations*

**HF 581 - Interstate Pipelines**

*JE*

*Engineers, Supervisors*

This bill concerns the regulation of interstate pipelines, pipeline companies and the underground storage of gas by the utilities division of the Department of Commerce. It strikes the utilities board's authority over the interstate transportation of natural gas and the protection of landowners and tenants from the construction, operation or maintenance of a pipeline in this state. The bill repeals a provision restricting the construction of pipelines along highways, waters, and streams, and repeals other restrictions on construction inspections of interstate pipelines.

The bill provides that the utilities board should only act as an agent for the federal government and not directly regulate interstate pipelines. The board shall continue to inspect the construction, maintenance and condition of pipelines and underground storage facilities and collect fees for inspection.

**HF 591 - DOT Highway Policy**

*JE*

*Engineers, Supervisors*

This bill makes changes to various transportation-related provisions of the Iowa Code. It strikes the requirement that the state transportation commission approve the Department of Transportation (DOT)'s budget before it is submitted to the Governor and the General Assembly. It also strikes the requirement that the DOT conduct a quadrennial need study of state park and institution roads. The bill

provides that road use tax funds allocated for state institutional and park roads be apportioned based on specific percentages.

The bill allows a truck tractor to have a box, deck or plate for carrying freight mounted on the frame behind the cab and forward of the fifth-wheel connection point.

The bill changes the application of the vehicle weight tables. The maximum weight table for interstate highways is applied to all primary highways; the maximum weight table for non-interstate highways applies to all non-primary highways. Additionally, the weight tables will now apply to transportation of equipment as well as materials.

The bill strikes a provision authorizing the DOT to make rules governing the use of all-terrain vehicles (ATV) on streets and highways, and strikes a redundant provision allowing cities to designate streets for ATV use. It also allows the DOT to issue permits to state agencies, counties or cities to allow ATVs to cross primary highways.

Finally, the bill requires a motor carrier owner or driver to carry evidence of interstate authority and allows for a citation and penalty upon violation of the requirement.

The portion of the bill amending vehicle weight tables is effective upon enactment.

**HF 674 - Secondary Road Fund Distribution Advisory Committee**

*JE*

*Engineers, Supervisors*

This bill amends Iowa Code chapter 312 to provide a new methodology for distributing moneys in the secondary and farm-to-market road funds to counties.

The bill strikes the need and area allotments, including the quadrennial need study report, currently used to apportion the road use tax revenues credited to the secondary and farm-to-market road funds. These sections are amended to apportion the moneys according to the new distribution methodology adopted pursuant to Iowa Code §312.3C.

The bill strikes the General Assembly as the entity designated to consider and adopt a method for distributing moneys in the secondary and farm-to-market road funds. Instead, the secondary road fund distribution committee, no longer an advisory committee, will develop the methodology for distributing such moneys and is granted rulemaking authority to formally adopt the methodology. The application of the new distribution methodology is to be phased in over five years, beginning July 1, 2006.

Using the new methodology, the Iowa County Engineers Association Service Bureau (ICEASB) computes the distribution. The bill directs the ICEASB to annually compute and report the county distributions to the secondary road



# TRANSPORTATION

fund distribution committee, the Department of Transportation, the treasurer of state and the counties.

## **HF 718 - Refunding Motor Vehicle Registration Fees**

JE

*Treasurers*

This bill allows motor vehicle owners who move out of state to receive a refund for the unexpired portion of their registration fees. The claim for a refund shall be made by returning the Iowa registration plates, along with evidence of the vehicle's registration in another jurisdiction, to the county treasurer within six months of the issuance of the out-of-state registration. The effective date of the new registration shall be used as the basis for calculating the unexpired portion of Iowa registration fees. The date that the registration documents are received by the county treasurer shall be considered the filing date for the claim for purposes of the current requirement that the Department of Transportation has until the last day of the month following the month in which the claim is filed to issue a refund. Pursuant to current law, refunds are not allowed for amounts less than \$10.

## **HF 757 - Disposition of Abandoned Vehicles** - See Public Safety

## **HF 879 - Snowmobiles**

JE

*Recorders*

This bill makes numerous changes to provisions relating to the ownership and use of snowmobiles, as regulated by the Department of Natural Resources (DNR). The bill amends the definition of snowmobile to exclude all-terrain vehicles which have been altered or equipped with skis, belt-type tracks or treads. The amended definition also specifies that an endless belt-type tread on a snowmobile may not be wider than 48 inches.

The bill makes changes regarding the display of current annual user permits. It provides for electronic registration of snowmobiles through county recorders and allows lifetime registration of snowmobiles that are more than 30 years old for a one-time fee of \$25.

The bill creates new Iowa Code §321G.4A, which requires a nonresident to obtain a user permit to operate a snowmobile in this state. The permit applies only to the snowmobile for which it is issued, is not transferable and is valid for the calendar year. The scheduled fine of \$20 that currently applies to registration violations also applies to user permit violations. A user permit may be obtained from a county recorder or license depository for a fee of \$15, plus an administrative fee established by the natural resource commission and a \$1 writing fee to be retained by the recorder or depository. Writing fees retained by the recorder shall be deposited in the general fund of the county. User permit fees are to be deposited in the special snow-

mobile fund, along with snowmobile registration fees. The bill also makes a corrective amendment to allow for registration of a snowmobile for the remainder of the year, plus the following year in one transaction, upon payment of a combined fee of \$20 plus a writing fee.

The bill requires the DNR to develop and maintain an electronic system for renewal of snowmobile registrations by license agents. Electronic registration renewals could be issued by county recorders or license agents for the annual fee of \$15, plus an administrative fee to be established by the natural resource commission and a writing fee of \$1.25 for a county recorder or \$1 for a license agent.

Finally, the bill expands the description of the types of public areas that are off-limits for snowmobile operators.

## **SF 141 - Aboveground Petroleum Storage Tanks**

JE

*Engineers, Environmental Health, Supervisors*

This bill relates to reimbursing owners of aboveground petroleum storage tanks for costs associated with the upgrade or permanent closure of the tanks.

Currently, a tank owner may receive reimbursement if the tank contains petroleum, the tank site was registered with the state fire marshal by January 1, 2004, and certain other time-sensitive criteria are met. The time-sensitive criteria include: upgrade expenses must be incurred by February 18, 2005; permanent closure activities must occur by February 18, 2005; tanks must be empty by February 18, 2005; and tanks must meet certain federal and state requirements by February 18, 2005. The bill changes the February 18, 2005 date to December 31, 2005 in each case.

## **SF 339 - Regional Transit Districts**

JE

*Supervisors*

The bill provides that regional transit district commission members shall serve staggered six-year terms unless the Iowa Code chapter 28E agreement creating the district provides otherwise. The bill provides that the 28E agreement may authorize a regional transit district commission to levy the transit district property tax at different rates within the participating cities and counties sufficient to meet the revenue responsibilities of each jurisdiction. The bill further provides that a participating county which is allocated revenue responsibilities in a regional transit district budget is not required to deduct the amount of its revenue responsibilities from the general basic or rural basic fund of the county if the county is meeting its revenue responsibilities from a non-property tax revenue source.

The bill clarifies that when a county enters into a 28E agreement creating a regional transit district, it does not create a duty on the part of the county to provide transit services to any area of the county.

# TRANSPORTATION

## SF 340 - Motor Vehicle Registrations, Delinquent Parking Fines and Civil Penalties

*JE Auditors, Supervisors, Treasurers*

This bill authorizes county treasurers to enter into agreements with cities to collect delinquent parking fines when a person renews a motor vehicle registration. If allowed by city ordinance, a city may pay the county treasurer a reasonable fee or allow the treasurer to retain a portion of the fines collected on behalf of the city. The bill specifies procedures for cities to pay for programming costs associated with participating in collection agreements. The bill authorizes a county treasurer to refuse to renew the vehicle registration of a person owing delinquent parking fines to the county or to a city with which the county has an agreement. However, delinquent parking fines could not prevent the issuance of new registrations or transfers of registration. The bill specifies that county treasurers may use the Department of Transportation (DOT)'s registration and titling system to facilitate the collection of parking fines. (County treasurers currently use the system to perform duties relating to motor vehicle registrations.) A parking fine which is under appeal would not be collectible by the county treasurer. In addition, a county treasurer could renew a registration if it is apparent that an error was made by the county or city in identifying a vehicle involved in a parking violation.

The bill allows a county treasurer authorized to issue drivers' licenses to collect specified civil penalties along with a processing fee of five dollars. The funds collected from the five dollar processing fee shall be placed into the county general fund and the balance of fees and all civil penalties be paid to the DOT.



## 2004 Legislative Vote Record

The Iowa General Assembly's 2004 session contained several issues of importance to counties. State lawmakers and Governor Vilsack made decisions that will have lasting impacts on county officials and the citizens and taxpayers they serve. This record is designed to help county officials see how their legislators voted on items of importance to the ISAC membership.

### Important Unrecorded Votes Cannot Be Included

In order to be fair to your legislators, it is imperative to remember that many important votes are unrecorded. By its nature, this record obviously cannot reflect significant policy decisions where no recorded vote was taken such as caucus votes or bills dying for lack of a committee vote. Often times, the rough and tumble world of caucus votes is where major policy decisions are made behind closed doors. For example, some important caucus votes that were favorable to county officials include defeat of the property tax limitation bills (HSB 718 and SF 2297), and rejection of the House Appropriations Committee amendment to SF 2298 to repeal the ability to prorate the property tax credits. County officials will have to talk to their legislators to find out details of those votes.

### Bills That Passed With Unanimous Votes

The tables do not include votes on each and every issue ISAC and its affiliates worked on. Many bills representing a lot of important work for ISAC staff and lawmakers were passed with unanimous votes or near-unanimous votes. Among those key bills are:

- HF 2541 – Utility replacement taxes (100-0 and 49-0)
- HF 2471 – Out of state prisoners (95-0 and 46-2 – Sens. Hatch and McCoy (both D – Polk dissenting)
- SF 2289 – Treasurers' Clean-Up (98-0 and 49-0)
- SF 2270 – Recorders' Clean-Up (99-0 and 47-0)
- HF 2434 – E911 (99-0 and 49-0 – different versions)

### Bills Included On Both House And Senate Tables

HF 593-Technical Elections Changes – The county auditors proposed this legislation and worked on it in the legislative process for four years. The bill makes township trustee elections non-partisan and allows nominating petition signatures to be on both sides of the paper. It removes a requirement to rotate judgeship retention elections if only one county is involved and removes a requirement that a majority of precinct board members be present at the polling place at all times during election day. The bill permits polls to open at noon for unincorporated areas and it changes poll closing from 9pm to 8pm. ISAC registered *for* the bill.

HF 2404-Consolidated Cities and Counties – HF 2404 makes changes relating to alternative forms of county and city government. It establishes various standards and procedures for city-county consolidations or changes to community common-

wealths. Because our concerns with a similar bill in 2003 were corrected this year, ISAC registered *neutral* on this bill.

HF 2433-Driver's License Fees – This bill increases the county portion for each driver's license or non-operator's identification card from \$5 to \$7 per issuance. It also provides for a periodic study of issuance costs by the state auditor at DOT expense and requires appropriate adjustments in the county share. ISAC registered *for* the bill.

HF 2537-MH/DD Redesign – This bill continues work on the redesign of the MH/DD Service System in Iowa and remained one of ISAC's top priorities in 2004. ISAC registered *for* this bill.

HF 2544-Auditors' Real Estate Records – Because this legislation has a rocky history, its passage represents three years of hard work by the county auditors. The bill clarifies that the \$5 fee for each property transfer described in a deed includes any instrument that unconditionally conveys real estate. HF 2544 requires counties to adopt an indexing system for each real estate parcel, and it requires where a life estate is terminated, a change of title be provided to the county recorder where the real estate is located. ISAC registered *for* the bill.

HF 2569-Sheriffs' Surcharge – This legislation directs that upon approval by the board of supervisors, a \$5 surcharge be added to fines or forfeitures from citations issued by the sheriff. The revenues from the surcharge shall be deposited in the county general fund. ISAC registered *for* the bill.

SF 2269-Help America Vote Act – This legislation updates various election, absentee voting and voter registration procedures to comply with the Help America Vote Act of 2002. It requires the Secretary of State to implement a statewide voter registration system by January 1, 2006. ISAC registered *for* the bill.

SJR 2010-"People's Right To Vote" – This joint resolution proposes a constitutional amendment to require Iowa voters to ratify any tax or fee increase that creates revenue above a certain level before the increase can take effect. The resolution must be approved by the next General Assembly and the voters at the subsequent general election in order for it to become part of the Iowa Constitution. ISAC strongly supports the concept of representative government and encourages the preservation of flexibility for elected officials to best represent the people who elect them. Because SJR 2010 is counter to this policy direction, ISAC registered *against* it.

### Amendment On House Table Only

H-8510 to HF 2574-Assessors' Appeal Costs – HF 2574 was initially a Department of Revenue technical bill. The House Appropriations Committee attached a provision that requires assessors to pay court costs when an assessment is reduced on appeal by 10% or more. H-8510 was a proposed floor amendment to strike that provision and return the bill to a solely technical subject matter. ISAC was *for* the amendment, which failed by a vote of 43-56. The bill later passed the House with a similar assessor payment mandate attached, but was not taken up by the Senate.



The Iowa House of Representatives		Record Roll Call on Selected Bills and Amendments																	
Bill Title		Elections Omnibus		Consolidated Cities & Counties		Treasurers D.L. Fee		MH-DD Redesign		Auditors Real Estate		Sheriffs Surcharge		Help America Vote Act		"People's Right to Vote"		Assessment/ Appeal Costs	
Bill Number		HF 593		HF 2404		HF 2433		HF 2537		HF 2544		HF 2569		SF 2269		SJR 2010		H-8510 (HF 2574)	
Final Result		vetoed		signed into law		signed into law		signed into law		signed into law		signed into law		signed into law		referred to next GA		bill died in Senate	
ISAC Position		For		Neutral		For		For		For		For		For		Against		For	
Vote Tally		53	46	95	5	95	0	80	18	99	0	97	0	95	2	51	48	43	56
District	Representative - Party	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay
4	Alons, D. - R	x		x		x		x		x		x		x		x			x
72	Arnold, R. - R	x		x		x		x		x		x		x		x			x
58	Baudler, C. - R	x		x		x		x		x		x		x		absent/NV			x
41	Bell, P. - D		x	x		absent/NV		x		x		x		x			x	x	
22	Berry, D. - D		x	x		x		absent/NV		x		x		x			x	x	
70	Boal, C. - R	x		x		x		x		x		x		x		x			x
79	Boddicker, D. - R	x		x		x		x		x		x		x		x			x
97	Boggess, E. - R	x		x		x		x		x		x		x			x		x
26	Bukta, P. - D		x	x		x		x		x		x		x			x	x	
75	Carroll, D. - R	x		x		x		x		x		x		x		x			x
5	Chambers, R. - R	x		x		x		x		x		x		x		x			x
88	Cphoon, D. - D		x	x		x		x		x		x		x			x	x	
68	Connors, J. - D		x	x		x		x		x		x		x			x	x	
36	Dandekar, S. - D		x		x	x		x		x		x		x			x	x	
74	Davitt, M. - D		x	x		x			x	x		x		x			x	x	
76	De Boef, B. - R	x		x		x		x		x		x		x		x			x
19	Dennis, E. - R	x		x		x		x		x		x		x		x			x
17	Dix, B. - R	x		x		x		x		x		x		absent/NV		x			x
96	Dolecheck, C. - R	x		x		x		x		x		x		x		x			x
57	Drake, J. - R	x		x		x		absent/NV		x		x		x		x			x
9	Eichhorn, G. - R	x		x		x		x		x		x		x		x			x
37	Elgin, J. - R	x		x		x		x		x		x		x		x			x
66	Fallon, E. - D		x	x		x			x	x		absent/NV			x		x	x	
29	Foege, R. - D		x	x		absent/NV		x		x		x		x			x	x	
65	Ford, W. - D		x		x	x			x	x		absent/NV		x			x	x	
52	Freeman, M. - R	x		x		x		x		x		x		x		x			x
7	Frevert, M. - D		x	x		x			x	x		x		x			x	x	
93	Gaskill, M. - D		x	x		x		x		x		x		x			x	x	
16	Gipp, C. - R	x		x		x		x		x		x		x		x			x
44	Granzow, P. - R	x		x		absent/NV		x		x		x		x		x			x
45	Greimann, J. - D		x	x		x				x		x		x			x	x	
89	Greiner, S. - R	x		x		x		x		x		x		x		x			x
80	Hahn, J. - R	x		x		x		x		x		x		x		x			x
39	Hanson, D. - R	x		x		x		x		x		x		x		x			x
91	Heaton, D. - R	x		x		x		x		x		x		x			x		x
46	Heddens, L. - D		x	x		x		x		x		x		x			x	x	
55	Hoffman, C. - R	x		x		x		x		x		x		x		x			x
38	Hogg, R. - D		x	x		x		x		x		x		x			x	x	
40	Horbach, L. - R	x		x		x		x		x		x		x		x			x
62	Hunter, B. - D		x	x		x			x	x		x		x			x	x	
53	Huseman, D. - R	x		x		x		x		x		x		x		x			x
42	Huser, G. - D		x	x		x		x		x		x		x		x		x	
82	Hutter, J. - R	x		x		x		x		x		x		x			x		x
60	Jacobs, L. - R	x		x		x		x		x		x		x		x			x
30	Jacoby, D. - D		x	x		x		x		x		x		x			x	x	
20	Jenkins, W. - R	x		x		x		x		x		x		x		x			x
27	Jochum, P. - D		x	x		x		x		x		x		x			x	x	
98	Jones, G. - R	x		x		x		x		x		x		x		x			x
3	Klemme, R. - R	x		x		x		x		x		x		x		x			x
69	Kramer, K. - R	x		x		x		x		x		absent/NV		absent/NV		x			x



The Iowa House of Representatives		Record Roll Call on Selected Bills and Amendments																	
Bill Title		Elections Omnibus		Consolidated Cities & Counties		Treasurers D.L. Fee		MH-DD Redesign		Auditors Real Estate		Sheriffs Surcharge		Help America Vote Act		"People's Right to Vote"		Assessment Appeal Costs	
Bill Number		HF 593		HF 2404		HF 2433		HF 2537		HF 2544		HF 2569		SF 2269		SJR 2010		H-8510 (HF 2574)	
Final Result		vetoed		signed into law		signed into law		signed into law		signed into law		signed into law		signed into law		referred to next GA		bill died in Senate	
ISAC Position		For		Neutral		For		For		For		For		For		Against		For	
Vote Tally		53	46	95	5	95	0	80	18	99	0	97	0	95	2	51	48	43	56
District	Representative - Party	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay
14	Kuhn, M. - D		x	x		x		x		x		x		x		x		x	
10	Kurtenbach, J. - R	x		x		x		x		x		x		x		x		x	
18	Lalk, D. - R	x		x		x		x		x		x		x		x		x	
78	Lensing, V. - D		x	x		x		x		x		x		x		x		x	
32	Lukan, S. - R	x		x		x		x		x		x		x		x		x	
85	Lykam, J. - D		x	x		x		x		x		x		x		x		x	
59	Maddox, O.G. - R	x			x	x		x		x		x		x		x		x	
31	Manternach, G. - R	x		x		absent/NV		x		x		x		x		x		x	
77	Mascher, M. - D		x	x		x		x		x		x		x		x		x	
67	McCarthy, K. - D		x	x		x		x		x		x		x		x		x	
8	Mertz, D. - D		x	x		x		x		x		x		x		x		x	
49	Miller, H. - D		x	x		x		x		x		x		x		x		x	
28	Murphy, P. - D		x	x		x		x		absent/NV		x		x		x		x	
61	Oldson, J. - D		x	x		x		x		x		x		x		x		x	
48	Olson, D. - D		x	x		x		x		x		x		x		x		x	
83	Olson, S. - R	x		x		x		x		x		x		x		x		x	
25	Osterhaus, R. - D		x	x		x		x		x		x		x		x		x	
35	Paulsen, K. - R	x			x	x		x		x		x		x		x		x	
64	Petersen, J. - D		x	x		x		x		x		x		x		x		x	
15	Quirk, B. - D		x	x		x		x		x		x		x		x		x	
63	Raecker, S. - R	x		x		x		x		x		x		x		x		x	
54	Rants, C. - R	x		x		x		x		x		x		x		x		x	
23	Rasmussen, D. - R	x		x		x		x		x		x		x		x		x	
11	Rayhons, H. - R	x		x		x		x		x		x		x		x		x	
95	Reasoner, M. - D		x	x		x		x		x		x		x		x		x	
51	Roberts, R. - R	x		x		x		x		x		x		x		x		x	
87	Sands, T. - R	x		x		x		x		x		x		x		x		x	
13	Schickel, B. - R	x		x		x		x		x		x		x		x		x	
100	Shomshor, P. - D		x	x		x		x		x		x		x		x		x	
21	Shultz, D. - D		x	x		x		x		x		x		x		x		x	
43	Smith, M. - D		x	x		x		x		x		x		x		x		x	
6	Stevens, G. - D		x	x		x		x		x		x		x		x		x	
99	Struyk, D. - R*	x		x		x		x		x		x		x		x		x	
94	Swaim, K. - D		x		x	x		x		x		x		x		x		x	
33	Taylor, D. - D		x	x		absent/NV		x		x		x		x		x		x	
34	Taylor, T. - D		x	x		x		x		x		x		x		x		x	
24	Thomas, R. - D		x	x		x		x		x		x		x		x		x	
50	Tjepkes, D. - R	x		x		x		x		x		x		x		x		x	
73	Tymeson, J. - R	x		x		x		x		x		x		x		x		x	
12	Upmeyer, L. - R	x		x		x		x		x		x		x		x		x	
71	Van Engelenhoven, J. - R	x		x		x		x		x		x		x		x		x	
81	Van Fossen, J.K. - R	x		x		x		x		x		x		x		x		x	
84	Van Fossen, J.R. - R	x		x		x		x		x		x		x		x		x	
47	Watts, R. - R	x		x		x		x		x		x		x		x		x	
2	Wendt, R. - D		x	x		x		x		x		x		x		x		x	
90	Whitaker, J. - D		x	x		x		x		x		x		x		x		x	
1	Whitead, W. - D		x	x		x		x		x		x		x		x		x	
56	Wilderdyke, P. - R	absent/NV		x		x		x		x		x		x		x		x	
86	Winckler, C. - D		x	x		x		x		x		absent/NV		x		absent/NV			
92	Wise, P. - D		x	x		x		x		x		x		x		x		x	

\*Rep. Struyk switched parties, from a Democrat to a Republican, on March 19th.



The Iowa Senate		Record Roll Call on Selected Bills															
Bill Title		Elections Omnibus		Consolidated Cities & Counties		Treasurers D.L. Fee		MH-DD Redesign		Auditors Real Estate		Sheriffs Surcharge		Help America Vote Act		"People's Right to Vote"	
Bill Number		HF 593		HF 2404		HF 2433		HF 2537		HF 2544		HF 2569		SF 2269		SJR 2010	
Final Result		vetoed		signed into law		signed into law		signed into law		signed into law		signed into law		signed into law		referred to next GA	
ISAC Position		For		Neutral		For		For		For		For		For		Against	
Vote Tally		27	20	48	1	47	2	49	0	49	0	37	10	43	2	26	23
District	Senator - Party	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay	aye	nay
48	Angelo, J. - R	x		x		x		x		x		x		x		x	
25	Beall, D. - D		x	x		x		x		x		x		x			x
24	Behn, J. - R	x		x		x		x		x		x		x		x	
21	Black, D. - D		x	x		x		x		x		x		x			x
29	Boettger, N. - R	x		x		x		x		x		x		x		x	
39	Bolkcom, J. - D	absent/NV		x		x		x		x		absent/NV		absent/NV			x
9	Brunkhorst, B. - R	x		x		x		x		x		x		x		x	
14	Connolly, M. - D		x	x		x		x		x		x		x			x
44	Courtney, T. - D		x	x		x		x		x			x	x			x
34	Dearden, D. - D		x	x			x	x		x			x	x			x
11	Dotzler, W. - D		x	x		x		x		x		x		x			x
40	Drake, R. - R	x		x		x		x		x		x		x		x	
15	Dvorsky, R. - D		x	x		x		x		x		x		x			x
46	Fraiese, G. - D		x	x		x		x		x		x		x		x	
6	Gaskill, E.T. - R	x		x		x		x		x		x		x			x
50	Gronstal, M. - D		x	x		x		x		x		x		x			x
33	Hatch, J. - D		x	x		x		x		x			x	x			x
32	Holveck, J. - D		x	x			x	x		x			x	x			x
17	Horn, W. - D		x	x		x		x		x			x	x			x
16	Hosch, J. - R	x		x		x		x		x			x	x		x	
49	Houser, H. - R	x		x		x		x		x			x	x		x	
5	Iverson, S. - R	x		x		x		x		x			x	x		x	
3	Johnson, D. - R	x		x		x		x		x			x	x		x	
26	Kettering, S. - R	x		x		x		x		x			x	x			x
4	Kibbie, J. - D		x	x		x		x		x			x	x			x
47	Kreiman, K. - D		x		x	x		x		x			x		x		x
35	Lamberti, J. - R	x		x		x		x		x			x	x		x	
19	Larson, C. - R*	absent/NV		absent/NV		absent/NV		absent/NV		absent/NV		absent/NV		absent/NV		absent/NV	
18	Lundby, M. - R	x		x		x		x		x		x		absent/NV			x
31	McCoy, M. - D		x	x		x		x		x		x		absent/NV			x
22	McKibben, L. - R	x		x		x		x		x			x	x		x	
36	McKinley, P. - R	x		x		x		x		x		absent/NV		absent/NV		x	
45	Miller, D. - R	absent/NV		x		x		x		x		absent/NV		absent/NV		x	
20	Putney, J. - R	x		x		x		x		x			x	x		x	
23	Quirnbach, H. - D		x	x		x		x		x			x	x			x
7	Ragan, A. - D		x	x		x		x		x			x	x			x
10	Redfern, D. - R	x		x		x		x		x			x	x		x	
12	Rehberg, K. - R	x		x		x		x		x			x	x		x	
38	Schuerer, N. - R	x		x		x		x		x			x	x			x
43	Seng, J. - D		x	x		x		x		x			x	x		x	
28	Seymour, J. - R	x		x		x		x		x			x	x		x	
37	Shull, D. - R	x		x		x		x		x			x	x		x	
42	Sievers, B. - R	x		x		x		x		x			x	x			x
13	Stewart, R. - D		x	x		x		x		x			x		x		x
41	Tinsman, M. - R	x		x		x		x		x			x	x		x	
2	Veenstra, K. - R	x		x		x		x		x			x	x		x	
30	Ward, P. - R	x		x		x		x		x			x	x			x
1	Warnstadt, S. - D		x	x		x		x		x			x	x			x
27	Wieck, R. - R	x		x		x		x		x			x	x		x	
8	Zieman, M. - R	x		x		x		x		x			x	x		x	

\*Senator Larson was on active military duty for the entire session.



# APPROPRIATIONS

## HF 466 - Transportation Appropriations

JS

*Engineers, Supervisors, Treasurers*

This bill makes appropriations for FY06 from the road use tax fund (RUTF), the primary road fund and the general fund to the Department of Transportation (DOT).

Appropriated from the RUTF

For 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.

For operating costs in the motor vehicles division ..... \$30,908,798 (+\$530,072)

For costs associated with county issuance of drivers' licenses ..... \$1,268,000 (+\$172,000)

Appropriated from the primary road fund

For operating costs in the motor vehicles division ..... \$1,252,049 (+\$25,211)

## HF 807 - Judicial Branch Appropriations

DV, JS

*All County Officials*

To the judicial branch, including for clerks of court ..... \$118,404,282 (+\$566,420)

- The state court administrator shall approve all district court clerk appointments.
- The bill includes the following language: "It is the intent of the General Assembly that the offices of the clerks of district court operate in all ninety-nine counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county."
- HF 882 (Standing Appropriations) reduces this appropriation by \$50,000.

The bill increases the number of magistrates apportioned among the counties from 196 to 206. Finally, Iowa Code §901.4 currently requires the court to "serve" the presentence investigation report upon the defendant's attorney and the attorney for the state. The bill changes that language to require the court to "send a copy [of the report] by ordinary or electronic mail."

## HF 808 - Agriculture and Natural Resources Appropriations

JS

*All County Officials*

Department of Agriculture and Land Stewardship

For membership in the Missouri River Authority ..... \$9,535 (no change)

For testing and monitoring avian influenza ..... \$50,000 (no change)

For reimbursing soil and water conservation district commissioners ..... \$250,000

- Commissioners must submit a report accounting for their expenses to receive reimbursement.
- HF 882 (Standing Appropriations) reduces this appropriation by \$50,000.

Department of Natural Resources

For groundwater quality ..... \$3,455,832

For enforcing snowmobile laws ..... \$100,000 (no change)

For enforcing navigation laws and water safety ..... \$1,400,000 (no change)

For underground storage tank programs ..... \$200,000 (no change)

Iowa State University

For a water quality research project relating to open feedlots ..... \$100,000

## HF 809 - Economic Development Appropriations

JS

*All County Officials*

For community development programs ..... \$5,533,511 (+\$27,786)

For business development programs ..... \$6,084,500 (no change)

Rural Community 2000 program

- For financial assistance to councils of government ..... \$150,000 (no change)
- For rural development programs ..... \$120,000 (no change)

**Iowa State Association of Counties**

# APPROPRIATIONS

For the workforce development fund .....	\$4,000,000
<ul style="list-style-type: none"> <li>The Department of Workforce Development shall maintain pilot immigration service centers to deal with multiple issues related to immigration and employment.</li> </ul>	\$50,000
For Endow Iowa grants to lead philanthropic organizations .....	
<ul style="list-style-type: none"> <li>The \$50,000 is an annual appropriation for each of the next three years.</li> </ul>	\$50,000,000
To the Grow Iowa Values Fund .....	\$35,000,000
<ul style="list-style-type: none"> <li>For programs administered by the Department of Economic Development .....</li> <li>For regents institutions .....</li> <li>For projects in state parks and destination parks .....</li> <li>For the Iowa cultural trust fund .....</li> <li>For the workforce training and economic development funds of community colleges .....</li> <li>For regional economic development .....</li> <li>All of the above are annual appropriations for each of the next 10 years.</li> </ul>	\$5,000,000 \$1,000,000 \$1,000,000 \$7,000,000 \$1,000,000

## HF 810 - Administration and Regulation Appropriations

*All County Officials*

JS

This bill makes appropriations from the state general fund to various agencies and departments.

Iowa Ethics and Campaign Disclosure Board .....	\$457,864 (+\$46,568)
Governor's Office of Drug Control Policy .....	\$313,195 (+\$58,809)
<ul style="list-style-type: none"> <li>HF 882 (Standing Appropriations) reduces this appropriation by \$13,195.</li> </ul>	\$2,164,904 (+\$27,080)
Department of Management .....	
<ul style="list-style-type: none"> <li>For statewide property tax administration .....</li> </ul>	\$660,233
Secretary of State .....	
<ul style="list-style-type: none"> <li>For administration and elections .....</li> </ul>	\$26,623,360
Department of Revenue .....	
<ul style="list-style-type: none"> <li>For statewide property tax administration, compliance and resource management</li> <li>The director shall prepare and issue a state appraisal manual without cost to a city or county.</li> <li>HF 882 (Standing Appropriations) reduces this appropriation by \$25,882.</li> </ul>	

## HF 811 - Justice System Appropriations

*All County Officials*

DV, JS

Department of Justice .....	\$20,000 (no change)
For the investigation and prosecution of environmental crimes .....	
Department of Corrections (DOC) .....	\$674,954 (no change)
For reimbursement for county confinement of state prisoners .....	
<ul style="list-style-type: none"> <li>The bill allows the DOC, in cooperation with counties, to use inmate labor to clean up roads and water sources around the state.</li> <li>The bill requires the DOC to provide a monthly report of private-sector inmate employment to the legislative services agency beginning July 1, 2005.</li> </ul>	\$1,075,138 (+\$8,248)
To the Iowa Law Enforcement Academy (ILEA) .....	
<ul style="list-style-type: none"> <li>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, 2006.</li> </ul>	
Department of Public Defense .....	\$1,172,230 (+\$48,830)
To the Homeland Security and Emergency Management Division (HSEMD) .....	
<ul style="list-style-type: none"> <li>The bill appropriates up to \$200,000 from the wireless E-911 emergency communications fund to the HSEMD for the purposes of employing a wireless E-911 administrator and program manager and performing an audit of the fund.</li> </ul>	



# APPROPRIATIONS

## HF 816 - Education Appropriations

LH, JS

All County Officials

Vocational Rehabilitation Services Division	
• For general operations .....	\$4,475,050 (+\$196,266)
• For programs for persons with severe physical or mental disabilities .....	\$54,150 (no change)
• Highest priority shall be given to programs focusing on finding and maintaining employment for persons with disabilities.	
Iowa Empowerment Fund	
• For school ready children grants .....	\$23,781,594 (+\$10,400,000)

## HF 825 - Health and Human Services Appropriations

LH, JS

All County Officials

Division I – General Fund and Block Grant Appropriations	
Department of Elder Affairs	
For aging programs .....	\$2,792,116 (+\$166,970)
Department of Public Health	
For addictive disorders .....	\$1,759,020
• For an integrated substance abuse managed care system .....	\$950,000
For adult wellness .....	\$304,067 (no change)
For child and adolescent wellness .....	\$915,761 (-\$44)
For elderly wellness .....	\$9,233,985 (no change)
For reducing public exposure to environmental hazards .....	\$401,808 (+\$150,000)
• \$150,000 is to be used for childhood lead poisoning prevention.	
• HF 882 (Standing Appropriations) reduces this appropriation by \$50,000.	
For infectious diseases prevention and care .....	\$1,078,039 (-\$1,664)
For public protection .....	\$6,964,033 (+\$365,160)
• The state medical examiner shall consider a proposal for the state criminalistics laboratory to share facilities with Polk County.	
• HF 882 (Standing Appropriations) reduces this appropriation by \$40,000.	
To develop an Iowa Collaborative Safety Net Provider Network .....	\$450,000
• The purpose of the network is to preserve and expand the health care safety net for vulnerable Iowans.	
To the gambling treatment fund, for addictive disorders .....	\$1,690,000
Commission of Veterans' Affairs	
For general operations .....	\$320,717 (+\$26,746)
For the Iowa Veterans Home .....	\$16,309,443 (+\$120,304)
Department of Human Services (DHS)	
Temporary Assistance for Needy Families (TANF) Block Grant	
• For the Family Investment Programs .....	\$44,277,569 (-\$1,000,000)
• For Job Opportunities and Basic Skills (JOBS) .....	\$13,412,794 (no change)
• For field operations .....	\$16,702,033 (+\$421,779)
• For general administration .....	\$3,730,547 (+\$70,517)
• For local administrative costs .....	\$2,181,296 (+\$44,731)
• For state child care assistance .....	\$14,556,560 (-\$3,517,186)
• The above figure does not include an additional transfer of \$7,350,000 for eligible community-based early childhood programs.	
• For MH/DD community services .....	\$4,798,979 (+\$298,369)
• For child and family services .....	\$31,538,815 (-\$1,936,913)
• For child abuse prevention grants .....	\$250,000 (no change)
• For pregnancy prevention grants .....	\$2,520,037 (+\$5,624)
• For welfare reform reporting .....	\$1,037,186 (no change)
• For the HOPES program .....	\$200,000 (no change)
To the Family Investment Program Account	
• For family development and self-sufficiency grants .....	\$5,133,042 (no change)
• For the food stamp employment and training program .....	\$64,278 (+ \$1,278)
For Family Investment Program assistance .....	\$40,439,695 (+\$1,394,257)
For child support recovery .....	\$7,829,317 (+\$2,696,275)
For Medical Assistance .....	\$519,040,317 (+\$166,246,216)

# APPROPRIATIONS

• For the AIDS/HIV health insurance premium payment program .....	\$60,000
• For pilot projects to assist individuals whose services under EPSDT end .....	\$100,000
• Up to \$3,050,082 may be used for costs associated with the Medicare Part D program.	
• HF 882 (Standing Appropriations) reduces the full Medicaid appropriation by \$11,353,381.	
For the health insurance premium payment program .....	\$612,574 (+\$6,245)
For medical contracts .....	\$14,711,985 (+\$4,986,950)
For state supplementary assistance .....	\$19,810,335 (+\$537,200)
For children's health insurance .....	\$16,618,275 (+\$4,500,000)
• HF 882 (Standing Appropriations) reduces this appropriation by \$50,000.	
For child care assistance .....	\$15,800,752 (+\$10,750,000)
• \$900,000 is to be used for a child care provider quality rating system.	
To Juvenile Institutions .....	\$6,226,283 (+\$165,017)
• For the Iowa juvenile home at Toledo .....	\$9,830,692 (+\$260,129)
• For the state training school at Eldora .....	\$75,200,000 (-\$21,735,253)
For child and family services .....	
• Up to \$5,200,000 of the amount appropriated for child and family services under TANF may be used for juvenile delinquent graduated sanction services.	
• Up to \$35,883,519 is to be used for group foster care maintenance and services.	
• The DHS shall examine all group foster care placements, and identify those which might be appropriate for termination, when a service area is at risk of exceeding its expenditure target by more than 5%.	
• \$1,465,009 is to be used to provide the state match for 50 highly structured juvenile program beds.	
• Up to \$2,500,000 of the amount appropriated for child and family services under TANF may be used for de-categorization of child welfare services.	
• State funding for shelter care is capped at \$7,252,955.	
• \$148,000 shall be used for funding one or more child welfare diversion and mediation pilot projects	\$200,000
• For 15 emergency shelter care beds .....	\$42,623 (no change)
• The DHS shall amend its request for proposals to increase the statewide daily average number of beds covered under the request to 288 beds in order to include the 15 unallocated beds for emergency placements.	
• This section is effective upon enactment.	
To the Juvenile Detention Home Fund .....	\$80,000 (no change)
• For grant renewal for implementation of a runaway plan .....	\$318,000 (+ \$159,000)
• For continuation and expansion of child protection sites .....	\$375,000
• For continuation of minority youth and family projects .....	\$1,936,434 (no change)
For the family support subsidy program .....	\$42,623 (no change)
For Conner Decree .....	
To Mental Health Institutes (MHIs) .....	\$13,079,889 (+\$152,333)
• For the state MHI at Cherokee .....	\$7,439,591 (+\$29,245)
• For the state MHI at Clarinda .....	\$17,334,091 (+\$94,323)
• For the state MHI at Independence .....	\$6,131,181 (+\$21,976)
• For the state MHI at Mount Pleasant .....	
To State Resource Centers (SRCs) .....	\$12,600,000 (+\$4,049,720)
• For the SRC at Glenwood .....	\$7,050,000 (+\$2,529,541)
• For the SRC at Woodward .....	\$10,914,619 (-\$100,000)
For MI/MR/DD state cases .....	
• HF 882 (Standing Appropriations) reduces this appropriation by \$50,000.	
For the MH/DD community services fund for FY06 .....	\$17,727,890 (no change)
For commitment and treatment of sexually violent predators .....	\$3,621,338 (+\$787,692)
For department field operations .....	\$53,790,628 (+\$693,264)
For department general administration .....	\$13,342,196 (+\$2,252,762)
For coordination of volunteer services .....	\$109,568 (no change)
For Medicaid, state supplementary assistance and provider reimbursement rates	
• Generally, the bill increases provider rates for FY06 by 3% over FY05.	
• The bill increase the actual and allowable reimbursement rates for juvenile shelter care homes by \$2.51 over the previous year's level. The new rate is \$132.85 per child per day, of which the county pays \$46.65 (no change from FY05). The state's share of the cost per day is increased to \$86.20 (+\$2.51 per day).	
Division II – Senior Living and Hospital Trust Funds	
Department of Human Services .....	\$59,647,109 (-\$41,952,891)
For Medicaid supplement (from senior living trust fund) .....	



# APPROPRIATIONS

- HF 882 (Standing Appropriations) increases this appropriation by \$9,353,381.

For health care service reimbursement .....	\$1,033,406 (-\$700,000)
For nursing facility provider reimbursements .....	\$29,950,000 (no change)
For Medicaid supplement (from hospital trust fund) .....	\$22,900,000 (-\$14,600,000)

## Division III – County MH/MR/DD/BI Allowed Growth Factor Allocations

The bill strikes a \$2 million appropriation made last year to the risk pool, and instead directs the money to be used for Medicaid.

For preliminary distribution to counties of the allowed growth factor for FY06

• Allowed growth .....	\$12,000,000 (no change)
• Per capita .....	\$23,925,724 (+\$4,768,613)
• Community services .....	\$17,727,890 (no change)

## Withholding Factors for FY06

- For an ending fund balance of less than 5%, a withholding factor of 0%;
  - Counties in this category shall also receive an inflation adjustment factor equal to 3% of the gross expenditures for the fiscal year.
- For an ending fund balance of at least 5% but less than 10%, a withholding factor of 0%;
  - Counties in this category shall also receive an inflation adjustment factor equal to 2% of the gross expenditures for the fiscal year.
- For an ending fund balance of at least 10% but less than 25%, a withholding factor of 25%;
- For an ending fund balance of at least 25%, a withholding factor of 100%.

The withholding target for FY06 is ..... \$9,418,362 (no change)

The bill directs the amount of allowed growth funding appropriated for FY05, but not distributed, to be allocated among counties with negative ending fund balances based on their populations. A similar procedure is to be followed if the amount of allowed growth funding appropriated for FY06 is not fully distributed.

- The bill includes a non-reversion clause that allows the monies undistributed in FY05 to remain in the property tax relief fund, rather than revert to the general fund.
- This section is effective upon enactment.

## Division IV – Miscellaneous Code Changes

The bill creates a vital records fund under the control of the Department of Public Health (DPH). The purpose of the fund is to purchase and maintain an electronic system for scanning, storing and retrieving vital records. The fund may be used to electronically link the offices of county recorders with the DPH so that records may be issued at the county level. The bill creates the state Office of Substitute Decision Maker in the Department of Elder Affairs. This office is to create and administer a statewide network of substitute decision makers for adults and their estates when no private substitute decision maker is available. Local offices in each of the planning and service areas are to be established statewide by July 1, 2015. Implementation of this chapter is subject to funding availability.

## HF 862 - Appropriations from Tobacco Funds

JS, LH

*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)

For children's health insurance .....	\$200,000 (no change)
To supplement Medicaid .....	\$35,013,803 (+\$20,667,053)

- For reimbursement of non-institutional Medicaid providers (except anesthesia and dental providers); to continue the resource-based relative value system of reimbursement; for reimbursement of dental services, hospitals, home health care services and habilitative day care for children with special needs; for expansion of respite care services provided through home and community-based waivers; and for treatment of breast or cervical cancer.
- \$50,000 shall be used to continue the efforts of the Iowa chronic care consortium.

## Department of Public Health (DPH)

For tobacco use prevention and control .....	\$5,011,565 (no change)
For smoking cessation .....	\$75,000 (no change)

# APPROPRIATIONS

For substance abuse treatment .....	\$11,800,000 (no change)
For the Healthy Iowans 2010 plan .....	\$2,509,960 (+\$163,030)
For the automated external defibrillator grant program .....	\$250,000 (no change)
For the high school mentor program .....	\$400,000 (no change)
• The bill establishes a set of requirements for eligible programs. ....	\$1,200,000
For substance abuse prevention for children .....	
• At least one program must be established in a county ranked in the bottom 25% in terms of population.	
• HF 882 (Standing Appropriations) reduces this appropriation to \$600,000.	
Department of Corrections (DOC) .....	\$1,214,000 (+\$234,000)
• For the drug court program .....	\$844,000
DOC Special Needs Unit .....	\$1,187,285 (no change)
Department for the Blind .....	\$130,000 (no change)
• For a statewide program to provide audio news and information services .....	\$146,750 (no change)
For assistance to counties with limited MH/DD fund balances .....	\$2,153,250 (no change)
For the Iowa empowerment fund .....	
The bill transfers \$7,600,000 from the Endowment for Iowa's Health account to the Healthy Iowans Tobacco Trust.	

## HF 875 - Infrastructure Appropriations LH, JS

All County Officials

Division II – Rebuild Iowa Infrastructure Fund Appropriations .....	\$700,000 (+\$100,000)
For structural and technological improvements to local libraries .....	\$500,000
For a revolving loan program for equipment purchases by local fire departments .....	\$1,000,000
For recreational trails .....	
Division III – Environment First Fund Appropriations	
Department of Agriculture and Land Stewardship .....	\$500,000 (no change)
For alternative drainage systems .....	\$1,500,000 (no change)
For the conservation reserve enhancement program .....	\$2,700,000 (no change)
For flood & erosion control, water quality and conservation .....	\$5,500,000
For permanent soil and water conservation practices .....	\$600,000 (no change)
For the Loess Hills development and conservation fund .....	\$300,000 (no change)
For the Southern Iowa development and conservation fund .....	
Department of Economic Development .....	\$500,000 (no change)
For Brownfield redevelopment .....	
Department of Natural Resources .....	\$2,955,000 (no change)
For water quality monitoring .....	\$275,000 (-\$225,000)
For air quality monitoring equipment .....	\$2,300,000 (no change)
For local cost share grants for boating accessibility .....	\$195,000
For geographic information system data for local watershed managers .....	
Iowa Finance Authority .....	\$1,400,000
For a transitional housing revolving loan program .....	
To the Resource Enhancement and Protection Fund .....	\$11,000,000 (no change)
Division V – Vertical Infrastructure Fund Appropriations .....	\$1,060,000 (no change)
For county fair infrastructure improvements .....	

## HF 882 - Standing Appropriations LH, JE, JS

All County Officials

Division I – MH/MR/DD Allowed Growth Funding .....	\$35,788,041
For distribution of the allowed growth factor for FY07 .....	\$12,000,000
• Allowed growth .....	\$19,361,148
• Per capita .....	

Iowa State Association of Counties



# APPROPRIATIONS

- Risk Pool ..... \$2,000,000
- For services to adults with brain injury ..... \$2,426,893

## Division II – Standing Appropriations

The bill appropriates \$159,663,964 from the cash reserve fund, not the general fund, to the new property tax credit fund, for the purpose of funding the following property tax credits:

- Homestead ..... \$102,945,379 (no change)
- Agricultural land & family farm ..... \$34,610,183 (no change)
- Military service ..... \$2,568,402 (no change)
- Low-income elderly & disabled ..... \$19,540,000 (no change)
  - 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.
  - County treasurers shall notify the Department of Revenue (DOR) by June 8<sup>th</sup> of the amount of property tax credits claimed by that date; the DOR shall notify the treasurers of the estimated funding level by June 15<sup>th</sup>.

## Division III – Other Appropriations

- To local libraries for the enrich Iowa program ..... \$200,000
- For deposit in the watershed improvement fund ..... \$5,000,000

## Division IV – Miscellaneous Code Changes

The bill amends SF 169 to require a person to present government-issued photo identification when purchasing pseudoephedrine products from a pharmacy.

The bill exempts from property taxation “dwelling unit property” owned by a non-profit organization that manages more than 40 dwelling units in a certain city.

- This property tax exemption is not considered a property tax exemption for the purpose of Iowa Code §25B.7.

The bill allows a disaster response agency to access the ICN for disaster communication purposes when a state of disaster emergency is proclaimed by the Governor.

The bill requires county management plans under Iowa Code §331.439 to designate at least one hospital with which the county has contracted to provide services covered under the plan. If beds are unavailable at the designated hospital, the county is responsible for paying the cost of covered services provided at an alternative hospital.

The bill amends an existing property tax exemption for low-rent housing to provide that if a mortgage on the property is refinanced, the exemption shall expire on the date that the original mortgage was scheduled to be paid off. The bill also reduces the assessment ratio for mobile home park storm shelters not used exclusively as storm shelters from 75% to 50%.

- The provision relating to the low-rent housing exemption is effective upon enactment and applies retroactively to January 1, 2005.
- The expanded property tax exemption for certain mobile home park storm shelters is not considered a property tax exemption for the purpose of Iowa Code §25B.7.

## Division VII – County Land Records Information System

This Division adopts provisions related to the County Land Records Information System (CLRIS) and creates the County Real Estate Electronic Government Advisory Committee. The bill requires that funds collected by an association of elected county officials be subject to audit by the state auditor upon request of the government oversight committee. Additionally, funds related to the CLRIS project received after July 1, 2005 will be held in a fund in the office of the treasurer of state. The bill also requires the board of supervisors in each county to execute a 28E agreement on behalf of each county recorder for the implementation of the CLRIS.

The bill allows the state auditor to audit the CLRIS project and charge a fee for performing the audit. It requires the Iowa County Recorders Association to select a provider to conduct a security audit of the CLRIS. Also, the Association must file a long-range plan with the General Assembly and the results of the security audit with the government oversight committee by December 1, 2005.

The bill restricts the ability of county recorders to charge fees not authorized in statute, but clarifies that they may collect third-party fees for credit card fees, treasury management fees and other transaction fees necessary for electronic recording.



# APPROPRIATIONS

The bill requires ISAC to provide information to the government oversight committee before July 1, 2005, defining all types of land management records, identifying each county and state office that holds such records, and specify the fees associated with each type of record. It requires that money related to state-authorized programs be held by the treasurer of state.

Finally, the bill creates the County Real Estate Electronic Government Advisory Committee. The committee shall be made of the following representatives:

- Two members selected by the Iowa State Association of County Auditors
- Two members selected by the Iowa State County Treasurers Association
- Two members selected by the Iowa County Recorders Association
- Two members selected by the Iowa County Assessors Association
- One member selected by the Iowa State Association of Counties
- One member selected by each of the following end-user groups:
  - Iowa Land Title Association
  - Iowa Association of Realtors
  - Iowa Bankers Association
  - Iowa Credit Union League
  - Iowa State Bar Association

This committee is required to facilitate a discussion on how to integrate the CLRIS, created in Iowa Code §331.605C, with land records held by auditors, treasurers, recorders and assessors. The committee must issue a report to the Governor and General Assembly by November 1, 2005. The state auditor's office is responsible for providing staff assistance to the advisory committee.

## Division VIII – Corrective Provisions

The bill strikes existing maximum limits on the number of non-resident deer licenses that may be issued.

## Division XII – Wind Energy Production Tax Credit

The bill modifies the existing wind energy production tax credit. The tax credit is allowed for Iowa facilities that produce electricity from wind and begin service between July 1, 2005 and July 1, 2008. The tax credit may be applied against personal or corporate income taxes, franchise taxes 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 during the taxable year.

The major change affecting counties involves financing the credit and the procedure for becoming eligible for the tax credit. In order to become eligible to receive the credit, applicants must first gain permission from the board of supervisors in the county where the property is located. If the board approves the application, the board is also approving the payment of all property taxes levied upon the eligible property to the state for a period of 12 years. The state will then use the property taxes to pay for the income, franchise or insurance tax credit granted to the taxpayer. If the board denies the application, then the applicant is not eligible for the credit.

## SF 75 - Veterans' Benefits - See Human Services

### SF 342 - Supplemental Appropriations LH, JS

*All County Officials*

This bill makes supplemental appropriations for the fiscal year beginning July 1, 2004.

Department of Human Services	\$422,794,101 (+\$70,000,000)
For Medicaid reimbursement and associated costs	\$1,000,000
For the Iowa Medicaid enterprise initiative	\$9,550,280 (+\$1,000,000)
For the state resource center at Glenwood	\$5,520,459 (+\$1,000,000)
For the state resource center at Woodward	\$11,264,619 (+\$200,000)
For MI/MR/DD state cases	

The bill is effective upon enactment.

# APPROPRIATIONS

## SF 346 - Federal Block Grant Appropriations

JS

All County Officials

This bill appropriates funds made available from federal block grants for the federal fiscal year beginning October 1, 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.

Department of Economic Development	
For community development appropriations .....	\$29,260,000 (-\$1,721,000)
Department of Human Rights	
For community services .....	\$6,856,891(-\$98,619)
• 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.	
For low-income home energy assistance .....	\$34,570,110 (+\$1,777,223)
• Up to 15% may be used for residential weatherization or related home repairs for low-income households.	
Department of Human Services	
For community mental health services .....	\$3,704,898 (no change)
• 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; it is to be used for the purpose of developing and providing evidence-based practices and emergency services to adults with serious mental illnesses and children with serious emotional disturbances.	
For social services .....	\$17,216,209 (no change)
• MH/MR/DD/BI community services (local purchase) .....	\$7,736,793 (no change)
• The bill requires the Department of Human Services (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 distributing the federal social services block grant funds to counties.	
For child care and development .....	\$40,846,720 (-\$1,463,467)
• If sufficient funds are available, the DHS shall set child care provider reimbursement rates based on the most recently completed rate reimbursement survey.	
Department of Justice	
For the stop violence against women program .....	\$1,471,000 (-\$143,000)
Department of Public Health	
For substance abuse treatment and prevention .....	\$13,641,441 (+\$725,734)
For maternal and child health services .....	\$6,760,133 (-\$355,543)
For preventive health and health services .....	\$1,500,443 (-\$4,719)



# 2005 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.

HF 7/250	Increase Weight Limits
HF 35/518	Pickup Registration Fees
HF 58	Wetlands Regulation
HF 65	Proof Ballot Copy
HF 87	Veterans Hiring Preference
HF 96	RUTF Allocation
HF 213/480	Telecommunications Law Enforcement
HF 234	Assessors Retention Vote
HF 251	Rental Car Tax
HF 265	Five Supervisors in Linn County
HF 266	Property Tax Limitation
HF 280	Involuntary Hospitalization
HF 298	Motor Vehicle Proof of Insurance
HF 318	County Compensation Boards
HF 323	Business Property Tax Credit
HF 372/HSB 59	Open Meetings
HF 403	Instructional Support Levy and TIF
HF 408	Property Assessment Appeals
HF 435/758	Preempt Commercial Canine Regulation
HF 437/863	Property Assessment Fee Award
HF 458	Drainage Assessments
HF 521	Veterans' Affairs Directors
HF 548	Voting Machines
HF 727/HSB 62	Ethics Board Powers
HF 730	Property Tax Limitation
HF 830	Assessments & Mobile Homes
HSB 52	Mandated Health Coverage
HSB 126	RUTF Allocations
HSB 140	Mental Competency Hearing
SF 10	Engineers' Duties
SF 49	Pickup Registration Fees Into Primary System
SF 73	Drainage Districts
SF 164	Linn and Polk County Supervisors
SF 172	Condemnation Proceedings
SF 180	Conservation Practices
SF 196	Commercial Dog Operations
SF 230	Substance Abuse Treatments
SF 326	Religious Tax Exemption
SF 351	WPAT
SF 397/SSB 1296	Performance Based Contracts
SSB 1007	County Attorney Appointment
SSB 1032	Prison Civil Rights
SSB 1054	Mandated Health Coverage
SSB 1056	RUTF Allocations
SSB 1107	Mental Competency Hearings
SSB 1165	Document Filing Fees
SSB 1166	Per Page Fees
SSB 1169	Public Works Wages
SSB 1243	Property Tax Reform
SSB 1292	Property Taxes & Assessments
SSB 1297	Property Assessment & Appeals
SSB 1309	Schools and Property Taxes
SSB 1318	Property Taxes

# 2005 BILLS THAT FAILED

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

HF 17	Legislative Open Meetings
HF 18	Pollution Control Tax Credit
HF 40	Election by Mail
HF 77	Feeding Operations
HF 123	Criminal Penalty Surcharge
HF 138/166/218/278	Bottle Bills
HF 324	Mental Health Advocates
HF 344	Franchise Tax
HF 351	Food Code Inspection Fees
HF 355	Shelter Care Costs
HF 402	County Deputy Salaries
HF 485	County Bonding
HF 507/762	Drainage Liability
HF 782	TIF and Urban Renewal
HF 793/HSB 57	Controversial Elections Changes
HSB 31	Vital Records on Website
HSB 77	Vital Records Fees
HSB 150	County Recorder Cleanup
HSB 153	Chapter 319 Rewrite
HSB 293	Property Tax Reform
SF 44/79	Condemnation for Recreational Trails
SF 68/107	Redemption Centers and Bottles
SF 98	Vital Records Fees
SF 219	Recorders Cleanup
SF 238	Involuntary Commitment Hearing
SF 280	Vital Records on Website
SF 285	Hotel Motel Tax
SF 289	Food Inspection Fees
SF 315	State Psychiatric Commitments
SF 319	Brain Injury Fund
SF 362/SSB 1035	Multi-County Jails
SF 364	Technical Elections
SF 396	Sale of ICN
SSB 1040	Criminal Surcharge for Crime Lab Funding
SSB 1093	Pickup Registration Fees Into RUTF
SSB 1100	Chapter 319 Rewrite
SSB 1240	Property Tax Reform

Finally, in the Iowa legislative process, any bill that passes its house of origin in the first year of the biennium, but does not pass the second house, is eligible to start from that point in the second year. Several items of interest to ISAC have this status:

HF 644	Technical Elections Changes	(For)
HF 847/HSB 289	Coupling All Property Classes	(Against)
HF 872	Local Governance	(Undecided)
HF 876	MH/MR/DD Services	(Against)
HJR 3/HSB 19	Taxpayer Referendum	(Against)
SF 123	Absentee Ballot Return	(For)
SF 246	Defendants' Donations	(For)
SF 355	Medicare Task Force	(Against)
SSB 1315	Local Governance	(Against)



# STEERING COMMITTEE CHAIRS & LEGISLATIVE LIAISONS

ISAC would like to thank the county officials that served as **steering committee chairs** this year. Responsibilities included running the steering committee meetings, conducting an election of officers, making appointments when necessary and making a presentation of committee policy statements and legislative objectives at the ISAC Board of Directors' October meeting. Thank you for your leadership in the ISAC legislative process.

## County Administration & Organization

Chair: Pat Gill, Woodbury County  
Staff Representative: Denise Obrecht

## Environment & Public Health

Chair: Steve Lekwa, Story County  
Staff Representative: Deborah Westvold

## Human Services

Chair: Lu Barron, Linn County  
Staff Representative: Linda Hinton

## Land Use & Rural Affairs

Chair: Anna O'Shea, Dubuque County  
Staff Representative: Bill Peterson

## Public Safety

Chair: Holly Fokkena, Butler County  
Staff Representative: David Vestal

## Taxation & Finance

Chair: Diane Kiefer, Wapello County  
Staff Representative: Jay Syverson

## Transportation

Chair: Royce Fichtner, Marshall County  
Staff Representative: John Easter

ISAC would like to thank the county officials that served as **legislative liaisons** this year. Responsibilities included acting as the primary contact point between the ISAC staff and their affiliate, gathering information and serving as a resource when special expertise on an issue is needed, coordinating legislative strategy for their affiliate and attending legislative meetings with the ISAC staff. Thank you for your leadership in the ISAC legislative process.

## Assessors

Rick Ellars - City of Cedar Rapids 319-286-5888  
Dave Ellis - Warren County 515-961-1010

## 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  
Deb Schildroth - Story County 515-382-7282  
Lynn Ferrell - Polk County 515-243-6339

## Conservation

Dan Biechler - Linn County 319-892-6450

## County Attorneys

Fred McCaw - Dubuque County 563-589-4470  
Corwin Ritchie - Iowa Co. Attorneys Assoc. 515-281-5428

## Emergency Management

Ned Wright - Linn County 319-363-2671

## 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

Jeff Rodda - Polk County 515-286-3031

## Public Health Nurses

Kathy Nicholls - Wright County 515-532-3461

## Recorders

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

## Sheriffs

Curt Braby - Louisa County 319-523-4371  
John Hampel - Polk County 515-286-3800

## Supervisors

Mike Wentzien - Iowa Supervisors' Assoc. 641-473-2693  
Mike King - Union County 641-782-1720

## Treasurers

David Jamison - Story County 515-382-7330  
Kim Reynolds - Clarke County 641-342-3311  
Michael Grandon - Cerro Gordo County 641-421-3037

## Zoning

Tim Huey - Scott County 563-326-8643  
Doug Wood - Humboldt County 515-332-4809







**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](http://www.iowacounties.org)