

2007

# summary of legislation

82nd General Assembly,  
1st Session  
Iowa State Association of Counties (ISAC)







## ***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.



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# INTRODUCTION

In 2007 Iowa counties participated with the 82nd General Assembly in the development of many important public policy decisions. ISAC registered to lobby on 400 pieces of legislation this year. This summary contains 91 bills affecting counties that passed the legislative process. Affiliates of ISAC also requested that ISAC "track" another 51 bills without registering to lobby on them. In addition, ISAC notified affiliates of an estimated 435 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 235 bills and the summary contained 103 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 therein. 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 mental health redesign would be found under "Human Services." 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, 2007. 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 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 41 we have listed the steering committee chairs and 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! Please 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** – For the last few years, ISAC and the Iowa League of Cities (ILC) have jointly proposed property tax reform measures to help bring equity, simplicity and predictability to the system for taxpayers and local governments. This year the joint proposal was in two parts. The first was a “rollback corridor” for residential property in which the residential property could not drop below 43% or rise above 50% of taxable value. The effect would be to separate the residential property class from the agricultural class and keep the tax burden from shifting ever further to the commercial and industrial classes. The second part of the plan was to place a property tax limitation on cities and counties based on a dollar limit. The limit would be tied to the government price inflation index. New construction would increase the limit and rate limits would be eliminated. Any additional revenue needed by a local government would be subject to a reverse referendum.

The Legislature considered several proposals to slow the growth of the tax burden on commercial property. A bill that passed the Senate shifted apartments from commercial to residential over a seven-year period. A house plan would have created a commercial property tax credit for certain businesses and reduced the assessment limitation on commercial property to one percent.

Because there was a lack of agreement over which direction to go, the General Assembly created a study committee to conduct a comprehensive review of property taxation in Iowa. The committee will be comprised of legislative members and nonvoting members representing certain interest groups (including counties) and state departments. The committee is authorized to contract with one or more tax consultants or experts familiar with the Iowa property tax system. The study committee is to meet during the 2007 and 2008 legislative interims and submit a final report to the General Assembly on or before January 5, 2009. See SF 601 in “Appropriations.”

**Adequate Funding for Mental Health Services** – In recent years, shrinking allocations of state mental health dollars for growth in the system have forced counties to reduce reserves and raise levies when possible. ISAC proposed that the state make up its shortfalls by appropriating \$19 million in addition to the normal allowed growth increase. ISAC further proposed changing the dollar cap in the county mental health fund to a levy rate limit so new valuation growth could be captured. Some progress was made on this priority. In the Human Services Budget Bill (HF 909), the Legislature appropriated \$12 million in new mental health funds. HF 909 also contained a provision to authorize a temporary exception to allow a county to transfer monies from other funds to the county's MH/MR/DD services fund for FY 2007-2008.

**Sex Offender Residency Law** – The Iowa Sex Offender Residency Law generally says that a person convicted of a sex offense against a minor “shall not reside within 2,000 feet of an elementary or secondary school or a child care facility.” There are several reasons why this policy should be replaced with a system that better protects the public. There is no evidence that residency restrictions enhance public safety. Residency restrictions have caused unintended consequences by driving offenders underground, making it harder to track their movements.

ISAC joined with county attorneys, sheriffs, and various citizen groups to seek replacement of the 2000-foot residency restriction with *safe zones*. Safe zones would prohibit sex offenders from entering areas near schools and daycares. The plan contains other provisions such as targeted public education, requiring treatment before release, risk assessments, and real time monitoring of the most serious offenders.

The Senate Judiciary Committee approved SF 455 to achieve these objectives. A similar measure was pending in the House. Public opinion polls show strong public support for the current 2000-foot law. Accordingly, lawmakers were unable to gather the votes necessary to enact the legislation. This is a politically charged issue and will require broad bipartisan support to pass. A comprehensive public education campaign will be necessary before legislators will have the political courage to change this law.

**28E Publication Requirements** – In the final hours of the 2006 legislative session, SF 2410 was passed. That legislation required every 28E entity to publish its board minutes in a general circulation newspaper. In response to various unintended consequences caused by SF 2410, ISAC joined with other groups to correct those issues.

Passage of HF 808 helped solve some of those issues. The bill eliminates the requirement that an administrator exercising an agreement is subject to open meetings and public records laws. It also strikes certain publication requirements for such administrators.

For 28E entities with budgets over \$100,000, the legislation requires notices and meeting information to be published within twenty days of adjournment. Finally, HF 808 requires entities with budgets under \$100,000 to file meeting records in an electronic format with the county recorder in the largest county served by the entity. The recorder is required to make those records available to the public.



# COUNTY ADMINISTRATION & ORGANIZATION

## **HF 1 - Raising State's Hourly Minimum Wage**

WRP

*All County Officials*

This bill raises the state's hourly minimum wage to \$6.20 beginning April 1, 2007, and to \$7.25 beginning January 1, 2008. The state hourly minimum wage for employees serving a 90 day training period is raised to \$5.30 on April 1, 2007, and to \$6.35 on January 1, 2008. The bill also directs the labor commissioner to enforce the provisions of the bill against employers discovered to be in noncompliance with these changes, but prohibits the imposition of liquidated damages for noncompliance prior to July 1, 2007. With the addition of the words "as amended to January 1, 2007," following citations to the federal Fair Labor Standards Act of 1938, state minimum wage law will conform to federal law in terms of its applicability to employers and employees as of that date.

The federal minimum wage laws have primacy over state minimum wage laws unless the state sets a higher minimum wage. The federal hourly minimum wage, which took effect September 1, 1997, is \$5.15. The federal sub minimum, or youth, wage for employees under 20 years of age during their first 90 consecutive calendar days of employment with an employer is \$4.25 an hour.

The bill is effective upon enactment.

## **HF 314 - Commercial Drivers' Licenses**

DV

*Engineers, Sheriffs*

This bill amends Iowa Code §321J.8, related to the statement to be made by a peace officer to a person who has been requested to submit to a chemical test related to suspicion of operating while intoxicated.

The bill adds a requirement that the peace officer inform the person that a person holding a commercial driver's license and operating a noncommercial motor vehicle is disqualified from operating a commercial motor vehicle if the person either refuses to submit to the test or operates a noncommercial motor vehicle while under the influence of alcohol or drugs.

## **HF 413 - Campaign Finance Filings**

DV

*All Elected Officials*

This bill amends Iowa Code chapter 68A regarding campaign finance reporting requirements.

The bill provides that all statements and reports filed with the Iowa Ethics and Campaign Disclosure Board shall now be posted on the Board's Internet website, rather than being provided to the county auditor.

The bill provides that the committee of a candidate for statewide office or the Legislature shall file all statements and reports electronically by 4:30 p.m. on the day the filing is due. All other candidates or political committees may submit statements and reports electronically.

The bill provides that any report that is required to be filed five days prior to an election must be "physically received" by the Board to be considered timely filed. "Physically received" includes electronic filing.

Finally, the bill provides that the requirement that reports and statements that have to be signed does not apply to reports and statements filed electronically.

The new requirements apply immediately to committees that file a statement of organization on or after January 1, 2010, and all committees, regardless of when they filed their statement of organization, on January 1, 2012.

## **HF 546 - Membership on Election Boards**

JE

*Auditors*

This bill allows the commissioner of elections to include on election board panels names of persons who are not members of the two political parties receiving the largest and next largest number of votes for president or governor in the county at the last general election. The bill limits such persons to no more than one third of the total people serving on the election board. However, the bill provides that the commissioner shall first appoint from the election board panel all the members of the panel who are members of one of the two political parties. Precinct election officials and members of the election counting board are chosen from election board panels.

## **HF 587 - Emergency Service Advisory Boards** - See Appropriations

## **HF 588 - Elections to Township Office**

JE

*Auditors*

This bill strikes the requirement that a person seeking election to township office must file a nomination petition containing at least 10 signatures and requires only that the person file an affidavit of candidacy.

## **HF 591 - Increasing City Councils to Five Members**

JE

*Auditors*

This bill identifies the procedures to be used by certain city councils having a mayor-council form of city government to increase the number of city council members to five after being reduced to three members. The bill provides that to increase the number of city council members, the city council must follow the same procedures that are set forth in Iowa Code §372.4(3) or (4), as applicable, to reduce the number of council members.

## **HF 608 - Township Trustee Meeting Notices**

DV

*Auditors*

This bill amends Iowa Code §359.17 regarding township trustee meetings. The Open Meetings Law has always excluded township trustees from having to post meeting



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notices. This bill requires that trustees give notice of a meeting "to discuss, deliberate or act upon" a matter relating to the budget or a tax levy or related to the township's duty to provide fire protection or emergency medical services. The trustees shall give notice at least 48 hours prior to the meeting. However, notice is not required when the trustees gather for "minor or ministerial matters" related to fire protection or emergency medical service. The notice shall state the time, date and place of the meeting and the proposed agenda. The notice shall be provided to the county auditor, "who shall post the notice in an area of the courthouse where notices to the public are commonly posted."

The bill requires that, once the township trustees provide the budget to the auditor, "the county auditor shall post" the proposed budget of the township trustees "in an area of the courthouse where notices to the public are commonly posted."

## **HF 618 - High School Student Service on Election Boards** *JE Auditors*

This bill allows high school juniors and seniors who are not yet qualified to be registered voters to be appointed as precinct election board members, but not board chairpersons, if they meet certain statutory requirements.

No later than 14 days after the date of the election, the commissioner shall report to the appropriate secondary school the name of each student attending the school who served as a precinct election board member on election day. The report shall also include the number of hours the student served as a precinct election board member, the precinct number and polling place location where the student served as a precinct election board member, and any other information the commissioner deems appropriate or that is requested by the school.

## **HF 653 - Same Day Registration** *JE Auditors*

This bill allows a person to register to vote after the normal statutory deadline for registration for an election and to vote in that election.

The bill provides that a person eligible to register to vote and to vote may register in person at the polling place on election day by completing a voter registration form, making written oath, and providing proof of identity and proof of residency in the precinct. The bill specifies documents that establish proof of identity if such documents contain the person's photograph and a valid expiration date. The bill also specifies documents that establish proof of residency.

If the person does not have such proof, the bill allows identity and residency in the precinct to be established by written oath of a registered voter of the precinct. The bill allows a person who cannot establish identity and

residency in the precinct by either of these methods to vote a provisional ballot. False information provided under oath constitutes registration fraud under Iowa Code §39A.2(1)(a) and is a class "D" felony punishable by no more than five years in confinement and a fine of at least \$750 but not more than \$7500.

The bill also provides that at any time before election day and after the normal deadline for registering to vote, a person may vote absentee at the commissioner's office or at a satellite absentee voting station by registering in the same manner as registration may be accomplished on election day.

The bill requires the county commissioner of elections to send acknowledgment of election day and in-person absentee registrations within 45 days of receiving the voter registration form. If the acknowledgment is returned as undeliverable, the commissioner is required to attempt contact by forwardable mail. If the voter does not respond within 14 days of the notice being mailed, the commissioner is required to change the status of the registration to inactive status and immediately notify the secretary of state and the county attorney.

This bill applies to elections held on or after January 1, 2008.

## **HF 783 - Delinquent Fees to City Utilities or Enterprises** *JS Treasurers*

Under current law, delinquent rates or charges for water, sewer, storm water or solid waste services provided by a city utility or enterprise become a lien against the property receiving the services upon notice to the account holder and certification of the delinquent amount to the county treasurer. The delinquent amount then becomes collectible as a special assessment. This bill specifies that notice must be provided to the account holder "in whose name the delinquent rates or charges were incurred." It also provides that if the delinquent rates or charges are not certified to the county treasurer prior to a transfer of the property where the service was provided, then the delinquent amounts cannot become a lien against the property. However, they can become a lien against any other property located in the state and owned by the account holder. Additionally, service to a new account holder may not be withheld or discontinued based on the delinquent charges incurred by a prior account holder at the same premises, and the delinquent amount is not collectible from the new account holder, unless the utility had certified the delinquent amount to the treasurer prior to the property transfer. Both under current law and the bill, there are exceptions to the lien process for rental property where the tenant, not the owner, is responsible for paying the charges.



# COUNTY ADMINISTRATION & ORGANIZATION

## HF 808 - 28E Publication Requirements

DV

*All Affiliates*

This is an attempt to correct problems created by last session's SF 2410 regarding 28E publication requirements. This bill amends provisions in Iowa Code chapter 28E and only applies to 28E agreements. It does not apply to any other types of sharing agreements.

SF 2410 said that even if there was a sole administrator of a 28E agreement, that administrator was subject to the Open Meetings Law. This bill excludes any regulation of sole administrators.

The bill also specifies that a joint board shall provide a summary of the proceeding of the joint board to a general circulation newspaper within 20 days following a meeting. The requirement had been one week. The summary must include "the date, time, place the meeting was held, the members present and the actions taken at the meeting." The joint board must continue to publish a schedule of bills allowed. However, this bill allows the consolidation of bills paid to the same claimant "if the purpose of the individual bills is the same." Salaries of persons employed by the joint board must still be published.

One concern raised by critics of SF 2410 was that it applied to all 28E entities, including those with small budgets or no budgets whatsoever. One big change in this bill is that a 28E entity with a cash balance of less than \$100,000 at the end of the last fiscal year and with expenditures of less than \$100,000 in the last fiscal year is not required to publish a summary of the board proceedings. Instead, these 28E entities must file, free of charge and in an electronic format the proceedings of the board in the office of the county recorder in the most populous county served by the 28E entity. The county recorder shall make the information submitted available to the public and shall also include access to a copy of the agreement creating the entity. The county recorders must post these meeting minutes on the county recorders' website, with a link to the Secretary of State's website where these 28E agreements are stored.

There is no publication requirement for 28E entities that include public agencies from more than one state. There is also no publication requirement regarding contracts entered into pursuant to Iowa Code §28E.12. This relates to contracts where there is no new joint board created. The focus of the Legislature's interest on oversight relates to contracts where there is a new joint board created - not where one public body contracts with another public body for goods or services.

Everything mentioned above is effective upon enactment. The following items are effective on January 1, 2008.

The bill changes the law regarding filing and recording 28E agreements. Under this bill, 28E agreements must be filed electronically with the Secretary of State. The bill

eliminates the requirement that 28E agreements be recorded by the county recorder.

Any amendment of a 28E agreement must be filed electronically "within 30 days of the effective date of the amendment." Notices of termination of a 28E agreement must be filed with the Secretary of State enabling the record keepers to more precisely track 28Es.

In addition, 28E entities with joint boards, must submit in electronic format an initial report to the Secretary of State. The report shall include: the name of the entity; the board members; whether the 28E entity is exempt from the publication requirements due to the \$100,000 limits discussed above; a valid email address; and any other information the Secretary of State deems appropriate.

The first report is due by July 1, 2008. Following submission of the initial report, each entity shall submit a report by April 1 of every odd-numbered year beginning in 2009.

## HF 830 - Competitive Bidding

DV

*Auditors, Supervisors*

This bill attempts to correct some of the problems in last year's bill that created Iowa Code chapter 26, the local government competitive bidding law.

The bill provides that when estimating the total cost of a public improvement, counties should exclude the cost of landscape architectural services. It provides that the notice to bidders has to be published between 4 and 45 days before the date for filing bids. The law previously required between 20 and 45 days notice. The bill eliminates the reference to Iowa Code section 362.3 regarding publication of city notices. The bill also amends the current law that provides that the total cost of a project be estimated by either an architect or an engineer. This bill changes that to add landscape architect.

The bill requires that the date and time of the bid, together with the name of the person reciting the bid, must be recorded on the envelope containing the bid. Also, all bids received after the deadline shall not be considered and shall be returned to the late bidder unopened. The bill provides that the officer receiving and opening the bids shall report the results either at the next regular meeting of the board of supervisors or at a special meeting called for that purpose. The "special meeting" language is new.

The bill clarifies the competitive quotation process. Current law says that when a county seeks quotations, the county has to make a "good faith effort" to get quotes from two contractors. This bill clarifies that a "good faith effort" shall include timely notification of all contractors who have filed a request for notice of projects. The bill provides that if the county follows the requirements but receives no quotations, it may negotiate a contract with a contractor regularly engaged in such work. The bill clarifies that competitive



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quotation or competitive bidding may be used even if the dollar amounts involved do not require that they be used. Finally, the bill provides that after 2012, the competitive bid threshold and the competitive quotation threshold shall be adjusted at the same time and by the same percentage.

## **HF 848 - Auditors' Technical Elections**

JE

Auditors

This bill amends laws relating to elections, voting, and voter registration.

### **Division I - Elections**

The bill removes a reference to fill a vacancy in the office of lieutenant governor by election. A vacancy in that office is filled by appointment by the governor. The bill provides that if a vacancy in a county office occurs more than 73 days before the primary election, political party candidates to fill that office at the general election shall be nominated at the primary election. Iowa Code §§43.14 and 45.5, relating to the form of nomination papers filed for the primary election or filed by persons nominated by petition, are amended to provide that a signature line shall not be counted if the signer's address is outside of the appropriate area or district. The bill also clarifies that a person signing a nomination petition must be a resident of the appropriate ward, city, county or district.

The bill provides that precinct boundaries drawn by a city council may be redrawn once during the period beginning January 1 of the second year following the federal decennial census and ending June 30 of the year immediately following the year in which the next succeeding federal decennial census is taken, if the county commissioner of elections recommends that the change will result in a substantial savings in election costs.

The bill removes the requirement that a majority of the members of the original precinct election board be present at the precinct polling place at all times on election day. Instead, it requires that the chairperson of the precinct election board be present at the precinct polling place at all times on Election Day. The bill requires that a substitute precinct election official be a member of the same political party as the election official for whom the substitution is made.

The bill removes the requirement that the names of candidates and political parties appear in all capital letters on ballots. It also allows the names of political parties and nonparty political organizations to be abbreviated on ballots if the abbreviations are printed with the full name in the "Straight Party" and "Other Political Party" areas of the ballot. The bill requires a minimum font size on ballots for constitutional convention questions, constitutional amendments, and public measures. The bill provides that a ballot shall be printed to contain the unique identification number or name assigned by the commissioner to the ballot style, rather than a designation of the ballot rotation.

The bill provides that the polls may open at noon, rather than 7 am, for any election conducted for the unincorporated area of a county. Currently, the polls may open at noon in the unincorporated area of the county only for a referendum on a local option sales and services tax.

The bill provides a specific list of reasons that a person to be challenged as unqualified to vote.

This bill allows the abstract of votes in the general election may be made on one sheet for county offices, rather than a separate sheet for each county office.

The bill provides that if a person elected by write-in votes at a regular city election chooses not to serve, the person shall submit a resignation to the city clerk by 5:00 p.m. on the tenth day following the canvass of that election. Currently, the resignation is required by 5:00 p.m. on the day following the canvass of the election. The bill establishes a deadline for filing a petition to request a special election if a write-in candidate who wins a city election declines the office and the candidate receiving the next highest number of votes is declared the winner. The deadline established for filing the petition is within 10 days after the city clerk has notified the candidate next declared the winner.

### **Division II - Absentee Voting**

The bill prohibits incumbent officeholders and candidates seeking offices on the ballot from serving as observers or challengers of the process of counting absentee ballots. Candidates and officeholders are currently prohibited from serving in this capacity at the polls on election day.

The bill allows a voter to apply in person at the commissioner's office for an absentee ballot from 8:00 a.m. until 11:00 a.m. on the day of the election if it is an election at which the commissioner has directed that the polls shall open at noon. Currently, the county commissioner of elections may direct that the polls be opened at noon for any school district election, city elections in cities of 3,500 or less population, for cities above 3,500 population if there is no contested election or public measure on the ballot, any benefited district, and elections in the unincorporated area of the county.

The bill requires that an application for an absentee ballot include the date of birth of the registered voter who is applying for the absentee ballot.

The bill that voters who expect to be patients or residents of health care facilities or hospitals on election day are not prohibited from voting absentee in person at the commissioner's office. The bill allows an immediate family member of an absentee voter, if authorized by the voter, to deliver the voted ballot to the commissioner's office.

The bill provides that observers to witness the opening of absentee ballot envelopes before election day shall be appointed by the county chairperson of the political party or by the state chairperson. If observers are not appointed, the



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commissioner may proceed with opening the ballot envelopes.

The bill changes the deadline for filing a challenge to an absentee voter from 5:00 p.m. on the day before the election to 5:00 p.m. on the Friday before the election. The bill provides that military and overseas voters are not subject to the requirements for persons registering by mail to provide identification when voting or that identification numbers on absentee ballots be verified. The bill provides that if more than one request is received by the commissioner for an absentee ballot for a military or overseas voter, the last request received shall be honored, except that the voter's request shall take precedence over a request made by another person on the voter's behalf. The bill allows the mailing of a replacement absentee ballot to a military or overseas voter who reports a change of address after a ballot has been mailed to the voter. The bill also allows a member of the armed forces to return an absentee ballot from within the United States if the person is on active duty within the United States. It changes the time period during which a voter submitting a federal write-in ballot must also apply for a regular absentee ballot. Currently, the deadline is more than 30 days before the election. The bill changes the deadline to more than 14 days before the election. Finally, Iowa Code §53.35, which makes it unlawful for a person to fail to return an absentee ballot, is repealed.

## **Division III - Voter Registration**

The bill defines "voter registration list." It requires that the commissioner of registration verify that the date of birth indicated on a voter registration application form is at least seventeen and one-half years earlier than the date the registration is processed. It provides that a voter registration application form lacking the signature of the registrant shall not be processed, and it specifies that all military and overseas voters are exempt from the identification number verification requirements.

The bill applies to elections held on or after January 1, 2008.

## **HF 897 - Statewide Electrical Licensure and Inspections**

JS

*Supervisors, Zoning*

This bill creates a statewide system of licensure for electricians and a statewide system of electrical inspections. The new systems are intended to supplement, not supplant, current local licensure and inspections. The bill creates an 11-member electrical examining board that is primarily responsible for overseeing the licensure and inspection systems created in the bill. One member of the board shall be a local building official employed by a political subdivision to perform electrical inspections. One of the board's duties is to establish standards for the certification of electrical inspectors. Only persons who meet those standards will be allowed to act as electrical inspectors and enforce the provisions of the bill.

The provisions of the bill do not apply to employees of municipal corporations or certain other entities acting within

the scope of their employment, or to any person who holds a valid license from a political subdivision and who works only within that jurisdiction. State inspection procedures shall not apply in any political subdivision that has adopted a local electrical code and inspection standards that are at least as stringent as the statewide standards. The bill requires political subdivisions performing electrical inspections prior to December 31, 2007, to continue performing those inspections until December 31, 2012. Subsequently the subdivisions may turn over the inspection process to the state. Prior to December 31, 2012, the subdivision must petition the board if it wants to discontinue performing inspections. Alternately, the board can revoke the authority of a political subdivision to perform inspections if it unanimously finds just cause to do so. Political subdivisions that do not currently perform electrical inspections may begin to do so upon conformance with the standards in the bill.

Provisions of the bill relating to definitions and the establishment of the examining board are effective upon enactment. Provisions relating to licensure are effective January 1, 2008. Provisions relating to inspections are effective January 1, 2009.

## **HJR 3 - Qualification of Electors**

JE

*Auditors, Community Services, Supervisors*

This joint resolution proposes an amendment to the Constitution of the State of Iowa relating to persons who are disqualified from voting or holding elective office. The resolution removes the words "idiot" and "insane" from the Constitution and substitutes the phrase "mentally incompetent to vote."

Because the resolution has been adopted by two consecutive legislatures, it will be referred to the electorate for ratification at the general election in November 2008.

## **SF 39 - Campaign Contributions, Reports and Regulations**

JE

*All Elected Officials*

This bill makes a variety of changes to Iowa's campaign finance and disclosure requirements.

The bill modifies the definition of a contribution and strikes current language that provides that a reportable contribution shall not include transportation provided to a candidate so long as its value is computed at a rate of \$.20 per mile. This change maintains the \$100 cap for transportation but ties the per mile limit to the internal revenue service rate.

The bill requires a committee to file a disclosure report, whether or not a statement of organization has been filed by the committee, whenever the financial threshold for disclosure reporting has been met. It also requires a committee that is currently filing a disclosure report in



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another jurisdiction to either file a statement of organization and disclosure report or file one copy of a verified statement with the Iowa Ethics and Campaign Disclosure Board. The filing must be completed within 15 days of the contribution being made.

Iowa Code §68A.203(2), relating to the handling of campaign contributions, is amended to exclude a candidate or committee officer from the current requirement that a person who receives contributions for a committee must, not later than 15 days from the date of receipt of the contributions or on demand of the treasurer, render to the treasurer the contributions and an account of the total of all contributions, including the name and address of each person making a contribution in excess of \$10. The bill also provides that committee funds and committee property cannot be used for the personal benefit of a candidate. The current prohibition applies only to an officer, member or associate of the committee.

The bill requires the board to make reports and statements available on the Internet. It also provides that the candidate of a candidate's committee, or the chairperson of any other committee, is responsible for filing statements and reports. Civil penalties apply to the failure to file a required disclosure report.

The bill eliminates a current requirement that each county commissioner of elections retain statements and reports for a county, city, school or other political subdivision for at least three years and that statements and reports for county statutory political committees must be retained for five years.

The bill revises the reporting dates for a political committee advocating the passage or defeat of a ballot issue by adding a requirement that in an election year a report covering the time period from nine days before the election through December 31 must be filed on or before January 19 of the next calendar year, and in a non-election year a report must cover the time period of January 1 through December 31 of the previous calendar year.

Iowa Code §68A.406 relates to the restrictions for posting signs on private property. The bill specifies the following situations where those restrictions do not apply:

1. On election day either on the premises of any polling place or within 300 feet of any outside door of any building affording access to any room where the polls are held, or of any outside door of any building affording access to any hallway, corridor, stairway or other means of reaching the room where the polls are held.
2. Within 300 feet of an absentee voting site during the hours when absentee ballots are available in the office of the county commissioner of elections.
3. Within 300 feet of a satellite absentee voting station during the hours when absentee ballots are available at the satellite absentee voting station.

Iowa Code §68A.501 relates to the escheat of funds from

unknown sources to the proper governmental agency; the bill requires that such funds be forwarded to the state treasury.

## **SF 40 - Campaign Finance Reports**

DV

*All Elected Officials*

Current law states that names on any reports (campaign finance, lobbying, ethics) filed with the Iowa Ethics and Campaign Disclosure Board cannot be used for "commercial purposes," including solicitation of campaign contributions, except when done by the state parties. So candidates and PACs cannot use this information for creating donor lists. This bill removes the prohibition on the use of these names for soliciting campaign contributions (but leaves in place the prohibition on the use of "commercial" solicitations).

## **SF 42 - Campaign Finance Reports**

JE

*All Elected Officials*

This bill requires that any report that is required to be filed five days prior to an election must be physically received by the Iowa Ethics and Campaign Disclosure Board either in person or by mail, fax or electronic means.

The bill exempts communications by a nonprofit organization with its own members from a general prohibition relating to solicitations to a financial institution, insurance company, or a corporation. The bill also authorizes the board to adopt rules relating to media corporation resources if the publisher, owner or editor of the corporation is a candidate for public office.

## **SF 58 - Nomination Papers for Office of Mayor**

JE

*Auditors*

This bill provides that if a city governed by the council-manager-at-large form of government modifies its form of government to provide for the direct election of the mayor by the voters, the number of signatures required on nomination papers for the office of mayor in the first election that office is on the ballot shall be a number equal to the total number of votes cast for city council offices at the last city election, divided by the number of city council offices on the ballot at that election and multiplied by two hundredths (.02). The minimum number of signatures required is 10.

## **SF 155 - Local Government Innovations and Tim Shields Center for Governing Excellence**

WRP

*All County Officials*

This bill creates a local government innovation commission and fund and provides for the establishment of a center for governing excellence. The bill creates the local government innovation commission, which is located in the Department of Management for administrative purposes. Members of the commission represent the executive branch, county and city governments, school districts, community colleges, councils of governments, local law enforcement or fire protection, the homeland security and emergency



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management division of the Department of Public Defense, the Department of Economic Development, and the private business sector. Four members of the General Assembly are appointed as nonvoting members of the commission. The commission is to develop a request for results application and review process to review local governance and revenue models submitted by community-wide areas. The bill requires the commission to report to the General Assembly and to the governor's office on or before January 1, 2009, with recommendations for legislative changes that would provide flexibility and freedom to community-wide areas in implementing governance and revenue models. The bill defines "community-wide area as a distinct geographical area voluntarily formed by and comprised of counties, cities or townships, or any combination thereof, all of which possess a degree of autonomy in varying matters. State agencies and school districts may also participate in a community-wide area if joined by a county, city or township."

The bill directs the commission to prepare a request for proposals for establishment of an Iowa center for governing excellence. The purpose of the center for governing excellence is to provide objective and nonpartisan research and training for policymakers and government officials; to integrate the research capacities of community colleges and public and private universities and of local government organizations; and to facilitate dialogues among Iowa's state agencies, local governments, community colleges, universities, and citizens on government policy design, implementation and evaluation. The bill provides that the activities of the Iowa center for governing excellence shall be directed and supervised by the local government innovation commission.

The bill creates a local government innovation fund for the purpose of providing grants to community-wide areas to assist in the implementation of local governance and revenue models that have been reviewed by the commission.

The bill is effective upon enactment.

## **SF 212 - Recorded Documents and County Deputy Salaries**

JE

*Auditors, Recorders, Supervisors, Treasurers*

Current law provides that a person who prepares a document for filing with the county recorder shall not include an individual's federal social security number. This bill extends this prohibition to "personally identifiable information," which is defined to mean a social security number; checking, savings, or share account number; and credit, debit, or charge card number. The bill provides that a person may demand that a recorder remove any personally identifiable information that is located on the recorder's website. The bill provides that a person who enters personally identifiable information in a document that is recorded is liable for actual damages of up to \$500 for each act of recording. The bill does not apply to a

preparer of a state or federal tax lien, a military separation or discharge record, or a death certificate that is prepared for recording in the office of the county recorder. However, if a military separation or discharge record or a death certificate is recorded, such record shall not be accessible through the Internet.

The bill also provides that the annual base salary of first and second deputies in the offices of county auditor, treasurer, and recorder; the deputy in charge of the motor vehicle registration and title division; and the deputy in charge of driver's license issuance shall not exceed 85% of the applicable principal officer's salary. The bill also provides that if any of these county offices has more than two deputies, the annual base salary of each additional deputy shall not exceed 80% of the principal officer's salary. The bill defines "base salary" to mean the same as defined for deputy sheriffs in the office of county sheriff.

The provisions reciting to deputy salaries apply to county budgets for the fiscal year beginning July 1, 2008, and all subsequent fiscal years.

## **SF 319 - Cooperative Association Reports**

JE

*Recorders*

Current law requires that trustees winding up the affairs of a cooperative association during dissolution file a report with the secretary of state and the county recorder. The bill eliminates the requirement for filing the report with the county recorder.

## **SF 337 - County Recorder Cleanup**

JE

*Recorders*

This bill makes changes relating to documents filed with the county recorder. The bill provides that the affidavit filed by an owner who gained possession of a parcel by tax deed shall contain the document reference number of the tax deed. The bill also provides that the information to be indexed for affidavits and claims relating to issuance of a tax deed shall be the applicable entries required to be made for conveyances of property and any entries specific to the affidavit or claim and required by law to be indexed.

The bill provides that a statement of claim asserting a mineral interest in coal, when filed with the county recorder, shall be indexed with entries required by law for such a statement and with the applicable entries required to be made for conveyances of property. The bill specifies that instruments of conveyance of real property shall be indexed with all the information required by law to be indexed for conveyances, including the document reference number where the record of the instrument can be found. The bill further provides that affidavits of possession of real estate relating to claims prior to 1980 and statements claiming real estate or an interest in real estate made after 1992, if filed with the recorder, shall be indexed with the applicable entries required to be made for conveyances of property and with any entries specific to the affidavit or claim and



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required by law to be indexed. Finally, the bill provides that notices relating to marketable title shall be indexed with the applicable entries required to be made for conveyances of property.

## **SF 351 - Political Committee Disclosure Reports**

JE

*Auditors, Supervisors*

This bill requires a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year. The non-election year reporting requirement is modified to make the election year and non-election year reporting periods consecutive.

## **SF 354 - Overpayments to Counties**

JE

*All County Officials*

This bill requires that a county keep overpayments of moneys paid to the county amounting to \$5 or less, unless the person who made the overpayment requests a refund of the overpayment.

## **SF 369 - Voting Machines and Equipment**

JE

*Auditors*

This bill makes numerous changes relating to voting machines (direct recording electronic devices) and optical scan voting systems.

The bill provides that when voting machines are used in a precinct, the commissioner shall make a supply of paper ballots available in case of a power failure, machine malfunction or any other condition that prevents a person from casting the person's ballot on the voting machine.

This bill strikes the requirement that notice of testing of voting machines and voting system tabulating devices be included with the notice of the election. Instead, the bill provides that notice of testing may be published separately or may be published with the notice of the election.

The bill provides that if a voting machine was used in the election, the paper record produced by the machine for voter review shall be the official record in a recount unless the county commissioner of elections believes or knows that the paper records for a machine have been compromised in some manner.

Iowa Code §52.1, relating to voting machines and electronic voting system requirements, is amended to rewrite several of the definitions. "Electronic voting system" is changed to "optical scan voting system" and other changes are made to related terminology.

The bill provides that a county whose voting system primarily utilizes voting machines shall, when replacing the system, replace the system with an optical scan voting system only, and the federal law requirements relating to disabled voters shall be met through the use of an electronic ballot marking device that is compatible with an optical scan voting system.

The bill further provides that those counties that utilize both a voting machine and an optical scan voting system shall, when replacing a voting machine, replace the voting machine with an electronic ballot marking device that is compatible with an optical scan voting system.

The bill requires voting machines to provide a paper record for review by the voter at the polling place for all elections held on or after November 4, 2008.

The bill requires any county using an optical scan voting system to also conduct absentee voting by use of such a system.

It provides that testing of optical scan voting systems and tabulating devices shall be completed not later than twelve hours before the opening of the polls on the morning of the election. The bill provides that the test group of ballots used for the test shall be clearly labeled as such, and retained in the commissioner's office. The bill requires those who are present for machine and equipment testing shall sign a certificate to verify being a witness to the test.

The bill repeals Iowa Code sections relating to use of voting machines that are lever machines. The bill repeals Iowa Code sections authorizing and referring to the use of counting centers to tabulate optical scan ballots at a central location rather than at each precinct.

## **SF 381 - District Court Judge Formula**

DV

*All Elected Officials*

This bill eliminates the current codified formula used to determine the number of district court judges in each county. Under this bill, the Iowa Supreme Court shall prescribe "a formula to determine the number of district judges who will serve in each judicial election district. The formula shall be based upon a model that measures and applies an estimated, case-related, workload formula of judicial officers and that accounts for administrative duties, travel time and other judicial duties not related to a specific case."

## **SF 384 - Statute of Limitations**

LH

*County Attorneys, Supervisors*

This bill extends the statute of limitations tolling provisions relating to minors and persons with mental illness contained in §614.8 to claims and actions filed against the state and against a city, county, township or school district. Minors have until one year after attaining majority to file an action and persons with mental illness have until one year after the termination of the mental illness to file an action.

## **SF 416 - City Elections**

JE

*Auditors*

This bill makes changes relating to the availability of satellite absentee voting at city primary and city runoff elections and to the procedures used by cities to fill a city



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council vacancy by special election.

The bill provides that satellite absentee voting stations may be used for city primary elections and city runoff elections. However, if there is a special election scheduled between the day of the regular city election and the day of the runoff election, the county commissioner of elections is not required to establish a satellite absentee voting station for the runoff election.

The bill provides that a petition requesting a satellite absentee voting station must be filed by no later than 5:00 p.m. on the 30<sup>th</sup> day before a city primary election. It also provides that a petition requesting a satellite voting station must be filed by no later than 5:00 p.m. on the 21<sup>st</sup> day before the city runoff election.

Finally, the bill provides that a nomination petition for a special election called to fill a vacancy on a city council must be filed not less than 25 days before the date of the special election. For those cities where a primary election may be required, the nomination petition must be filed not less than 52 days before the date of the special election.

## **SF 427 - Sexual Orientation or Gender Identity Discrimination**

DV

*County Attorneys, Supervisors*

This bill amends the Iowa Civil Rights Act to prohibit discriminatory employment, public accommodation, housing education and credit practices based on a person's sexual orientation or gender identity. The bill does allow a bona fide religious institution to impose qualifications related to sexual orientation or gender identity if the qualifications are related to a bona fide religious purpose. The bill also adds a new section on construction of the chapter which prohibits interpreting the chapter to allow marriage between persons of the same sex.

## **SF 444 - Councils of Government**

DV

*Supervisors*

The configuration of the various regional councils of government ("COGs") is determined by the Iowa Code. This bill amends Iowa Code chapter 28H to provide that the Area 15 COG now consists of Davis, Jefferson, Keokuk, Mahaska, Van Buren and Wapello counties.

The four counties that are no longer in the Area 15 COG, Appanoose, Lucas, Monroe and Wayne, are now grouped together in a new COG called the "Chariton Valley Council of Governments."

## **SF 448 - Confidentiality of Unemployment Information**

WRP

*All County Officials*

This bill brings Iowa's unemployment insurance laws into compliance with new federal laws regarding confidential information. The bill expands confidential information to include unemployment insurance information received from

other states. The bill also expands who can be held criminally responsible for revealing confidential information to include public officials, their agents and contractors, and third parties.

## **SF 601 - Standing Appropriations** - See Appropriations



# ENVIRONMENT & PUBLIC HEALTH

## **HF 158 - Lead Testing**

LH *Environmental Health, Public Health Nurses*

This bill requires the Department of Public Health to implement a requirement that children receive a blood lead level test prior to the age of six and before enrolling in elementary school. Exemptions may be granted based on low risk or bona fide religious objections. The bill exempts itself from the state law prohibiting unfunded mandates. Thus, counties must comply with the bill, even if it is an unfunded mandate.

## **HF 245 - Required Childhood Vaccines**

LH *Public Health Nurses*

This bill adds a requirement that children receive a vaccination against pneumonia prior to enrollment in a licensed child care center.

## **HF 907 - Appropriations from Tobacco Funds** - See Appropriations

## **HF 925 - Public Health Omnibus**

LH *Emergency Management, Environmental Health, Public Health Nurses*

This bill contains mostly technical or minor changes to programs with the Department of Public Health (DPH). The bill codifies the existing position of dental director and the existing oral health bureau. The bill provides legal immunity to persons and entities who, in good faith, provide assistance to victims during a public health disaster. The bill gives DPH the authority to withhold or withdraw the registration of a pool facility because of non-payment of fees, continued uncorrected violations of the rules or refusal to operate in accordance with the rules. The bill extends isolation and quarantine employment protection for person who voluntarily comply with a confinement request. In cases where a medical examiner determines that a death was due to a pre-existing natural cause, the bill allows the medical examiner to ask the attending physician to certify the death. The bill deletes language that prohibited the State Registrar from charging fees for records from political subdivisions or state agencies. In cases where a death is anticipated, the bill adds assisted living and residential care facilities to the settings where a registered nurse or a licensed practical nurse can make the pronouncement.

## **SF 265 - Asbestos Removal and Encapsulation Regulations**

LH *Environmental Health, Supervisors*

This bill includes in the definition of an "asbestos project" asbestos removal or encapsulation activity that affects a building or structure and removing materials containing asbestos from the site of a demolition or collapse of a building or structure. The definition delineates that an "asbestos project" spans from the preparation of the site through the transportation of the asbestos-containing

materials from the site. The bill allows a political subdivision to accept a bid for an asbestos project if the bidder contracts to have the work done by a licensed asbestos contractor.

## **SF 344 - Solid Waste Disposal Requirements**

WRP *Engineers, Environmental Health, Supervisors*

This bill relates to enforcement of certain solid waste disposal requirements. The bill eliminates a civil penalty provision relating to heavy metal in household batteries, waste tire disposal and registration of waste tire haulers. For purposes of restrictions relating to heavy metal content in packaging, the bill excludes a person who merely stores packages or packaging components on behalf of third parties from being considered a distributor. The bill also provides that a distributor is only subject to the assessment of a civil penalty for the knowing violation of the restrictions. The bill provides that knowledge by a distributor of a violation is presumed beginning 60 days from the receipt of notification from the Department of Natural Resources(DNR).

The bill provides that a person violating relating to the disposal of white goods and waste oil, waste tire disposal and financial assurance, registration of waste tire haulers, and heavy metal content in packaging shall be subject to civil penalties.

The bill provides that the director of the DNR may issue an order to secure compliance with or prevent a violation of a provision of Iowa Code chapter 455D. The bill provides that judicial review of any order or other action of the environmental protection commission or the director may be sought.

The bill provides that the attorney general, on request of the DNR, shall institute legal proceedings necessary to obtain compliance with an order of the commission or director or prosecute any person for a violation of an order of the commission or the director or the provisions of Iowa Code chapter 455D.

The bill provides that civil penalties assessed for certain violations shall not exceed \$10,000 for each day of such violation.

## **SF 499 - Underground Storage Tanks**

JE *Engineers, Recorders, Supervisors*

This bill relates to the regulation of underground storage tanks by the Department of Natural Resources (DNR). The bill requires the maintaining of records by owners and operators of underground storage tanks for periodic underground storage tank facility compliance inspections conducted by inspectors certified by the DNR.

The bill requires a no further action certificate issued by the DNR for an underground storage tank site which has



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been classified as a no further action site to be filed with the county recorder. Currently, a certificate may be filed.

The bill requires the DNR to administer a certified compliance inspector program for underground storage tank facility compliance inspections. The bill provides that the program shall include mandatory periodic underground storage tank facility compliance inspections by owners and operators using inspectors certified by the DNR. The bill requires the DNR to continue to conduct independent inspections as deemed appropriate. The bill appropriates moneys received by the DNR for certification and renewal fees for purposes of the administration of the certified compliance inspector program. The bill provides that acts or omissions of the certified compliance inspectors, the state, or the DNR regarding certification, renewal, oversight of the certification process, continuing education, discipline, inspection standards, or any other actions, rules, or regulations arising out of the certification, inspections, or duties imposed by these provisions shall not be cause for a claim against the state or the DNR.

The bill requires the Environmental Protection Commission (EPC) to adopt rules for requirements as may be necessary to maintain state program approval and which are consistent with applicable federal provisions. The bill provides that the EPC shall adopt rules establishing a training program applicable to owners and operators of underground storage tanks. The bill provides that the rules may include provisions for DNR certification of operators, self-certification by owners and operators, education and training requirements, owner requirements to assure operator qualifications, and assessment of education, training, and certification fees. The bill requires the rules to be consistent with and sufficient to comply with certain federal requirements.

The bill requires that persons and companies performing or providing services for underground storage tank installations, installation inspections, testing, and permanent closure of underground storage tanks by removal or filling in place, and other closure activities be certified by the DNR. The bill provides that the rules shall include establishing separate certification criteria applicable to underground storage tank installers and installation inspectors, underground storage tank testers, and persons conducting underground storage tank closure activities, establishing minimum qualifications for certification, requiring a written examination developed and administered by the DNR or by some other qualified public or private entity identified by the DNR, providing for a minimum two-year renewable certification period, allowing a person to apply for a combined certificate, providing that certificate holders obtain and provide proof of financial responsibility for environmental liability with minimum liability limits of \$1 million per occurrence and in the aggregate, providing criteria for the DNR to take disciplinary action against certificate holders, and providing for certification reciprocity between states, providing for

assessment of fees sufficient to cover the costs of administration of the certification program.

The bill modifies provisions relating to the payment of moneys in the remedial account of the Iowa comprehensive petroleum underground storage tank fund. Currently, one of the uses of such moneys is for corrective action in response to a high-risk condition caused by a release from an underground storage tank located on a site for which the DNR, after January 31, 1997, has issued a no further action certificate. The bill provides that pursuant to an agreement between the Iowa comprehensive petroleum underground storage tank fund board and the DNR, assessment and corrective action arising out of releases at sites for which a no further action certificate has been issued pursuant to Iowa §455B.474, when the DNR determines that an unreasonable risk to public health and safety may still exist. At a minimum, the agreement shall address eligible costs, contracting for services, and conditions under which sites may be reevaluated.

The bill allows moneys in the remedial account of the Iowa comprehensive petroleum underground storage tank fund to be used for costs for the permanent closure of an underground storage tank system that was in place on the date an eligible claim was submitted. The bill places limits on the reimbursement allowed.



## **HF 309 - Uniform Cost Report**

LH

Community Services

This bill requires the development of a uniform cost report for use by Medicaid and the counties. A workgroup made up of representatives of Medicaid, County Rate Information System (CRIS) counties and non-CRIS counties will develop a proposal to be submitted to the MH/MR/DD/BI Commission by December 1, 2007, with implementation by July 1, 2008.

## **HF 397 - Medicaid Eligibility**

LH

Community Services

This bill eliminates the income cap for persons with medical assistance income trusts or special needs trusts while retaining their eligibility for Medicaid if the individual's total monthly income is less than the average statewide charge for the care the individual requires. The bill allows the person access to all of his or her income for allowable expenses, (personal needs allowance, spousal and dependent allowances and unmet medical expenses). Any excess income would then be applied toward payment of providers of facility (nursing facility, ICF/MR, PMIC or MHI) or home and community-based services.

## **HF 817 - Veterans Counseling**

LH

Community Services, Supervisors

This bill requires the Department of Veterans Affairs (DVA) to coordinate with veterans hospitals, health care facilities and clinics, and the Department of Public Health to provide alcohol and chemical dependency and suicide prevention assistance to veterans and their families. The bill makes changes in the responsibilities of the Commission on Veterans Affairs and the DVA. The bill also requires the DVA to conduct a study and develop a plan to collocate veteran affairs staff in the workforce development regional offices in order to provide direct services to underserved veterans. The plan is required to foster the development of county veterans affairs offices while ensuring coverage where county services are not readily available.

**HF 907 - Appropriations from Tobacco Funds** - See Appropriations

**HF 909 - Health and Human Services Appropriations** - See Appropriations

**HF 925 - Public Health Omnibus** - See Environment and Public Health

## **SF 254 - Family Investment Programs**

LH

Community Services

This bill expands the definition of the term "participant" in family investment agreements and limited benefit plans in

tive, the indicated percentage of earned income remaining after other deductions have been applied is disregarded.

## **SF 381 - Mental Health Advocates**

DV

Community Services

This bill changes how mental health advocates are selected. Currently the district court in each county selects the mental health advocate. Under this bill that task goes to the chief judge of the judicial district encompassing the county. In Polk County the board of supervisors selects the mental health advocate. That does not change under this bill.



# LAND USE & RURAL AFFAIRS

## **SF 78 - Department of Natural Resources and Boat Registrations**

JE

Recorders

This bill contains provisions relating to the regulation of various conservation and recreation activities under the purview of the Department of Natural Resources (DNR). Of particular interest are provisions pertaining to the registration of boats and issuance of hunting licenses.

The bill allows the DNR to establish an electronic registration system for boats, similar to systems for snowmobiles and all-terrain vehicles.

The bill provides that the fee for a vessel registration that is renewed after May 1 of the second year of the three-year registration period is two-thirds instead of 66% of the appropriate registration fee. The fee for a vessel registration that is renewed after May 1 of the third year of the registration period is one-third instead of 33% of the appropriate registration fee. The bill provides that if a vessel has an expired registration at the time of a transfer of ownership of the vessel, the transferee is required to pay all applicable fees for the current registration period, the appropriate writing fee, and a \$5 penalty, after which a transfer of number for the vessel will be awarded in the same manner as an original registration.

The bill provides that a lien holder (secured party) may release a lien on a boat title by signing the title or by sending a notarized letter by first class mail to the county recorder where the title was issued stating that the lien has been released.

Finally, the bill provides that a person born after January 1, 1972, instead of January 1, 1967, must complete a hunter safety and ethics education course before obtaining a hunting license and that a hunting license obtained by a person who has not completed the required course shall be revoked. A violation of these provisions is punishable by a scheduled fine of \$20.

## **SF 200 - Stray Livestock**

JE

Auditors, Supervisors, Treasurers, Zoning

This bill provides for habitual trespass when livestock trespass from the land where the livestock are kept onto the same neighbor's land or the same public road on three or more occasions within a 12 month period. The bill provides that a local authority may make a record of the occurrences. After the third occurrence, the neighboring landowner may request that the responsible landowner erect or maintain a fence on the land under the provisions of Iowa Code chapter 359A, which provides that an adjacent landowner may compel the erection or maintenance of a partition fence. Each adjacent landowner is liable to contribute an equal amount to pay for the associated costs of constructing the fence or making repairs. The bill treats the neighboring landowner as an adjacent landowner with the right to compel the fence to be constructed or repaired

by the responsible landowner who presumably could require contribution from the adjacent landowner. However, the neighboring landowner making the request is not liable for the associated costs unless the neighboring landowner is also the adjacent landowner. Iowa Code chapter 359A provides that the township trustees may directly provide for the erection and maintenance of a fence if the parties do not act in a timely manner, and assess the amount as property taxes. The bill provides that the board of township trustees may request that the board of supervisors assume this duty. If the board constructs or repairs the fence, it may recoup the expenses together with a five percent penalty from a defaulted party. The amount of the associated costs is placed on the tax books and collected as property taxes.

## **SF 435 - Youth Deer Hunting Licenses**

JE

Recorders

This bill allows a person who is issued a youth deer hunting license for the youth deer hunting season and does not take a deer, to use that license and the unused tag during any other firearm season that is established by the natural resource commission to take either an antlered or antlerless deer.

Youth deer hunting licenses are available for issuance to any resident who is not over 15 years old on the day the license is obtained, to take a deer of either sex, pursuant to 571 IAC 106.10. The youth deer hunting season is a 16-day period that ends on the first Sunday in October.

## **SF 477 - Special Nonresident Deer Hunting Licenses**

JE

Recorders

This bill authorizes the issuance of up to 75 instead of 25 special nonresident deer hunting licenses for allocation by the majority of a committee consisting of the majority leader of the Senate, the speaker of the House, and the director of the Department of Economic Development, to promote the state and its natural resources to nonresident guests and dignitaries.

## **SF 558 - Wildlife Habitat Fee**

JE

Conservation

This bill increases the wildlife habitat fee by \$3, appropriates the increase in moneys collected, and creates programs to expend the moneys for game bird habitat development.

The bill provides that all increases in wildlife habitat fees collected shall be forwarded by the Department of Natural Resources (DNR) to the treasurer of state for placement in the state fish and game protection fund and appropriated to the DNR to be used solely for the purposes set forth in the bill.

The bill allocates revenue deposited in the state fish and game protection fund into two separate accounts, with \$2



# LAND USE & RURAL AFFAIRS

of each fee collected to be allocated to the game bird wetlands conservation account and \$1 of each fee collected to be allocated to the game bird buffer strip assistance account. Interest or earnings on moneys contained in each account must be credited to the account, and moneys in each account do not revert to the general fund at the close of the fiscal year.

Moneys allocated to the game bird wetlands conservation account must be used by the DNR only to carry out the purposes of the game bird wetlands conservation program, which are to create a sustained source of revenue to be used by the DNR to qualify for federal matching funds that are available for wetlands conservation under the federal North American Wetlands Conservation Act and to undertake projects in conjunction with soil and water conservation districts, county conservation boards, and other partners that will aid in wetlands and associated habitat conservation in the state, including the acquisition, restoration, maintenance, or preservation of wetlands and associated habitat. Moneys shall accumulate in the account until the account balance is equal to \$1 million or an amount sufficient to be used by the DNR to qualify for federal matching funds. Each time the account balance reaches the necessary amount, the DNR is required to apply for matching funds, and upon obtaining those funds, expend the state and federal revenues available to carry out the purposes of the game bird wetlands conservation program. The bill provides that state revenue allocated to the account shall be used for projects that increase public recreational hunting opportunities in the state and shall not be used on private land that is not accessible to the public for recreational hunting.

Moneys allocated to the game bird buffer strip assistance account must be used by the DNR only to carry out the purpose of the game bird buffer strip assistance program, which is to increase landowner participation in federally funded conservation programs that benefit game birds and to increase opportunities for recreational hunting on private lands. Moneys shall accumulate in the account for three years and then be used by the DNR to carry out the purposes of the game bird buffer strip assistance program. The DNR is required to adopt rules to establish eligibility requirements and procedures for applications for and approval of projects to be funded under the program. The process is then repeated every three years using funds that have accumulated in the account.

## **SF 566 - Historic Preservation Tax Credits**

*JE*

*Auditors, Supervisors*

This bill relates to historic preservation and cultural and entertainment district tax credits.

Currently, a person receiving a historic preservation and cultural and entertainment district tax credit may receive a tax credit refund at a discounted value for the amount in excess of the taxpayer's tax liability in the year that the tax credit is claimed. The bill eliminates the discounting of

the value of a refund and allows the entire value of the tax credit to be refunded. In addition, the bill allows a taxpayer, in lieu of claiming a refund, to elect to have the overpayment shown on the person's final, completed return credited to the tax liability for the following year.

Currently, the total amount of historic preservation and cultural and entertainment district tax credits that may be approved for a fiscal year shall not exceed \$2.4 million. For the fiscal period beginning July 1, 2005, and ending June 30, 2015, an additional \$4 million of tax credits may be approved each fiscal year for purposes of projects located in certified cultural and entertainment districts.

The bill increases the amount of tax credits that may be approved each fiscal year to \$10 million for FY08, \$15 million for FY09, and \$20 million for FY10 and each fiscal year thereafter, less the amount appropriated for administrative costs. The bill provides that 10% of the dollar amount of tax credits shall be allocated for purposes of new projects with qualified costs of \$500,000 or less, and 40% of the dollar amount of tax credits shall be allocated for purposes of new projects located in certified cultural and entertainment districts or identified in Iowa great places agreements. The bill provides that any of the tax credits allocated for projects located in certified cultural and entertainment districts or identified in Iowa great places agreements and for projects with a cost of \$500,000 or less that are not reserved during a fiscal year shall be applied to reserved tax credits in order of original reservation.

Currently, with the exception of tax credits issued pursuant to contracts entered into prior to July 1, 2005, tax credits shall not be reserved for more than five years. The bill provides that with the exception of tax credits issued pursuant to contracts entered into prior to July 1, 2007, tax credits shall not be reserved for more than three years.

The bill provides a procedure for the reissuance of tax credit certificates held by the original tax credit certificate recipient. The bill provides that, in the order of original reservation dates, the department shall modify the reservation date of the tax credits based on the availability of additional moneys for tax credits under the bill.

The bill applies to historic preservation and cultural and entertainment district tax credits applied for or reserved prior to July 1, 2007.



# ***PUBLIC SAFETY***

## **HF 353 - Interoperable Communications Board**

DV

*Sheriffs*

This bill creates a statewide "interoperable communications system board." It is under the joint purview of the Department of Public Safety and the Department of Transportation. The task of the board is to develop and implement communications interoperability efforts at the state and local level. The board is to consist of 15 voting members, including two representatives of sheriff's offices, appointed by the governor, and two law communications center managers employed by the state or local government agencies, also appointed by the governor. The bill lists 14 specific board duties. The last duty listed is to submit a report to the Legislature by January 1 of each year regarding communications interoperability efforts.

## **HF 587 - Emergency Service Advisory Boards**

JE

*Emergency Management, Sheriffs, Supervisors*

Under current law, a municipality that agrees to provide fire protection service or emergency medical service to another municipality may create an advisory board comprised of one member of the governing body of each municipality that is a party to the agreement. The advisory board is required to prepare an annual budget. This budget is required to be a part of the budget of the municipality providing the services.

This bill allows an existing board to continue to prepare an annual budget until the agreement creating such board is canceled or expires. The bill makes the board's budget a proposal and subject to the budgeting authority of the municipality providing the services.

The bill is effective upon enactment.

## **HF 641 - Collecting Delinquent Court Fines**

DV

*County Attorneys, Sheriffs*

This bill creates a process where, if a person's driver's license has been suspended for failure to pay a fine, penalty, surcharge or court cost, that person may execute an installment agreement with the county attorney to pay the delinquent amount.

The bill provides that the clerk of court shall not collect the \$25 fee for filing a praecipe from a county if the county attorney is collecting a delinquent judgment.

The bill replaces the language regarding how the delinquent fees collected by the county attorney are distributed, but retains the current formula. After the first \$1.2 million, the remainder is distributed as follows: 35% - county general fund; 33% - county attorney; and 32% - clerk of court.

No installment agreement may be executed until January 1, 2008, except for a fine, penalty, court cost or surcharge imposed in Polk or Linn County.

## **HF 650 - Keg Registration**

DV

*Auditors, County Attorneys, Sheriffs, Supervisors*

This bill imposes a requirement that each keg of beer sold in Iowa have an identification sticker attached by the vendor. The vendor shall also keep a record of the keg purchaser. The information must be retained for 90 days. It is available for inspection by any law enforcement officer during normal business hours. The state alcoholic beverages division shall provide the stickers at cost.

The bill includes the following "express preemption" language: "The provisions of this subsection shall be implemented uniformly throughout the state. The provisions of this subsection shall preempt any local county or municipal ordinance regarding keg registration or the sale of beer in kegs. In addition, a county or municipality shall not adopt or continue in effect an ordinance regarding keg registration or the sale of beer in kegs." So the existing county keg registration ordinances are null and void as of July 1, 2007.

## **HF 803 - Civil Service Commission**

DV

*County Attorneys, Sheriffs*

This bill amends Iowa Code chapter 341A regarding civil service for deputy sheriffs. It clarifies that a civil service commission may decide to affirm, modify or revoke a sheriff's order, and provides that either the county or the deputy sheriff may appeal the commission's decision to district court. Until now there has been no language specifically allowing the county to appeal decisions of the civil service commission.

## **HF 925 - Public Health Omnibus** - See Environment and Public Health

## **SF 90 - Joint Communications Centers**

DV

*Auditors, Emergency Management, Sheriffs, Supervisors, Treasurers*

This bill was sought by Scott County. It gives local emergency management commissions the discretion to provide joint communications centers through a 28E agreement.

Until this bill, the law had been unclear as to whether local governments could fund joint communications centers through the emergency management fund in Iowa Code §29C.17. This bill clarifies that this can be done.



## **SF 110 - Reserve Peace Officers**

DV

*Sheriffs*

This bill was an attempt by the state's reserve peace officers association to bring more standardization to the reserve peace officer training around the state.

The bill rewrites Iowa Code chapter 80D to provide that the Iowa Law Enforcement Academy (ILEA) will develop a peace officers basic training curriculum.

The bill changes the training requirement for reserve peace officers. Until now, the training was provided by the sheriff's department where the reserve officer worked. Now the training shall be by instructors selected by the individual and approved by the sheriff's department and the ILEA. Now the ILEA, rather than the sheriff, certifies the individual as a reserve peace officer.

Finally, the bill requires the ILEA to promulgate rules regarding standardized training and state certification of reserve peace officers.

## **SF 140 - Investigative Reports**

DV

*Sheriffs*

Iowa Code §22.7(5) the Public Records Law, has to do with investigative reports by law enforcement. Until now, it made specific portions of electronic mail and telephone billing records confidential only for as long as the statute of limitations would have run on a crime that is under investigation. This bill makes a subtle change in the wording to provide that these records are confidential if "the length of time prescribed for commencement of prosecution" under the statute of limitations applicable to the crime that is under investigation has not expired.

## **SF 161 - Closed Meetings**

DV

*Emergency Management, Sheriffs, Supervisors*

County documents related to security procedures and emergency preparedness are confidential under Iowa Code §22.7(50). These Documents include courthouse evacuation plans and written protocols for moving prisoners within the courthouse. This bill allows a public meeting to be closed to discuss information contained in these sorts of confidential documents. This bill corrects a drafting oversight from last year, and eliminates a "sunset" provision which had been in the law.

The bill is effective upon enactment.

## **SF 175 - Disposing of Seized Property**

DV

*County Attorneys, Sheriffs*

This bill changes the process used to dispose of property seized in a criminal proceeding. It provides that seized property that is no longer required as evidence or for use in an investigation "shall" rather than May be returned to the owner. The bill puts the requirements on the seizing

agency, and removes the language that the requirements shall be undertaken by either the seizing agency "or the prosecuting attorney."

The seizing agency shall send notice to the property owner by restricted, certified mail, return receipt requested. Before regular mail was sufficient. The notice shall state that the property must be claimed within 30 days of the date of receipt of the notice. Refusal of notice is deemed receipt of the notice. The notice shall state that if no claim is filed within 30 days of receipt of the notice, the property shall be deemed abandoned. Previously, if no one claimed the property, the seizing agency could dispose of it in any reasonable manner. Under this bill, that only applies to property having a value of less than \$500. For property valued at \$500 or greater, forfeiture proceedings must be initiated pursuant to Iowa Code chapter 809A. In the proceeding, the court can order the property forfeited to that state, or the court can make the seizing agency the owner of the property. Unclaimed firearms and ammunition, if not forfeited pursuant to Iowa Code chapter 809A, shall be disposed of by the Department of Public Safety or the DNR.

## **SF 204 - Criminal Data**

DV

*County Attorneys, Sheriffs*

This bill provides that a county attorney's office or county sheriff's office may redisseminate arrest data and information concerning a person who is being sought if an arrest warrant has been issued for that person. Information may also be redisseminated concerning the threat posed by that person. Any redissemination shall include a statement that "an arrest without disposition is not an indication of guilt."

The law provides that a person can sue a county for damages for the release of criminal history information in violation of Iowa Code chapter 692. By eliminating the immunities that are traditionally available to counties under Iowa Code chapter 670, the tort liability chapter, the bill makes it easier for an individual to prevail in such a lawsuit.

## **SF 457 - Peace Officer Bill of Rights**

DV

*County Attorneys, Sheriffs, Supervisors*

This bill generally grants additional on-the-job protections to law enforcement officers and others who are the subject of formal investigations resulting from a citizen complaint.

It is a very dense bill, and therefore hard to summarize. If you think it may apply to you, this is one bill that requires that you read the full text yourself.

This bill applies to "officers," which is defined to include certified law enforcement officers, emergency medical technicians, jailers and communications officers.

Regarding investigations into an officer's job performance,



***PUBLIC SAFETY***

the bill specifies that it does not apply to criminal investigations. It prohibits officers from being compelled to submit to a polygraph examination as part of an investigation, and requires a county to give the officer a written summary of a complaint prior to being interviewed. An officer being interviewed must be advised that the answers will not be used against the officer in any criminal proceeding, and any interview with an officer shall be audio recorded. The officer shall have the right to have legal counsel present at the officer's expense, and also have the right to have another representative present. If the officer is disciplined, the officer has the right to a copy of any witness statements and the county's investigative report. The interview shall be conducted at the office of the investigative agency, and officers shall be paid for any off-duty time used for an interview. An officer has the right to sue a citizen for filing a false complaint against the officer. If a formal investigation results in the officer being disciplined or discharged, the county shall hold any formal action, including a reprimand, in abeyance for 10 days.

There are other “non-investigation” portions of the bill, as well. The bill provides that an officer shall not be denied the opportunity to be a candidate for elected office so long as the candidacy does not violate the federal Hatch Act. It says that an officer shall have the right to engage in off-duty political activity as long as there is no violation of the federal Hatch Act. It also prohibits an officer from being discharged or disciplined in retaliation for engaging in political activity.

Finally, a county shall not publicly release the officer's official photograph without the written permission of the officer, unless the photograph is released under a public records request.

### SF 509 - Organ Donors

DV Emergency Management, Sheriffs

This bill revises the Uniform Anatomical Gift Act. It modifies the law regarding the cooperation between the county medical examiner and the organ procurement organization. The bill also provides for the first time that law enforcement officers and emergency rescuers finding an individual who is dead or near death shall make a “reasonable search” of the individual for information that the person is an organ donor. If information is located, and the individual is taken to the hospital, the person responsible for conducting the search shall deliver the information to the hospital. A person is not subject to criminal or civil liability for failing to discharge these duties, but may be subject to administrative sanctions.

## SF 528 - For-Profit Prisons

DV

## Sheriffs

This bill prohibits the Department of Public Safety (DPS) from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates committed

to the custody of the DPS.

This is not a new idea. Similar language has been included in appropriations bills for years. This bill, for the first time, puts the prohibition permanently in the Iowa Code.

**SF 529 - Jail Contraband**

DV

## Sheriffs

This bill accomplishes a long-term goal of the sheriffs to make the prisoner contraband laws apply to jails as well as state prisons. So this bill basically expands the current contraband laws that apply to prisons and makes them applicable to secure juvenile facilities and jails as well.

The bill also provides that a sheriff may x-ray a person committed to the jail, and it expands the definition of the crime of "possessing contraband" to apply to any secure facility.



## **HF 95 - Withholding Tax Credit Pilot Project**

JS

*Auditors, Supervisors*

HF 2731, enacted in 2006, created a pilot project that allowed up to four cities to assist in funding projects in their urban renewal areas by means of a targeted jobs credit from withholding taxes. This bill provides that if two approved eligible cities are located in the same county and the county has a population less than 45,000, the cities shall be considered one pilot project city. However, if one of the cities has its status as a pilot project city revoked for failing to enter into a withholding agreement within one year of its approval as a pilot project city, the other city's status as a pilot project city shall not be affected.

This bill is effective upon enactment and applies retroactively to July 1, 2006.

## **HF 648 - Distress Criteria for Enterprise Zones**

JS

*Supervisors*

Current law allows cities and counties to designate an enterprise zone anytime prior to July 1, 2010, when a business closure occurs involving the loss of at least 1,000 employees or four percent of the county's resident labor force. This bill expands the distress criteria to include a permanent layoff not just a business closure that also meets the standards described above.

## **HF 783 - Delinquent Fees to City Utilities or Enterprises -** See County Administration & Organization

## **HF 912 - Web Search Portal Business Tax Exemption**

JS

*Assessors, Auditors, Supervisors, Treasurers*

This bill exempts from property taxation certain equipment used by a web search portal business, including cooling systems and towers, power distribution systems and related infrastructure. It does not exempt land, buildings and other improvements. A business must meet certain qualifications to receive the exemption. The bill also creates a limited sales tax exemption for web search portal businesses and other information technology facilities.

## **HF 923 - Department of Revenue Tax Policy**

JS

*Auditors, Supervisors*

This bill requires cities and counties to include a Tax Increment Financing (TIF) budget in their adopted city and county budgets. The TIF budget shall include estimated and actual TIF revenues and spending, including the identification of any entity receiving a direct payment of taxes funded by TIF revenue. The TIF budget shall also include the total amount of indebtedness, including rebate agreements, outstanding at the close of the most recently ended fiscal year. The city and county finance committees, respectively, are directed to determine reporting criteria and prepare forms to facilitate filing the TIF budget with the Department of Management. The bill also repeals an existing TIF reporting requirement that is not as broad as

the newly enacted TIF budget requirement. These changes do not affect the TIF debt reporting procedures implemented in 2006.

Current law allows a board of supervisors to abate the taxes levied against property acquired by gift by a person or entity when the property is acquired after the deadline for filing for a property tax exemption has passed and the person or entity acquiring the property would have been able to get an exemption for the property had the person or entity been able to file in a timely manner. This bill allows the board of supervisors to abate taxes when the property in question has been purchased, in addition to being acquired by gift, after the filing deadline. In conjunction with that change, the bill directs the Dubuque County Board of Supervisors to refund property taxes, along with all interest, penalties, fees and costs, paid during FY 2003 and FY 2006 by a charitable, religious, literary or educational institution that purchased property but did not receive a property tax exemption on the newly purchased property due to inability or failure to file for the exemption.

Current law requires cities and counties to notify the director of the Department of Revenue at least 45 days prior to a rate change or repeal of a local option sales tax, hotel-motel tax or school infrastructure local option tax. This bill allows the director to waive the notice requirement.

The provisions of the bill relating to a property tax exemption for property purchased after the filing deadline are effective upon enactment and apply retroactively to the fiscal years beginning July 1, 2002, and July 1, 2005.

## **SF 128 - Cigarette & Tobacco Tax Increase**

JS

*All County Officials*

This bill increases taxes on cigarettes and other tobacco products. The cigarette tax rate increases from \$0.36 per pack to \$1.36 per pack. The tobacco tax rate increases from 22% of the wholesale cost to 50% of the wholesale cost. The tax on cigars increases from 22% to 28%, but no more than \$0.50 per cigar. The bill also creates a Health Care Trust Fund and provides that the first \$127.6 million in tax revenues from cigarette and other tobacco-related taxes shall be transferred to that fund.

This bill is effective upon enactment.

## **SF 278 - Utility Replacement Tax**

JS

*Auditors, Supervisors, Treasurers*

This bill broadens the definition of "new electric power generating plant" to include sales of preexisting plants that were subject to replacement taxes prior to January 1, 2003. The effect is to allocate replacement taxes after the sale of preexisting plants in the same manner that taxes are to be allocated for recently built plants. That allocation method keeps the taxes on the first \$44.4 million of valuation at the local site. The bill also extends the life of the Utility Replacement Tax Task Force by three years and requires a



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taxpayer to notify the Department of Revenue, with notation of local taxing district, when utility property is sold, transferred, or disposed of.

## **SF 339 - County Bonding**

JS

*Auditors, Engineers, Supervisors*

This bill makes three changes related to county bonding for general county purposes and essential county purposes. The primary difference between general county purposes and essential county purposes is that generally, counties can bond for essential county purposes without seeking voter approval. On the other hand, bonds for general county purposes must be approved at a referendum by 60% of those voting.

Current law (Iowa Code §331.441(2)(b)(5)) defines the construction, equipment and maintenance of public buildings as an essential county purpose up to certain dollar limits, which vary based on a county's population. Beyond those limits, the construction, equipment and maintenance of public buildings is a general county purpose. This bill increases each of the limits by 50%. The new limits are: \$600,000 for counties with a population of 25,000 or less; \$750,000 for counties with a population of more than 25,000 but not more than 50,000; \$900,000 for counties with a population of more than 50,000 but not more than 100,000; \$1,200,000 for counties with a population of more than 100,000 but not more than 200,000; and \$1,500,000 for counties with a population of more than 200,000.

Current law (Iowa Code §331.441(2)(b)) identifies 15 items as essential county purposes; this bill adds a 16<sup>th</sup> essential county purpose. The new essential county purpose is: "Capital projects for the construction, reconstruction, improvement, repair, or equipping of bridges, roads, and culverts if such capital projects assist in economic development which creates jobs and wealth."

Current law (Iowa Code §331.442(5)) allows counties to issue bonds for general county purposes in a very limited amount, again varying based on population, without a referendum. A county must publish notice of its intent to issue bonds and the public may file a petition asking that the issuance be submitted to a referendum. This bill doubles those limits. The new limits to issue general county purpose bonds without a referendum (but subject to a reverse referendum) are: \$100,000 for counties with a population of 20,000 or less; \$200,000 for counties with a population of more than 20,000 but not more than 50,000; and \$300,000 for counties with a population greater than 50,000.

**SF 354 - Overpayments to Counties** - See County Administration and Organization

## **SF 450 - Property Tax Collection**

DV

*Treasurers*

This bill changes the Iowa Code to reflect the February 2007 Iowa Supreme Court decision in *Fennelly v. A-1 Machine & Tool Co.* The issue in that case was what statute of limitations applied when a county was seeking to collect delinquent real property taxes. The Iowa Supreme Court, in a case of first impression, held that there was no time limit.

The bill clarifies that there is no statute of limitations on an action brought by a county under Iowa Code §445.3 to collect delinquent real property taxes levied on or after April 1, 1992.

**SF 566 - Historic Preservation Tax Credits** - See Land Use & Rural Affairs

## **SF 592 - Streamlined Sales and Use Tax Agreement**

WRP

*All County Officials*

The streamlined sales and use tax Agreement is a voluntary agreement entered into by states to facilitate the collection of sales and use tax, for online purchases. Iowa is one of the participating states. The purpose of the agreement is to bring uniformity to the application of sales and use tax which in turn helps online business collect sales and use taxes on internet sales.

This bill adds Puerto Rico as a state that is included in the streamlined sales and use tax agreement. The bill also specifies under what circumstances a purchaser is relieved of liability for tax, penalty and interest. The purchaser is relieved if the state provides erroneous data in the taxability matrix or in tax rate, boundary, or taxing jurisdiction databases. This relief is the same relief provided to sellers or certified service providers. These provisions are effective January 1, 2009.

**SF 601 - Standing Appropriations** - See Appropriations



## **HF 559 - Midwest Interstate Passenger Rail Compact**

*JE*

*Engineers, Supervisors*

This bill provides that the Midwest interstate passenger rail compact is entered into and enacted into law with several other Midwestern states if those states join the compact in substantially the same form.

The bill provides that the purposes of the compact are to promote development and to implement improvements to intercity passenger rail service in the Midwest; to coordinate interaction among Midwestern state officials on passenger rail issues; to promote development and implementation of plans for high-speed rail passenger service in the Midwest and other regions; to work with public and private sectors at all levels to ensure coordination among entities with an interest in passenger rail service, and to promote Midwestern interests regarding such service; and to support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

The bill provides that a commission shall be established to further the purposes of and to carry out the duties specified in the compact. Each state joining the compact is to be represented by four commission members: the governor of the state or the governor's designee, serving during the tenure of the governor or until a successor is named; a member of the private sector appointed by the governor, serving during the tenure of the governor or until a successor is named; and two legislators, one from each legislative chamber, appointed by the appropriate appointing authority in each chamber, serving two-year terms or until successors are appointed.

The bill lists powers and duties the commission shall have related to the compact and provides for financing the general operations of the commission. The bill specifies that moneys shall not be diverted from the road use tax fund to pay costs associated with participation in the compact.

The compact, having already been enacted into law and entered into by a requisite number of states, would also become effective for Iowa upon effectiveness of this bill. However, the bill is effective only if the General Assembly appropriates funds for the fiscal year beginning July 1, 2007, in an amount sufficient to pay the dues assessed pursuant to the Midwest interstate passenger rail compact.

## **HF 742 - Regulation of Snowmobiles and All-Terrain Vehicles**

*JE*

*Engineers, Recorders, Sheriffs*

This bill makes changes to the regulation of snowmobiles and all-terrain vehicles (ATVs) by the Department of Natural Resources (DNR), including technical changes to Iowa Code chapter 321G, relating to snowmobiles, and Iowa Code chapter 321I, relating to all-terrain vehicles, to align the language in provisions common to both Code

chapters. Both chapters are also amended to consolidate specific language about writing fees associated with the issuance of user permits, vehicle registrations and registration renewals into a single section in each chapter.

The bill specifies that the owner of an ATV or member of the owner's family who operates the ATV within the area between the shoulder of the roadway and the owner's property line must comply with the registration, safety and age requirements applicable to operators on public land.

The bill defines "off-road utility vehicles" as larger vehicles with at least four wheels and outfitted with a bench seat. The bill subjects such vehicles to the registration requirements, but not the dealer registration requirements or the titling requirements, applicable to ATVs, and specifies where they may be operated. The bill defines "off-road motorcycles" as motorcycles intended for use on natural terrain, including dual-sport motorcycles originally titled and registered for highway use. Off-road motorcycles continue to be regulated as ATVs, but are exempt from safety instruction and certification program requirements and are exempt from titling requirements if already titled under Iowa Code chapter 321. The terms "designated riding area" and "designated riding trail" are defined as those areas and trails designated by the DNR for ATV use.

The bill strikes obsolete provisions to streamline the process for registration of snowmobiles and ATV including provisions relating to stored vehicles and transfer of ownership. The existing practice of issuing a registration number is replaced with the issuance of a registration decal to be displayed on the vehicle. The bill provides for electronic registration of snowmobiles and ATVs, permits registration through any county recorder and provides for renewal through county recorders and license agents. Electronic registration renewals are subject to the current annual registration fee of \$15, plus an administrative fee to be established by the natural resource commission, and a \$1 writing fee for license agents or a \$1.25 writing fee for county recorders. The bill provides that the registration of a snowmobile or ATV, other than a government vehicle, that is exempt from annual registration fees is subject to an administrative fee and a writing fee at the time of registration.

The bill extends the period of time a purchaser of a new or used snowmobile or all-terrain vehicle may operate the vehicle pending registration from 10 to 45 days.

The bill strikes the current registration exemptions for nonresidents' ATV or snowmobiles that are in this state for special events or for not more than 20 days.

The bill exempts snowmobiles more than 30 years old from titling requirements applicable to most other snowmobiles.

The bill expands the description of the types of public areas that are off-limits for ATV operators.



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The bill prohibits off-road utility vehicle operation on designated riding areas or trails unless the DNR has signed the area or trail for such use. The bill provides a similar prohibition against operating any other type of vehicle on an area or trail designated for ATVs. A violation of either provision is a simple misdemeanor punishable by a scheduled fine of \$100.

The bill requires every snowmobile or ATV manufacturer, distributor or dealer to register annually with the DNR for a fee of \$15, which qualifies the registrant to be issued a special registration certificate with a general identification number. Additional duplicate certificates are issued for \$2 each. Vehicles may be operated temporarily under such registration. Current law provides for annual registration upon payment of the \$15 fee on a voluntary basis. The bill eliminates requirements for dealers relating to inventory records, incidental sales of used vehicles and dealer purchases. The bill authorizes the DNR to establish minimum requirements for snowmobile and ATV dealers by rule.

The bill authorizes the DNR to establish a fee for snowmobile and ATV safety courses that, combined with the \$5 fee charged for safety certificates, covers the cost of the course of instruction. The bill also clarifies that the director of the DNR has the authority to suspend or revoke safety certificates.

The bill clarifies operational conditions for persons under 12 years of age. The bill requires ATVs to comply with the sound level standards and testing procedures established for such vehicles by the society of automotive engineers.

The bill provides a new mechanism for processing the cancellation of a security interest in a snowmobile or ATV. Currently the secured party is required to present the certificate of title to the county recorder upon filing a release statement, and a new or endorsed certificate is issued to the owner. Under the bill, the secured party shall note the cancellation of the security interest on the title and mail it to the county recorder. If the certificate of title has been lost or destroyed, the secured party may send a signed, notarized statement discharging the security interest. The county recorder shall note the release in the county records and attach the statement to the certificate of title as evidence of the release of the security interest.

The bill revises existing penalties for certain violations by ATV operators. The bill requires the natural resource commission to administer repeat offender systems for snowmobile and ATV operators, with escalating penalties for violations committed by a person whose registration privileges have been suspended or revoked under administrative procedures. These systems mirror the penalty schedule for repeated violations of hunting and fishing laws.

## HF 749 - Special Motor Vehicle Registration Plates

*JE*

*Treasurers*

This bill directs the treasurer of state to credit fees from the sale of special national guard, Pearl Harbor veteran, purple heart, armed forces retired, bronze star, and silver star motor vehicle registration plates to the veterans license fee fund.

The bill creates special motor vehicle registration plates for distinguished service cross, navy cross, and air force cross. It also creates plates for soldier's medal, navy and marine corps medal, and airman's medal. Funds from the sale of these special plates are also to be placed into the veterans' license fee fund.

The plates are issued for a special initial fee of \$25 and renewed annually for a special fee of \$5 in addition to the regular annual registration fee. Currently, the special fees are deposited in the road use tax fund.

The bill allows a surviving spouse of a person who was issued any of the registration plates to continue to use or apply for and use the special plates by registering the plates in the surviving spouse's name and paying the applicable fees. If the surviving spouse remarries, the special plates must be exchanged for regular registration plates. This privilege for surviving spouses currently applies for Medal of Honor, ex-prisoner of war, and Legion of Merit special plates. The bill also provides that if a person who is entitled to Medal of Honor, ex-prisoner of war, or Legion of Merit plates chooses to be issued a different type of special plate associated with military service, the person's surviving spouse may continue to use that plate until remarriage.

The bill requires that fees charged for the issuance of special emergency medical services registration plates are to be deposited in the emergency medical services fund administered by the Department of Public Health. Emergency medical services plates are available to members of emergency medical services agencies for a fee of \$25. There is no special fee for annual validation.

The sections of the bill creating new special registration plates are effective January 1, 2008. All other sections of the bill are effective upon enactment.

## HF 752 - Transportation Appropriations - See Appropriations

## HF 793 - Transportation Omnibus and Axle Weights

*JE Engineers, Sheriffs, Supervisors, Treasurers, Zoning*

This bill contains provisions relating to the administration of highways and the regulation of motor vehicles by the state Department of Transportation (DOT). It includes provisions to regulate overweight vehicles on county roads.



# TRANSPORTATION

## Division I - Highways

The bill allows businesses located within a commercial or industrial development to advertise on a sign located anywhere within that development regardless of who owns the land.

## Division III - Motor Vehicles

The bill allows peace officers or the courts to destroy an individual's drivers license that has been surrendered because the individual has been served notice of immediate suspension or revocation of the license by an officer or been convicted in court for an offense that requires mandatory revocation of the license.

The bill allows the DOT to authorize a county treasurer to issue a certificate of title for a vehicle with an unreleased security interest upon presentation of satisfactory evidence that the security interest has been extinguished or the holder of the security interest cannot be located to release the security interest. Current law requires evidence that the security interest has been extinguished *and* the holder of the security interest cannot be located.

The bill allows only one set of special registration plates with a Legion of Merit processed emblem to be issued to an applicant for a reduced registration fee. This amendment is consistent with other special military plates such as Congressional Medal of Honor, Ex-POW, and U.S. Armed Forces plates for which only one set of plates may be issued for a reduced registration fee.

The bill allows a vehicle recycler or new motor vehicle dealer to assign or reassign a salvage certificate of title from another state. This is a technical amendment to conform with legislation passed during the 2006 session.

The bill allows a motor vehicle that is 25 years old or older to register as an antique vehicle, display model year plates and drive on public roads at any time for any purpose but also require the vehicle to pay the regular registration fee for that type and age of vehicle. Current law allows a vehicle to register as an antique vehicle for a \$5 annual registration fee but allows the vehicle to be driven on public roads for only limited entertainment and exhibition purposes.

The bill states that a self-propelled implement of husbandry equipped with flotation tires that is designed to be loaded and operated in the field and used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals shall not be operated on a public highway at a speed in excess of 35 MPH.

The bill extends the maximum overall length for a single truck from 40 to 41 feet, including the front and rear bumpers.

The bill makes several changes to allow certain self-propelled implements of husbandry known as agricultural

chemical applicators (or "Big A's") that, as newly manufactured, exceed legal axle weight limits when unloaded, to be operated on non-interstate highways, excluding bridges, under a permit issued by the DOT. The bill allows the DOT to issue annual permits valid only for operation on non-interstate highways in counties stipulated in the permit. Permits shall be issued annually for operating in up to 10 counties for periods beginning July 1 and ending June 30. The owner of the vehicle shall pay a fee of \$600 for each county in which the vehicle will be operated, up to a maximum of \$3,500 per year. The owner of a vehicle that is operated without a permit, or that violates the restrictions of that permit including operation on a bridge, is subject to a penalty of \$10,000 in addition to other penalties that may apply. Only vehicles purchased or ordered before February 1, 2007, are eligible for permits, which must be obtained prior to July 1, 2007. The bill requires the DOT to begin accepting applications for permits on or before June 1, 2007 and to issue the permit prior to July 1, 2007, to be effective July 1, 2007. The bill allows a self-propelled implement of husbandry traveling under permit to exceed legal axle weights only when operated on a non-interstate highway in a county covered under the permit. The weight on any one axle must not exceed 25,000 pounds and a current and valid permit must be carried in the vehicle. The bill etempts self-propelled implements of husbandry used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals from complying with weight restrictions when operating on a public highway if traveling under a permit issued pursuant to the bill.

The bill allows a person whose driver's license has been revoked due to driving while their license was revoked for an OWI offense to apply to the DOT for a temporary restricted license (work permit) without the requirement to install an ignition interlock device if at least 12 years have elapsed since the end of the original revocation period for the underlying OWI offense.

The bill repeals 2006 Iowa Acts, chapter 2070, §5 and retains the current Code requirement that a vehicle may be operated on public highways using a "registration applied for" card for 45 days after the date the vehicle is delivered by the dealer to the purchaser. The 2006 legislation would have increased the period from 45 to 60 days and was not scheduled to take effect until July 1, 2007.

The provisions relating to antique vehicles are effective July 1, 2008. The provisions increasing the maximum truck size, requiring DOT to issue special permits for implements of husbandry, and relating to temporary registration cards are effective upon enactment.

## HF 932 - Transportation Investment Moves the Economy in the 21st Century

JE

Engineers, Supervisors

This bill creates a new "Transportation Investment Moves



# TRANSPORTATION

the Economy in the 21st Century” fund in the state treasury under the control of the Department of Transportation (DOT). The fund is to be known as the TIME-21 fund. The fund shall consist of revenues appropriated by the General Assembly or credited by law to the fund.

The bill allocates 60% of TIME-21 funds to the primary road fund, 20% to the secondary road fund, and 20% to the street construction fund of the cities.

The bill specifies that funds allocated from the TIME-21 fund to the primary road fund shall be used for construction and maintenance projects on access Iowa highways, commercial and industrial network (CIN) highways that are included in the DOT's five-year plan or long-range plan, and interstate highways. Projects on access Iowa highways have the highest funding priority, followed by CIN highway projects, with preference given to projects in areas with existing bio-diesel, ethanol, or other bio-refinery plants. Funds used for construction may be used for purchase of right-of-way, but not for planning and design. The bill establishes that projects in key corridors that are programmed for construction in the 2007-2011 Iowa transportation improvement program have funding priority.

The bill directs that TIME-21 funds allocated to the secondary road fund are to be used for construction and maintenance of secondary road bridges and for construction and maintenance of farm-to-market roads. At least 10% of the moneys received by a county must be used for bridge construction, repair and maintenance with priority given to projects that aid and support economic development and job creation. The bill provides for allocation of TIME-21 funds to the street construction fund of the cities on a population basis, to be used to sustain and improve roads in the municipal street system.

Provisions in the bill concerning the TIME-21 fund are repealed June 30, 2028.

The bill increases the amount of Revitalize Iowa's Sound Economy (RISE) funds available to counties by revising the formula for allocation of motor fuel tax revenues from the Road Use Tax Fund (RUTF) to the RISE fund and the secondary road fund and revising the distribution formula for RISE funds. The total amount of county RISE funds are expected to increase from \$1 million to about \$5.5 million. The amount of the excise tax on motor fuel and special fuel, other than aviation gasoline, and on special fuel for diesel engines allocated to the RISE fund is changed from one and eleven-twentieths cents per gallon to one and three-fourths cents per gallon, and the amount of those taxes allocated to the secondary road fund is changed from nine-twentieths cents per gallon to one-fourth cent per gallon.

The allocation of RISE moneys to the primary road fund is changed from twenty thirty-firsts to four-sevenths of total RISE moneys; the allocation to the secondary road fund to

the cities is changed from one thirty-first to one-seventh of the total; and the allocation to the cities is changed from ten thirty-firsts to two-sevenths of the total. The bill specifies that 50% of RISE funds deposited in the primary road fund shall be used for highways that support the production and transport of renewable fuels, including highways that connect bio-fuel facilities with highways in the commercial and industrial highway network, and the remaining 50% shall be used for highways designated by the transportation commission as access Iowa highways. The bill also specifies that RISE funds deposited in the secondary road fund shall be used for secondary road projects, including projects on secondary roads that connect bio-fuel facilities with highways in the commercial and industrial highway network.

The bill requires the DOT to continue to study the revenue levels of the RUTF and report its findings and recommendations to the general assembly every five years, beginning December 31, 2011. The DOT is also required to evaluate alternative funding sources for road maintenance and construction and report to the general assembly at least every five years on the viability of alternative funding mechanisms.

The bill requires the legislative council to establish an interim committee composed of eight legislative members to study funding options for the TIME-21 fund and report the committee's recommendations to the general assembly by January 15, 2008.

**SF 78 - Department of Natural Resources and Boat Registrations** - See Land Use and Rural Affairs

**SF 344 - Solid Waste Disposal Requirements** - See Environment and Public Health

**SF 586 - Gold Star Registration Plates**

*JE Community Services, Treasurers*

The bill provides that fees generated from the Gold Star Registration Plates shall be transferred into the veterans license fee fund

This bill establishes a new special motor vehicle registration plate to be issued to a surviving spouse, parent, child or sibling of a deceased member of the United States armed forces who died while serving on active duty during a time of military conflict. Such survivor may order special registration plates bearing a gold star emblem upon written application to the Department of Transportation (DOT) accompanied by satisfactory supporting documentation as determined by the DOT. The gold star emblem shall be designed by the DOT in cooperation with the commission of veterans affairs. The special plate fees collected from the issuance of the gold star plates are ultimately transferred into the veterans license fee fund.

The bill is effective January 1, 2008.



# APPROPRIATIONS

## **HF 752 - Transportation Appropriations**

JS

Engineers, Supervisors, Treasurers

This bill makes appropriations for FY08 from the Road Use Tax Fund and the Primary Road Fund to the state Department of Transportation.

From the Road Use Tax Fund

For drivers' licenses production costs ..... \$3,047,000 (+\$227,000)

· Unexpended funds remaining at the end of the fiscal year shall not revert to the general fund.

For operating costs in the motor vehicles division ..... \$33,347,113 (+\$1,191,910)

For county issuance of drivers' licenses and vehicle registrations and titles ..... \$1,832,000 (-\$232,000)

From the Primary Road Fund

For operating costs in the motor vehicles division ..... \$1,384,000 (+\$100,109)

## **HF 787 - 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, 2007 to various state departments and agencies.

To the Department of Economic Development

For community development appropriations ..... \$26,500,000 (-\$2,758,000)

To the Department of Human Rights

For community services ..... \$6,789,465 (-\$68,702)

For low-income home energy assistance ..... \$36,348,505 (+\$1,776,053)

To the Department of Human Services

For community mental health services ..... \$3,631,173 (-\$68,727)

For social services ..... \$16,902,644

· MH/MR/DD/BI community services (local purchase) ..... \$7,595,881

For child care and development ..... \$41,571,218 (+\$1,144,328)

To the Department of Justice

For the stop violence against women program ..... \$1,496,334 (+\$50,334)

To the Department of Public Health

For substance abuse treatment and prevention ..... \$13,474,900 (-\$139,005)

For maternal and child health services ..... \$6,579,555 (-\$158,284)

For preventive health and health services ..... \$1,079,949 (-\$262,126)

## **HF 874 - Administration and Regulation Appropriations**

JS

All County Officials

This bill makes appropriations from the general fund to various administrative and regulatory agencies for FY08.

To the Governor's Office of Drug Control Policy

For general operations ..... \$338,099 (+\$30,369)

For support of multi-jurisdictional drug enforcement programs ..... \$1,400,000

· The programs shall provide for at least a 25% local match.

This office shall coordinate substance abuse treatment and prevention efforts in order to avoid duplication of services.

To the Secretary of State

For administration and elections ..... \$1,331,015 (+\$623,073)



# APPROPRIATIONS

## HF 907 - Appropriations from Tobacco Funds

JS

All County Officials

This bill relates to and makes appropriations from the Healthy Iowans Tobacco Trust and the Tobacco Settlement Trust Fund for FY08.

To the Department of Human Services

To supplement Medicaid.....\$35,327,368 (+\$308,565)

- For reimbursement of non-institutional Medicaid providers (except anesthesia and dental providers) and to continue the resource-based relative value system of reimbursement based upon the reimbursement rates established for FY08; 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

- \$250,000 shall be used to continue the efforts of the Iowa chronic care consortium.

For child and family services and adoption subsidy services.....\$3,761,677 (-\$495,946)

To the Department of Public Health

For tobacco use prevention and control.....\$5,928,465 (no change)

For substance abuse treatment.....\$13,800,000 (no change)

For the Healthy Iowans 2010 plan.....\$2,509,960 (no change)

For the automated external defibrillator grant program.....\$40,000 (-\$310,000)

- Funds unexpended at the end of FY 2007 shall not revert to the general fund.

For substance abuse prevention for children.....\$1,050,000 (+\$50,000)

To the Department of Corrections

For drug courts, community-based corrections and other programs .....\$4,006,474 (-\$40,000)

For the Iowa empowerment fund.....\$2,153,250 (no change)

The provision of the bill allowing unexpended funds to remain available for the automated external defibrillator grant program is effective upon enactment.

## HF 909 - Health and Human Services Appropriations

DV, JS, LH

All County Officials

This bill makes appropriations from various sources for human services and public health programs for FY08.

### **General Fund and Block Grant Appropriations**

To the Department of Elder Affairs

For aging programs .....\$4,723,306 (+\$460,646)

- For case management for the frail elderly .....\$2,788,223 (no change)

To the Department of Public Health (DPH)

For addictive disorders .....\$1,971,890 (+\$210,854)

- An additional \$6,993,754 is appropriated from the health care trust fund, most of which is to be used for tobacco use prevention, cessation and treatment.

For serving individuals with chronic conditions .....\$1,842,840 (+\$100,000)

- An additional \$1,188,981 is appropriated from the health care trust fund.

For strengthening local health care delivery systems .....\$1,758,147 (+\$39,485)

- For an initiative to expand and improve the workforce engaged in mental health treatment and services

- To the University of Iowa .....\$159,700 (no change)

- To the state mental health institute at Cherokee.....\$140,300 (no change)

For elderly wellness .....\$9,233,985 (no change)

For reducing public exposure to environmental hazards .....\$747,960 (+\$124,139)

- For childhood lead poisoning prevention, testing and remediation .....\$121,000 (-\$229,000)

For infectious diseases prevention and care .....\$1,640,571 (+\$382,341)

For public protection .....\$2,591,333 (-\$5,350,143)

- To the emergency medical services fund .....\$643,500 (no change)

For addictive disorders related to gambling .....\$2,215,000 (+\$525,000)



# APPROPRIATIONS

## To the Department of Veterans Affairs (DVA)

For the Iowa Veterans Home .....	\$14,509,630 (-\$940,129)
For the veterans trust fund .....	\$500,000
<ul style="list-style-type: none"> <li>The balance in the fund in excess of \$5,000,000 shall be transferred to the Iowa Finance Authority to enhance the veterans home ownership assistance program.</li> </ul>	
For educational assistance for children of deceased veterans .....	\$27,000
To continue a matching county grant program for veterans .....	\$750,000
<ul style="list-style-type: none"> <li>The maximum grant award for each county is \$10,000. Counties must report to the DVA on the impact the grant has on improving services to veterans. The DVA must report to the General Assembly on the statewide impact by October 1, 2008.</li> </ul>	

## To the Department of Human Services (DHS)

### From the Temporary Assistance for Needy Families (TANF) Block Grant

<ul style="list-style-type: none"> <li>For MH/DD community services .....</li> <li>For welfare reform reporting and case management requirements .....</li> </ul>	<ul style="list-style-type: none"> <li>\$4,894,052 (no change)</li> <li>\$1,037,186 (no change)</li> </ul>
For Medical Assistance .....	\$616,771,820 (-\$35,539,790)
<ul style="list-style-type: none"> <li>For an integrated substance abuse managed care system .....</li> <li>For pilot projects to assist individuals whose services under EPSDT end .....</li> <li>An additional \$99,518,096 is appropriated from the health care trust fund.</li> </ul>	<ul style="list-style-type: none"> <li>\$950,000 (no change)</li> <li>\$100,000 (no change)</li> </ul>
For the health insurance premium payment program .....	\$654,568 (+\$20,406)
For medical contracts .....	\$13,773,152 (-\$644,833)
For state supplementary assistance .....	\$17,210,335 (-\$1,500,000)
For child and family services .....	\$88,520,320 (+\$7,574,947)
<ul style="list-style-type: none"> <li>Up to \$35,916,527 (-\$1,168,357) is to be used for group foster care maintenance and services.</li> <li>The DHS shall examine all group foster care placements and identify those that might be appropriate for termination when a service area is at risk of exceeding its expenditure target by more than 5%.</li> <li>\$2,373,942 (+\$1,205,585) is to be used to provide the state match for 50 highly structured juvenile program beds.</li> <li>\$2,605,000 (+\$105,000) is allocated specifically for de-categorization service funding pools and governance boards; in addition, up to \$1,000,000 of the amount appropriated for child and family services under TANF may be used for de-categorization of child welfare services.</li> <li>State funding for shelter care is limited to the amount necessary to fund 273 guaranteed beds and 7 non-guaranteed beds.</li> </ul>	

### To the Juvenile Detention Home Fund

<ul style="list-style-type: none"> <li>For grant renewal for implementation of a runaway plan .....</li> <li>For continuation and expansion of child protection sites .....</li> <li>For continuation of minority youth and family projects .....</li> <li>For a substance abuse and mental health services grant .....</li> </ul>	<ul style="list-style-type: none"> <li>\$80,000 (no change)</li> <li>\$418,000 (+\$100,000)</li> <li>\$375,000 (no change)</li> <li>\$400,000 (+\$332,400)</li> </ul>
For the family support subsidy program .....	\$1,936,434 (no change)
For Conner Decree .....	\$42,623 (no change)
To the state Mental Health Institutes (MHIs) .....	\$23,036,893 (+\$1,910,878)
To the State Resource Centers (SRCs) .....	\$26,026,034 (+\$3,428,690)
For MI/MR/DD state cases .....	\$11,067,178 (-\$1,419,441)
For MH/DD community services .....	\$18,017,890 (no change)
<ul style="list-style-type: none"> <li>For the MH/DD community services fund for FY08 .....</li> </ul>	<ul style="list-style-type: none"> <li>\$17,727,890 (no change)</li> </ul>
For Medicaid, state supplementary assistance and provider reimbursement rates	
<ul style="list-style-type: none"> <li>Generally, the bill maintains provider rates for FY08 at the FY07 level.</li> <li>The bill increases the actual and allowable reimbursement rates for juvenile shelter care homes by \$2.66 over the previous year's level. The new rate is \$138.10 per child per day, of which the county pays \$46.65 (no change from FY07); the state's share of the cost per day is increased to \$91.45 (+\$2.66 per day).</li> </ul>	

## Senior Living Trust, IowaCare and Other Appropriations

### To the Department of Elder Affairs

For a comprehensive senior living program .....	\$8,384,044 (+\$87,314)
<ul style="list-style-type: none"> <li>For case management for the frail elderly .....</li> </ul>	<ul style="list-style-type: none"> <li>\$2,196,967 (no change)</li> </ul>

### To the Department of Human Services

For Medicaid supplement (from the senior living trust fund) .....	\$65,000,000 (no change)
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# APPROPRIATIONS

From the IowaCare Account

To the University of Iowa hospitals and clinics .....	\$27,284,584 (no change)
To Broadlawns Hospital.....	\$40,000,000 (no change)
\$37,000,000 shall be allocated in 12 equal monthly payments; excess amounts are allocated only if federal funds are available to match the amount allocated.	
To the state Mental Health Institutes .....	\$25,874,211 (no change)

## County MH/MR/DD/BI Allowed Growth Factor Allocations

For distribution to counties of the allowed growth factor for FY08 .....	\$71,281,437 (+\$17,092,399)
Special allocation .....	\$12,000,000 (+\$12,000,000)
Allowed growth .....	\$12,000,000 (no change)
Per capita .....	\$37,218,123 (+\$5,092,399)
Community services .....	\$17,727,890 (no change)
Withholding target .....	\$7,664,576 (no change)

## Withholding factors for FY08

- 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 counties with ending fund balances between 10% and 15%, the amount withheld shall not exceed the amount by which a county's fund balance exceeds 10%.
- For an ending fund balance of at least 25%, a withholding factor of 100%
- The bill provides that if a county borrowed money to provide mental health services on or before July 1, 2006, and the county's fund balance includes loan proceeds or amounts designated to service the loan, those amounts shall not be considered when calculating the ending fund balance under this section.

## Additional provisions

- The bill provides that when a county's population is a factor in the allocation of allowed growth funding, the most recent population estimates issued by the Census shall be applied.
- The bill allows a county to implement a waiting list if it determines that it cannot provide services in accordance with its management plan and remain in compliance with its budget. If a county implements a waiting list, the county shall notify the DHS, and DHS shall maintain an updated listing of waiting lists on its website. When the county of residence is providing services to a person whose county of legal settlement has implemented a waiting list, the services shall be provided in accordance with the waiting list provisions.
- The bill combines the allowed growth appropriation and the per capita appropriation into the "allowed growth funding pool." The first \$12 million in the allowed growth funding pool is allocated based solely on population, just like the allowed growth appropriation has always been allocated. The remaining money is allocated similarly to how the per capita appropriation has worked in the past, with two changes: 1) In prior years, a county had to have a fund balance of 25% or less two years prior to the year in which funding is distributed to be eligible - this bill changes that to one year prior; and 2) This bill eliminates the per capita expenditure target of \$116.77. The effect of those two changes is that the money in the allowed growth funding pool in excess of \$12 million is allocated based on population to counties who are levying the maximum allowed in the fiscal year in which funding is distributed, and whose fund balance is 25% or less in the year immediately prior to the fiscal year in which funding is distributed.
- The special allocation of \$12 million is allocated based on population to counties who have a fund balance of 15% or less in FY 2007, and who are levying either: 1) the maximum allowed in FY08; or 2) at least 90% of the maximum and have a levy rate of more than \$2.00 per thousand. The special allocation is subject to the withholding requirements.
- As always, to be eligible for any allocation counties must levy at least 70% in FY08 and meet the reporting deadlines under Iowa Code §§331.403 and 331.439.
- The bill requests the legislative council to establish an interim study on the duties, responsibilities and funding of mental health patient advocates.

## Miscellaneous Code Changes

The bill makes changes to the county MH/DD data reporting requirements and the risk pool. The bill adds a new requirement for information to be reported on December 1 of each year. Counties are required to provide demographic information, expenditure data, and data concerning the services and supports provided to each person. The bill also



# APPROPRIATIONS

requires DHS to meet with ISAC to develop a joint proposal to present to the Human Resources and Appropriations subcommittees by November 15, 2007.

The bill limits access to the risk pool to those counties that are at or below twenty percent in reserves and allows access to the fund only to continue mandated services or to prevent reduction or elimination of critical services, critical emergency services, services to entire disability populations, or services that maintain individuals in the community.

The bill requires DHS to work with counties, providers and other stakeholders to develop a comprehensive, continuous and integrated state mental health services plan. There will be work groups in the following areas: alternative county funding distribution formulas; increased state responsibility for community mental health centers; core mental health services; co-occurring mental health and substance use disorders; and evidence-based practices. A report is due to the General Assembly by December 1, 2007. A comprehensive plan for the state's mental health services system is due in the fall of 2008.

The bill allows counties to transfer moneys into the MH/DD services fund from other county funds during FY08. In addition, Child Welfare De-categorization funding projects can carry forward the FY07 allocation to fund services for children with special needs such as mental health needs, sexual abuse victims or offenders, and substance abuse.

The bill replaces the requirement that counties pay for the non-federal share of adult rehabilitation services that are no longer available under Iowa's Medicaid plan with a requirement that counties pay for the new program, habilitation services for adults with chronic mental illness.

This bill provides that for the purposes of city and county zoning, the premises of a home and community-based services waiver provider is to be considered a residential use of property.

This bill requires the Department of Human Rights to establish an energy utility assessment and resolution program for low-income persons. The program, administered by local community action agencies, will assist persons who meet the eligibility requirements with deferred payment agreements or emergency fuel delivery.

Current law requires public employers, including counties, to grant leaves of absence when National Guard members and others are called to active duty. This bill extends the leave of absence provision to include members of the National Disaster Medical System (NDMS) when activated for federal service with the system.

The provisions regarding MH/MR/DD data reporting and risk pool assistance are effective upon enactment and apply retroactively to December 1, 2006, for information collected by a county as of that date. Counties that have not reported the data for FY06 have 25 business days from the effective date of the rules to comply. The provisions regarding zoning for HCBS waiver providers and leaves of absence for NDMS members are effective upon enactment.

## **HF 911 - Infrastructure Appropriations**

JS

*All County Officials*

This bill makes infrastructure-related appropriations from a number of sources to various state departments and agencies for FY08.

### **From the Rebuild Iowa Infrastructure Fund**

For structural and technological improvements to local libraries .....	\$1,000,000 (-\$200,000)
For grants under the wastewater treatment financial assistance program .....	\$4,000,000
For the housing trust fund .....	\$2,500,000
For county fair infrastructure improvements .....	\$1,590,000 (+\$530,000)
For recreational trails .....	\$2,000,000 (no change)
To reimburse counties for voting machines .....	\$2,000,000

- This money is deposited in a voting machine reimbursement fund. It is to be distributed to counties as reimbursement for the cost of complying with Iowa Code §52.7(1), paragraph "I", as enacted by SF 369, which requires voting machines used in elections on or after November 4, 2008, to provide a paper record for review by the voter.
- Each county board of supervisors shall adopt and submit to the Secretary of State by June 15, 2007, a resolution declaring the method by which the county intends to comply with the paper record requirement.
- The Secretary of State shall submit a report to the Legislature by December 31, 2007, regarding the expenditure of money for voting machine reimbursement under this bill and including a recommendation, if necessary, for enacting waiver provisions for counties unable to comply with the paper record requirement.



# APPROPRIATIONS

## SF 403 - Supplemental Appropriations

JS

*Auditors, Community Services, Sheriffs, Supervisors*

This bill makes supplemental appropriations for FY07.

From the IowaCare account to the University of Iowa hospitals and clinics .....\$10,000,000  
· For serving members of the expansion population under Iowa Code chapter 249J

For reimbursement to counties for confinement of state prisoners ..... an additional \$400,000

To the Department of Human Services

For payment of mental health allowed growth funding to certain counties .....\$295,349

· To Davis County .....\$121,124

o For half of the county's annual property tax relief payment, which was withheld because the county did not meet the deadline in Iowa Code §331.439(1)(a) for reporting mental health expenditure data

o This appropriation is from the property tax relief fund in Iowa Code §426B.1.

· To Emmet County .....\$174,225

o For the county's allocation from the per capita funding pool, which it did not receive because its per capita expenditure amount exceeded the statewide target

o Of this appropriation, \$121,960 is from the property tax relief fund in Iowa Code §426B.1 and \$52,265 is from the general fund of the state.

The bill is effective upon enactment.

## SF 551 - Agriculture and Natural Resources Appropriations

JS

*All County Officials*

This bill makes appropriations for agricultural and natural resources programs for FY08 and includes policy provisions affecting agricultural and natural resources.

### **From the General Fund**

To the Department of Agriculture and Land Stewardship

For controlling chronic wasting disease .....\$100,000 (no change)

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

For reimbursing soil and water conservation district commissioners .....\$250,000 (no change)

To the Department of Natural Resources

For groundwater quality .....\$3,455,832 (no change)

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

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

To Iowa State University

For a water quality research project relating to open feedlots .....\$50,000 (no change)

### **From the Environment First Fund**

To the Department of Agriculture and Land Stewardship

For the conservation reserve enhancement program .....\$1,500,000 (no change)

For flood and erosion control, water quality and conservation .....\$2,550,000 (-\$150,000)

For permanent soil and water conservation practices .....\$7,000,000 (+\$1,500,000)

For the Loess Hills development and conservation fund .....\$580,000 (-\$20,000)

For the Southern Iowa development and conservation fund .....\$300,000 (no change)

To the Department of Economic Development

For Brownfield redevelopment .....\$500,000 (no change)

To the Department of Natural Resources

For water quality monitoring .....\$2,955,000 (no change)

For air quality monitoring .....\$235,000 (-\$40,000)

To the Iowa Resources Enhancement and Protection (REAP) Fund .....\$15,500,000 (+\$4,500,000)



# APPROPRIATIONS

Current law allows local watershed improvement committees and soil and water conservation districts to apply for local watershed improvement grants to be used for local watershed improvement projects. This bill expands eligibility for those grants to include county conservation boards, public water supply utilities and cities.

## SF 562 - Economic Development Appropriations

JS

All County Officials

This bill makes appropriations for various economic development programs for FY08 and contains related policy provisions.

To the Department of Economic Development

For community development programs ..... \$6,322,654 (+\$668,481)

· For the main street and rural main street programs ..... \$946,000

· For tourism operations ..... \$3,794,443

For business development programs ..... \$6,451,146 (+\$235,752)

To the workforce development fund ..... \$4,000,000 (no change)

## SF 575 - Justice System Appropriations

JS

All County Officials

This bill makes appropriations from the general fund and other funds to the justice system for FY08.

To the Department of Justice

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

· The bill creates an environmental crimes investigation and prosecution fund and makes this an annual appropriation.

To the Iowa Law Enforcement Academy (ILEA) ..... \$1,218,985 (+\$46,596)

· 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, 2008.

To the Department of Public Defense

For the Homeland Security and Emergency Management Division (HSEMD) ..... \$2,101,033 (+\$519,004)

· 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.

· The bill appropriates \$496,000 to each public safety answering point (PSAP) for wireless E-911 phase 2 upgrades and equipment purchases.

To the Department of Corrections (DOC)

For reimbursement for county confinement of state prisoners ..... \$1,199,954

· This represents an increase of \$400,000 from the original FY07 appropriation. However, SF 403 (FY07 Supplemental Appropriations) appropriated an additional \$400,000 for this line item for FY07. Thus, the appropriation for FY08 represents no change from the final appropriation for FY07.

For offender mental health and substance abuse treatment ..... \$25,000 (no change)

For a transitional housing pilot project for paroled offenders recovering from substance abuse ..... \$30,000

The bill allows the DOC, in cooperation with counties, to use inmate labor to clean up roads and water sources around the state; it also allows the DOC, in cooperation with nonprofit or governmental entities, to use inmate labor to restore or preserve rural cemeteries and historical landmarks. The bill requires the DOC to provide a monthly report of private-sector inmate employment to the legislative services agency beginning July 1, 2007.



# APPROPRIATIONS

## SF 588 - Education Appropriations

JS

All County Officials

This bill relates to the FY08 funding and operation of the Department of Education, related agencies and programs.

To the Vocational Rehabilitation Services Division

- For general operation.....\$5,419,890 (+\$385,235)
- For programs for persons with severe physical or mental disabilities.....\$54,709 (+\$288)
  - Highest priority shall be given to programs focusing on finding and maintaining employment for persons with disabilities.

To the Iowa Empowerment Fund

- For school ready children grants.....\$23,781,594 (no change)

For the Enrich Iowa program.....\$1,823,432

- The Enrich Iowa program provides direct state assistance to public libraries based on certain factors. Public libraries must comply with performance measures to be eligible for grants, and the grants are to supplement, not supplant, current funding.

To the University of Iowa

For a substance abuse research and evaluation consortium.....\$64,871

## SF 601 - Standing Appropriations

JE, JS, LH

All County Officials

This bill makes appropriations for mental health allowed growth for FY09 and for property tax credits and other programs for FY08, unless otherwise noted. It also serves as a catch-all bill for various policy provisions not enacted earlier in the legislative session.

### **MH/MR/DD/BI Allowed Growth Funding**

For distribution of the allowed growth factor for FY09.....\$64,600,002

- This figure represents an increase of \$8,119,862 (3%) over the final appropriation for allowed growth funding for FY08 established in HF 909.

### **Property Tax Credits**

The bill appropriates \$159,868,964 (no change from FY07) from the property tax credit fund for the purpose of funding the following property tax credits:

- Homestead.....\$99,254,781 (-\$3,690,598)
  - Agricultural land and family farm.....\$34,610,183 (no change)
  - Military service.....\$2,800,000 (+\$26,598)
  - Low-income elderly and disabled.....\$23,204,000 (+\$3,664,000)
- 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>.

### **Other Appropriations**

To the underground storage tank fund.....\$3,000,000

For 211 non-profit call centers providing human services information to callers.....\$200,000

For the indigent defense program.....\$3,000,000

For the Community Attraction and Tourism (CAT) program.....\$12,000,000

This bill extends the \$12,000,000 annual appropriation through FY13. Of the \$12 million, \$5 million is appropriated from the Rebuild Iowa Infrastructure Fund (RIIF) and \$7 million is appropriated from franchise tax revenues.

For a veterans home ownership assistance program.....\$1,000,000

### **Miscellaneous Code Changes**

The bill states the intent of the General Assembly that moneys be appropriated to assist the local government innovation commission in funding the Tim Shields Center for Governing Excellence as enacted in SF 155.



# APPROPRIATIONS

The bill creates a legislative property tax study committee, consisting of ten legislators as voting members. Non-voting members include representatives from various taxpayer groups, state agencies and local governments, including one non-voting member representing ISAC. The committee is to meet during the 2007 and 2008 legislative interims and is to report to the General Assembly by January 5, 2009. The committee is to conduct a comprehensive review of property taxation in Iowa, including a study of: the continued use of property taxes as a major funding source for local governments and school districts; the classification and assessment of property, including the consistency employed throughout the state in classifying and assessing properties; the tie between residential and agricultural property assessments; the use of property taxes as an economic development tool; and the various exemptions and credits currently available and their impact on state and local budgets.

The bill includes an increase of approximately 35% in license fees for Iowa's food establishments. In addition, the bill gives the Department of Inspections and Appeals (DIA) the authority to adopt the updated federal Food and Drug Administration (FDA) food code by rule and deletes the reference to a specific FDA food code from the law. The bill also adds an additional discount of \$50 for license renewals if the establishment has a certified food protection manager on staff and has had no critical violations in the previous 12 months. Cities or counties that contract to do food inspections must now report the cost of performing those inspections to the DIA and must agree to apply the current rules consistently.

The bill specifies that a proposal to establish, acquire, lease, dispose of, undertake or discontinue operation of a city utility or to establish or dissolve a combined utility system or to establish or discontinue a utility board, which proposal is submitted to the voters by the city council's own motion and not by petition, may be submitted at the general election, regular city election or at a special election. The bill requires notice be given to the county commissioner of elections and to any utility whose property would be affected by such election not less than sixty days before the proposed date of the special, regular city or general election.

The bill allows an absentee voter to designate anyone to return his or her absentee ballot. With regard to returning absentee ballots, Iowa Code references to family members and absentee ballot couriers are eliminated. The commissioner of elections is required to enclose with the absentee ballot a statement informing the applicant that the sealed carrier envelope may be mailed or personally delivered to the commissioner's office by the registered voter or the voter's designee. The statement shall also inform the voter that the voter may request that the voter's designee complete a receipt when retrieving the ballot from the voter. A blank receipt shall be enclosed with the absentee ballot. If mailed by the voter's designee, the envelope must be mailed within seventy-two hours of retrieving it from the voter or within time to be postmarked not later than the day before the election, whichever is earlier. When a person designated by the voter retrieves a completed absentee ballot from the voter, the designee shall, upon request of the voter, fill out a receipt to be retained by the voter. The state commissioner shall prescribe a form for receipts required by this subsection. The receipt shall include all of the following:

- The name of the voter's designee;
- The date and time the completed absentee ballot was received from the voter;
- The name and date of the election for which the absentee ballot is being voted;
- The name of the political party, candidate, or committee for which the designee is acting as an actual or implied agent, if applicable;
- A telephone number at which the voter's designee may be contacted; and
- A statement that the completed absentee ballot will be delivered to the commissioner's office within seventy-two hours of retrieving it from the voter or before the closing of the polls on election day, whichever is earlier, or that the completed absentee ballot will be mailed to the commissioner within seventy-two hours of retrieving it from the voter or within time to be postmarked not later than the day before the election, whichever is earlier.

The bill requires the county commissioner of elections to open the absentee ballot return carrier envelope in order to inspect the affidavit on the affidavit envelope containing the ballot. If there is a deficiency in the affidavit that would cause the ballot to be rejected, the commissioner is to contact the voter and inform the voter of the deficiency and that the deficiency may be corrected by the voter by 5:00 p.m. on the day before the election. The bill also requires the county commissioner of elections to notify an absentee voter if the voter's completed absentee ballot is returned in an affidavit envelope that is unsealed or that has been opened and resealed or if the ballot is not enclosed in the affidavit envelope. The commissioner shall allow the voter to complete another absentee ballot application and a replacement ballot by 5:00 p.m. on the day before the election. The bill provides that if the voter does not correct the affidavit deficiency or vote a replacement ballot, as the case may be, the voter shall be allowed to vote a provisional ballot at the polls. Finally, the bill changes the term "ballot envelope" to "affidavit envelope" to conform to the use of the term "affidavit envelope" throughout the Iowa Code.



## 2007 *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 116	Equalization Orders	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. A few items of interest to ISAC have this status:	
HF 120	Weapons Permits		
HF 129	Motor Vehicle Registration		
HF 131	Property Tax Limitation		
HF 138	RUTF Allocation		
HF 144	Township Legal Representation		
HF 219	Recreational Property Assessments	HF 384/SF 201	Vital Record Fees (For)
HF 394	Suspend Axle Weight Limits	SF 131	Equalization Orders (For)
HF 481	Transport Shipping Containers	SF 236	Local Smoking Ban (For)
HF 599	Commercial Property Tax Rollback	SF 261	Sewer inspections (For)
HF 689	County Emergency Levy	SF 413	Fair Share; Right to Work (Against)
HF 703	Telecommunications Property Tax		Residential Property (Against)
HF 734	Commercial Property Tax	SF 604/SSB 1356	
HF 810	Prevailing Wage		
HF 857	Homestead and Military Credits		
HF 931/HF 905	Property Tax Reform		
HSB 38	Open Records		
HSB 61	Unclaimed Property		
HSB 65	Juries		
SF 15	Polls Close at 7:00		
SF 76	Vehicle Registration		
SF 86	School Elections		
SF 105	Recreational Property		
SF 108	ATV Operation		
SF 172	Recreational Property Tax Exemption		
SF 245	Recreational Property Tax Class		
SF 290	Mental Health Services		
SF 363	Recreational Property tax		
SF 366	Nonpartisan Sheriffs		
SSB 1042	Open Records		
SSB 1086	Unclaimed Property		
SSB 1315	Harvest Truck Limits		
SSB 1322	Fair Share II		

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

HF 39/HF 200/HF 466	Franchise Tax
HF 164	Can Processing Fees
HF 228	Pollution Control
HF 609	Sewer inspections
HF 873	CAFO Regulation
HF 900	Waste Tire Allocations
SF 307	Franchise Tax
SF 396	Courthouse Security
SF 455	Safe Zones
SF 550	CAFO Regulations



## ***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: Bill Peterson

### **Environment & Public Health**

Chair: Larry Roehl - Louisa County  
Staff Representative: Deborah Westvold

### **Human Services**

Chair: Rod Sullivan - Johnson County  
Staff Representative: Linda Hinton

### **Land Use & Rural Affairs**

Chair: Lannie Miller - Palo Alto County  
Staff Representative: Tammy Norman

### **Public Safety**

Chair: Curt Braby - Louisa County  
Staff Representative: David Vestal

### **Taxation & Finance**

Chair: Dianne Kiefer - Wapello County  
Staff Representative: John Easter and Jay Syverson

### **Transportation**

Chair: Royce Fichtner - Marshall County  
Staff Representative: Robin Harlow

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**

Dave Ellis - Warren County

### **Auditors**

Mary Mosiman - Story County  
Dennis Parrott - Jasper County

### **Community Services**

Mary Williams - Benton County  
Irene Blair - Webster County

### **Conservation**

Dan Biechler - Linn County

### **County Attorneys**

Barb Edmundson - Washington County  
Todd Holms - Kossuth County

### **Emergency Management**

Derek White - Carroll County

### **Engineers**

Royce Fichtner - Marshall County

### **Environmental Health**

Brian Hanft - Cerro Gordo County  
Mark Linda - Black Hawk County

### **Information Technology**

Jeff Rodda - Polk County

### **Public Health Nurses**

Linda Truax - Butler County

### **Recorders**

Sue Vande Kamp - Story County  
Kathy Flynn Thurlow - Dubuque County

### **Sheriffs**

Mike Balmer - Jasper County

### **Supervisors**

Mike Wentzien - Iowa State Association of County Supervisors  
Mike King - Union County

### **Treasurers**

David Jamison - Story County  
Michael Grandon - Cerro Gordo County  
Doug Bishop - Jasper County

### **Zoning**

R.J. Moore - Johnson County  
John Kunc - Marshall County

# ***NOTES***







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