

Legislative Newsletter

March 18, 2022



The second funnel occurred on March 18. Unless a bill is an Appropriations bill or Ways & Means bill, legislation must pass the full chamber it originated in, as well as a subcommittee and full committee in the opposite chamber. With the second funnel deadline come and gone, the General Assembly will turn its focus to budget targets and legislation, as well as additional debate work to send bills to the Governor's desk for her signature.

Likewise, it's typical around this time of the legislative session for speculation on the end date. At this time, our team is hearing sometime between April 10 and Easter for adjournment. Budget bills have started to move, so our team will have a better sense soon of how close to budget agreements the two chambers are.

In the House chamber this week, Representatives worked on several non-cons and priorities:

House File 2130: The ATV bill had some bipartisan support, although it was not overwhelmingly so. There were several amendments offered, with two being adopted and five being withdrawn.

The first amendment adopted requires ATV drivers on highways to be 18 and to have insurance. The ATV must have headlights and taillights. The amendment limits the use of ATV fees for law enforcement. Allows cities and counties to prohibit ATV operations on roads with an agreement with an ATV club. Grandfathers in current ordinances. The second amendment was a corrective one.

The House passed the bill 64-29 and it now goes to the Senate.

House File 2295: This bill gives state agencies, and employees, officers and agents, protection from liability for good-faith actions taken in response to a state or federal disaster

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proclamation. Individuals and corporations removing debris from private land must agree to hold state and local governments harmless for any damage related to the removal. The House passed the bill 90-3 and sent it to the Senate.

The House adopted a resolution pertaining to the voting age in Iowa. **Senate Joint Resolution 9** proposes an amendment to the Iowa Constitution that will lower the voting age in the Iowa Constitution to 18 and to state that only US citizens can vote. The resolution received unanimous approval in both chambers.

House File 2466: The county supervisor districts bill was amended with a strike-and-replace amendment. Under the adopted amendment, the bill was completely changed to set the signature requirement for county supervisors at 21 signatures for supervisor districts under 15,000 and at 50 signatures for supervisor districts over 15,000. The House chamber passed the bill unanimously, then proceeded to pass a Senate subcommittee and the full State Government Committee.

House File 2529: This bill requires UIHC to administer a psychiatric residency program at the Cherokee and Independence mental health institutions and at the Oakdale Classification Center. Preference goes to Iowan applicants who attended college or medical school in Iowa. This program comes with an appropriation; \$1.2 million (FY 2024); \$2.4 million (FY 2025); \$3.6 million (FY 2026); \$4.8 million (FY 2027 and later). The House unanimously passed this bill and it now goes to the Senate. This bill is funnel-proof.

House File 2546: This is the tiered psychiatric reimbursements bill, which requires the Dept. of Human Services to implement a tiered reimbursement methodology for Medicaid psychiatric in-patient care, based on the patient's acuity by January 2023. Requires the use of inpatient bed tracking study to determine other factors used for the tiered reimbursements. The House passed this bill unanimously and it now goes to the Senate.

House File 2549: This legislation creates a loan repayment program for prescribing mental health professionals. The applicant to the program must be practicing for a minimum of five years, with preference given to Iowans and members of the Iowa National Guard. The program limits loan repayments to \$40,000 annually and \$200,000 overall (psychiatrists); \$10,000 and \$50,000 (ARNP); \$8,000 and \$40,000 (prescribing psychologist). An amendment including provisions on requirements for employment, and additional payment levels for buy-ins was adopted. The House passed this bill 94-2 and it now goes to the Senate. This bill is funnel-proof.

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In House Committee action this week, the House Appropriations Committee introduced budget bills:

House File 2557 – Transportation/Infrastructure. Makes the spending for Fiscal Year 2023 from the PRF and the RUTF.

House File 2560: Agriculture and Natural Resources; makes the Fiscal Year 2023 appropriations for the Dept. of Agriculture, the Dept. of Natural Resources, Iowa State University and the University of Iowa.

The House Judiciary Committee voted to unanimously approve **Senate File 513**, pertaining to crisis intervention reports, confidentiality, and access to the individuals subject to the report.

The House Natural Resources Committee unanimously voted to approve **Senate File 2323**, requires the Dept. of Natural Resources to update its inventory of land on the internet within 60 days of acquiring new land or an interest in land. This bill requires county conservation boards submit information in a manner determined by the Department.

The House Ways & Means Committee passed **House Study Bill 622**, which pertains to the sales of emergency preparedness supplies and includes such supplies in the August sales tax holiday for clothing. Supplies are defined out in the bill and include generators valued under \$5,000. The Committee passed this bill unanimously; **House Study Bill 704**, which deems the special valuation taxation of wind energy property is in lieu of other taxation and continues until the 19th assessment year if the ordinance should be repealed. The Committee passed this bill unanimously and the bill is renumbered as House File 2561; **Senate File 2322**, which requires copying costs for public records to be reasonable. Does not allow costs for legal counsel for the review or redaction of records to be included. The Committee passed the bill unanimously.

The House Local Government Committee voted to approve **Senate File 2267**, which strikes the current pilot project allowing counties to establish emergency districts and allows local governments to establish such districts (passed unanimously); and **Senate File 2298**, which allows a local emergency management commission to serve as a Joint 911 board with a supermajority agreement (passed 18-1).

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Across the rotunda in the Senate, the Senate Human Resources Committee voted unanimously to approve **House File 736**, which does not allow the state or a Medicaid managed care organization to seek repayment of an overpayment to a health care provider if the overpayment happened more than 24 months previously. The limitations do not apply to retroactive Medicaid cost settlements or rate changes based on Medicaid/Medicare cost reports. This bill would become effective upon enactment.

The Senate Local Government Committee passed forward the home business bill (**House File 2431**) on an 11-6 vote. This bill prohibits local governments from requiring prior approval for a no-impact home business and limits regulations to narrowly tailored restrictions; there cannot be requirements for such properties to be rezoned for commercial use or to have fire sprinklers. Local governments are required to establish by a clear and convincing standard that any regulation complies with the bill.

The Senate State Government Committee voted to approve several bills:

House File 2130: This is the ATV bill. While the bill proposes allowing registered ATVs and UTVs to operate on non-interstate highways and on all county roads, the bill goes on to include the current existing ordinances that local governments already have on the books. The Committee passed the bill 14-1.

House File 2340: This unanimously passed bill on public nuisances was amended with a strike-and-replace amendment with new provisions on abating nuisances.

House File 2489: This bill requires the State Auditor to create divisions within the office, including an Attest Division, to be headed by a CPA and subject to Senate confirmation and requires the State Auditor to comply with continuing education requirements for CPA's. The Committee passed this bill unanimously.

The Senate Ways & Means Committee passed several bills:

Senate File 2083: This unanimously passed bill allows a volunteer EMS to request an abatement of property taxes of up to 10 percent on a home. The volunteer EMS must have been a volunteer for at least five years and to have made less than \$5,000 annually. Includes other requirements.

Senate File 2347: This bill will authorize the Dept. of Transportation to issue an annual all

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systems permit for overweight vehicles (not exceeding 90,000 pounds). Sets the fee at \$500, with \$375 earmarked for the county bridge construction fund. The Committee passed the bill 15-1.

House File 626: This bill allows local governments to establish federally targeted areas as revitalization areas. The committee passed the bill 15-1.

House File 2518: This bill would establish new annual permit requirements for moving cranes up to 80,000 pounds, including route approval and a \$400 fee. The Committee passed this bill unanimously.

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