

Legislative Newsletter

May 27, 2022



The 2022 legislative session concluded just after midnight on May 25. With the conclusion of the legislative session (sine die), the Governor now has 30 days to sign legislation that was fully passed in both chambers after the bills are sent to her. Budget bills are typically the first to be enacted, so state government staff has enough time to examine the appropriations and cut checks for the start of the fiscal year on July 1.

This week the Governor signed:

Senate File 513: This bill deems a crisis intervention report about a person experiencing a substance abuse/mental health crisis to be confidential reports. The person who is the subject of the report is permitted access to the report. When a report meets these criteria, it is not deemed to be a police investigative report, and the facts surrounding an incident are not confidential unless the release of such information would pose a clear danger. This Senate passed this bill unanimously and the House passed it 96-1.

House File 2295: This bill gives state agencies, and employees, officers and agents, protection from liability for good-faith actions they take in response to a state or federal disaster proclamation. Individuals and corporations which are having debris removed from private land must agree to hold state and local governments harmless for any damage related to the removal. That authorization is required to be given prior to using the disaster funds for the removal. The House passed this bill 90-3 and the Senate passed it unanimously.

House File 2518: This bill establishes the new annual permit requirements for moving cranes up to 80,000 pounds, including route approval and a \$400 fee. The House and Senate both passed this bill with unanimous support.

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Senate File 2376: This bill authorizes the Department of Transportation to issue an annual all systems permit for overweight vehicles (defined as not exceeding 90,000 pounds). The bill sets the fee at \$500, with \$375 earmarked for the county secondary road funds. The bill requires all counties to allow vehicles under these permits to operate on secondary roads and to indicate to the DOT secondary roads which are not included under these permits. The House passed this bill 86-7; the Senate passed it 48-1.

Senate File 2366: This bill deems that 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. Includes retroactivity provisions. The Senate passed this bill unanimously; the House passed it 91-5.

Senate File 2323: This is the DNR land interests bill. It requires the Dept. of Natural Resources to update its inventory of DNR land on the internet within 60 days of acquiring new land or an interest in land. The bill also includes additional information to be included in the inventory. County conservation boards are required to submit information in a manner determined by the Department. The Senate passed this bill unanimously; the House passed 85-12.

Sent to the Governor this week:

House File 2130: The ATV bill has caused some heartburn among certain stakeholders for the last two sessions. As initially drafted, it would have allowed registered ATV's and UTV's to operate on non-interstate highways, using the most direct and accessible route between an ATV park or trail and a road designated for ATV use, as well as operation on all county roads.

The Senate offered a strike-and-replace amendment, which was adopted. The amendment establishes requirements for driving ATV's on county roads under provisions similar to the bill, and allows counties and cities to regulate ATV's. It also removed the requirement for local governments to work with ATV/UTV advocacy groups in developing ordinances and grandfathers in existing ordinances until they are changed

The Senate passed the bill as amended 40-4; the House concurred 65-30.

House File 2470: This bill pertains to artisanal butchery, requiring various agencies to develop programs and rules related to artisanal butchery by December of this year, including an artisanal butchery certificate program to be offered through community colleges. This bill had unanimous support and passage in both chambers.

House File 2549: This is the mental health loan repayment program bill. The program itself is established in this bill; the starting appropriation of \$520,000 is in the education budget bill. To qualify for

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the repayment program, the professional must have been in practice for at least five years full time or for seven years part time. The bill limits loan repayments to \$8,000 annually and \$40,000 overall. Both chambers passed the bill unanimously.

House File 2298: This bill prohibits childcare centers and schools from requiring a COVID immunization in order to enroll in a childcare center, school or college or university prior to July 2029. The House passed the bill 57-36; the Senate passed it 29-16.

Budget Bills 2022

House File 2589: This year's standings bill. Standings bills are among the final bill each legislative session to be introduced, as they serve as the catch-all for legislation that might not have made it through the legislative process, corrections to already passed legislation, and other last-minute priorities. This year's bill limits the standing appropriations for non-public school transportation, the instructional support state aid, and for aid AEA's.

An amendment adopted in the House includes non-competes in health care employment, strikes outside funding for elections, makes various changes/corrections/updates to the bottle bill, home-based businesses, pre-need funerals, and other matters; finally, the amendment defines direct mass mailings and prohibits state officials from making direct mass mailings 60 days before an election.

The House passed Standing 56-39; the Senate passed it 30-14.

House File 2578: This is the health and human services budget bill. This bill makes the fiscal year 2023 appropriations to the Dept. of Human Services (soon to be combined with the Dept. of Public Health to become the Dept. of Health and Human Services), Dept. of Veteran Affairs, the Veterans Home, the IDA, Iowa Finance Authority, Dept. of Human Resources, and Long-Term Care Ombudsman.

The total appropriation agreed to from the general fund is \$2.1 billion: \$55.34 million to the DPH and \$2.02 billion to DHS.

The breakdown for the DHS apportion:

Assistance total: \$1.82 billion; FIP: \$41 million; Medicaid \$1.54 billion; Health Programs \$17.45 million; State Supplemental \$7.35 million; S-CHIP \$38.66 million; Childcare Assistance \$40.82 million; Child & Family Services \$93.57 million; Adoption \$40.6 million; Family Support Subsidy \$949,282; Conners Training \$33,622; Volunteers \$84,686.

The mental health institutions are poised to receive a total of \$82.61 million: Eldora: \$17.61 million; Cherokee: \$15.61 million; Independence: \$19.69 million; Glenwood: \$16.29 million; Woodward: \$13.41 million.

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This budget bill also added **House File 2203** (off label drugs) and **House File 2245** (telehealth reimbursements to out-of-state professionals licensed in Iowa).

The Senate passed the bill 30-16; the House concurred with 52-32.

House File 2557: The transportation and infrastructure bill. The overall total approved in the chambers was \$416.07 million, with total RUTF at \$58.17 million and total PRF at \$357.90 million. The House passed this bill 92-2; the Senate passed it unanimously.

House File 2560: The agriculture and natural resources budget bill had a strike-and-replace amendment adopted in the Senate. These appropriations support the state Dept. of Agriculture, the Dept. of Natural Resources, Iowa State University, and the University of Iowa.

From the general fund appropriation of \$41.94 million: \$22.14 million to IDALS; \$15.1 million to DNR (with \$1.51 million toward floodplains); from addition funds totaling \$92.83 million: \$18.11 million to IDALS, with \$1 million earmarked for Cedar Rapids Enhancements and \$900,000 to watersheds; \$75.3 million to the DNR with \$375,000 for floodplain management and \$12 million to REAP.

Other provisions in this budget bill deem that value-added agriculture funding does not revert. It requires the DNR to allocate 50 positions to state park operations. DNR employees may continue to live in DNR cabins under the same conditions when the employee first started living there until December 2023.

The Senate passed this bill as amended 33-12; the House concurred with a vote of 52-31.

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