

★ Roll Call Number

Agenda Item Number

35

.....
Date February 9, 2009

City of Des Moines Legislative Update for the Eighty Third Iowa General Assembly.

Moved by _____ to receive and file the attached report

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

City of Des Moines

LEGISLATIVE UPDATE

February 9, 2009

The Eighty Third Session of the Iowa General Assembly went into session on January 12, 2009. In the most recent news from the Capitol, Governor Culver signed HF 64 DISASTER RELIEF and SF 44 DISASTER SALES TAX on Monday. Culver said about HF 64 "As Governor and as an Iowan, I am proud to sign the Rebuild Iowa bill, the first bill of the 2009 Legislative session. This bill passed the Legislature unanimously, and I commend legislative leadership and the members of the general assembly for their hard work and commitment. I have repeatedly said that this must be the first of many steps we will take together this legislative session, in our common goal of helping rebuild the state we love. I look forward to working with the legislature in addressing the remaining recommendations of the Rebuild Iowa Advisory Commission, and continuing to put our state on the long road to recovery."

The bill takes \$56 million from the Economic Emergency fund for relief efforts. It also codifies the Rebuild Iowa office, but does not fund the office.

- \$24 million for the Jumpstart Housing Program to for families with income at 150% of the area median income.
- \$22 million for disaster grants to cities and counties based on their storm damages for non-profit organization assistance, land public purchases, repairs to infrastructure small business assistance, housing assistance and other matters.
- \$10 million for individual disaster grants, allocated through the DHS for grants of up to \$2,500 for expenses. The Rebuild Iowa Office will establish a case management system.

The Rebuild Iowa Web site at www.rio.iowa.gov and the Jumpstart Iowa Web site at www.jumpstart.iowa.gov have information on the program. People can also call the toll-free number 1-866-849-0323.

SF 44 DISASTER SALES TAX creates a process for expediting a vote on a local option sales tax. Cedar Rapids is expected to take advantage of the first set of deadlines to try to start collecting a sales tax for flood relief efforts as of April 1.

Communities in Polk, Johnson, Warren and Dallas are among those that could use the second set of deadlines to attempt to pass a local option sales tax that would start in July.

The City of Des Moines Legislative Subcommittee (Councilmembers Hensley, Coleman and Mahaffey) continue to meet on a weekly basis to review bills that have been introduced as well as discuss other legislative issues. The Legislative Subcommittee's priorities for 2009 include Revenue Alternatives and Property Tax Reform.

Bills that staff and the legislative subcommittee are tracking include:

Bill: HF 9 BANNING CELL PHONES WHILE DRIVING
Sponsor: Abdul-Samad
Description: Establishes a \$30 scheduled fine for using a cell phone or wireless device while driving unless the driver has a headset of hands-free adapter. Makes an exception for emergency situations. (Transportation)

Bill: HF 10 BREAST FEEDING
Sponsor: Abdul-Samad
Description: Requires an employer to allow reasonable unpaid break time for an employee to breast feed a child or to express breast milk, unless doing so would unduly disrupt the employer's work operations. Requires the employer to make reasonable efforts for the employer to provide a private space other than a toilet stall. Includes all employers. (Education)

Bill: HF 14 REPEALING OFFICIAL ENGLISH
Sponsor: Hunter
Description: Repeals provisions making English the official language of Iowa. (State Government)

Bill: HF 17 CELL PHONES
Sponsor: Hunter
Description: Prohibits a person under 18 from using a cell phone or a communication device while driving. Makes violations a simple misdemeanor with a \$30 fine. (Transportation)

Bill: HF 23 ZOO CHECK-OFF
Sponsor: Hunter
Description: Creates a zoo fund income tax check-off. Directs the DCA to award grants to accredited zoos. (Ways & Means)

Bill: HF 27 EMPLOYEE BONUSES
Sponsor: Baudler
Description: Prohibits granting bonuses to state employees and employees of 28E entities. Prohibits using government money to give bonuses to employees for entities that enter

into service contract with state agencies or 28E entities. Adds additional prohibitions against paying bonuses to Lottery employees, appointed state officers and others. Effective on enactment. (State Government)

Bill: **HF 44 SMOKING BAN CHANGES**
Sponsor: Reichert
Description: **Patios:** Defines a bar as an establishment that receives 50% of its revenue from alcohol sales, and a restaurant as deriving 50% of its revenues from food in determining whether the establishment can allow smoking on an outdoor porch. **Casinos:** Strikes the exemption of gaming floors from the smoking ban. (Commerce)

Bill: **HF 50 GENDER BALANCE**
Sponsor: Wessel-Kroeschell, et al
Description: Requires the appointive boards, commissions and committees of local governments and other entities to be gender balances. Effective as of July, 2012. (State Government) See HSB 12, SSB 1050

Bill: **HF 51 CIVIL SERVICE RESIDENTS**
Sponsor: Struyk
Description: Strikes the requirement that a civil service employee be a resident of Iowa. Allows cities to set reasonable maximum distances for employees to leave outside the city. (Local Government)

Bill: **HF 64 DISASTER RELIEF (Successor to HSB 64)**
Sponsor: Rebuild Iowa
Description: Appropriates \$56 million from emergency funds for disaster relief. Appropriates \$24 million to IFA to administer a housing assistance program. Defines eligible persons as homeowners affected by natural disasters from May 24 to August 14, 2008 who meet income guidelines. Establishes priorities and authorizes forgivable loans. Effective retroactive to September 2008. Appropriates \$10 million to the DHS for disaster assistance grants. Limits the grants to \$2500 a household and limits the household income to 300% of the poverty level. Makes persons living in the areas affected by disasters eligible for the grants. Appropriates \$22 million to the DOM for disaster grants to cities and counties affected by the disasters occurring between May and August. Requires the money to be used for small business assistance, non-profit assistance, purchase of land, housing assistance and other specified areas. Rebuild Iowa

Office: Establishes the Rebuild Iowa Office. Establishes the duties and reporting requirements of the office. Creates a coordinating council with members from various state agencies (IFA, DHS, DOE, DCA, College Student Aid, DPH, DWD, the Regents, DOT, DNR, DOM, DEA). Sunsets the office as of June 30, 2011. Effective on enactment. Approved in committee today.

Bill: **HF 80 CIVIL SERVICE**
Sponsor: Hunter
Description: Requires the civil service commission use an independent counsel rather than the city attorney. Includes provisions on contracting by commissioners. **Employees:** Strikes the requirement that a civil service employee be a resident of Iowa and changes maximum residency distances for police, firefighters and critical municipal employees to maximum travel times. Allows a civil service employee who represents a union or a statewide firefighter organization to be granted a leave of employment to fulfill those duties on written request, without loss of pay or extra work requirements. Allows cities to set reasonable maximum distances for employees to leave outside the city. (Labor)

Bill: **HF 83 FIRE FIGHTER & POLICE RETIREMENT**
Sponsor: Hunter & Burt
Description: Establishes a presumption that a cancer is work-related for members of the Statewide Fire and Police Retirement System. Excludes members who joined after July, 1992 if the cancer would not have existed but for a condition known at the time the member joined. Increases the minimum contribution rate for firefighters to 9.4%.

Bill: **HF 84 BANNING CELL PHONES II**
Sponsor: Hunter
Description: Establishes a \$30 scheduled fine for using a cell phone or wireless device while driving. Makes an exception for emergency situations. (Transportation) Similar to HF 9, some similarities to HF 17

Bill: **HF 95 DISASTER SALES TAX (Successor to HSB 54)**
Subcommittee: Ways & Means
Description: Establishes an expedited procedure for a city in a federally declared disaster area that does not have a local option sales tax to impose one. Requires that the motion be received by the County Commissioner of Elections by February 8 and submitted to the voters as soon as practical

after that. Sets the date for imposition of the tax as April 1, 2009. Adds a March 10 notice deadline and a May 5 election deadline to allow a July 1, 2009 imposition. Requires the 50% population requirement to be met. Makes changes to the three-year allocation formula but protects distributions now being paid. Effective on enactment. See SF 44, approved on the Senate Floor

Bill: **HF 98 RECREATIONAL PROPERTY EXEMPTION**
Sponsor: Struyk, et al
Description: Establishes a property tax exemption for recreational property such as golf courses, downhill ski areas, amusement parks, outdoor volleyball parks, softball parks or water theme parks. Requires an inspection of the property and approval or denial by supervisors or city council. Includes claw back provisions to recapture the tax if the use of the property changes, for up to ten years, unless the change is due to condemnation. (Ways & Means)

Bill: **HF 108 FIRE & POLICE RETIREMENT FUND**
Sponsor: Struyk, et al
Description: Requires that premium taxes, other than those collected for insurance policies, in excess of the revenues collected for the tax in FY 2009 be put into a the State Fire and Police Retirement Fund. (Ways & Means)

Bill: **HF 111 SALES TAX SPENDING**
Sponsor: Gaskill
Description: Requires a city to put spending from increased collections of a local option sales tax to a vote before spending it on urban renewal projects. (Local Government)

Bill: **HF 124 LOCAL IMMIGRATION ORDINANCES**
Sponsor: Struyk, et al
Description: Prohibits local governments from enacting ordinances, or adopting rules, that prevent the police or other local employees from talking or cooperating with federal immigration officials on the immigration status of a person in this state. Makes an elected official who votes for such an ordinance liable for any damages caused by the ordinance. (Local Government)

Bill: HF 126 PROPERTY TAX CLASSES
Sponsor: Frevert
Description: Requires that property be classed based on the primary use of the owner or lessee in the assessment year. (Appropriations)

Bill: HF 128 BIKE RIDING
Sponsor: Smith, et al
Description: Prohibits allowing local governments from barring bike riding on roads. Makes it a \$25 fine for a driver from depriving a bicyclist the full use of a lane if the lane is too small to be shared. Makes it a \$35 fine for 1) a driver to tailgate a bike 2) to fail to stop when crossing a sidewalk or trail, unless the trail has signs requiring trail users to yield 3) for a driver to fail to yield to cars and bikes coming out of a driveway and 4) opening a car door on the side of traffic unless reasonably safe. Makes injury violations for all these offenses subject to a \$500 fine and 90-day license suspension and death subject to a \$1,000 fine and 180-day suspension. Includes bikes under current passing laws. Allows a bicyclist to signal a right turn with the right arm. Strikes a requirement that a driver honk their horn before a turn that might affect a pedestrian. (Transportation) See SF 34

Bill: HF 131 URBAN RENEWAL PLANS
Sponsor: Reasoner
Description: Requires that a proposed urban renewal plan or an amendment to one be approved by a majority of the taxing entities. Requires that a project may only be added or severed from an urban renewal project by an amendment. Effective on enactment. (Local Government)

Bill: HF 132 VOLUNTARY ANNEXATION
Sponsor: Tymeson
Description: Excludes public lands from being considered in the calculation of how much land in a voluntary annexation is being annexed without the consent of the owner. (Local Government)

Bill: HF 133 DEATH BENEFITS
Sponsor: Reichert
Description: Makes an adult child of an eligible beneficiary for a line of duty death benefit for a member for the Statewide Fire & Police Retirement System. Effective on enactment. (State Government)

Bill: HF 143 OWI PLATES
Sponsor: Kaufmann & Baudler
Description: Requires the DOT to develop special plates of a different color to be easily recognizable for use by drivers who have two OWI convictions. Prohibits such drivers from driving a car without those plates. Allows the police to stop a car with such plates at any time. Prohibits the sale of a vehicle, without the consent of the DOT, if the owner is subject to the OWI plate restrictions. (Public Safety)

Bill: HF 144 GOOD FAITH MINORITY RECRUITMENT
Sponsor: Ford
Description: Requires bodies awarding public funds for economic development to consider whether a business will make a good faith effort to recruit and retain minorities, defined as Blacks, Latinos, Asians, Pacific Islanders, American Indians and Native Alaskans. (Economic Growth)

Bill: HF 147 RECREATIONAL PROPERTY CLASS
Sponsor: Struyk, et al
Description: Establishes a property tax class for recreational property such as golf courses, downhill ski areas, and amusement parks. Sets the tax rate at 25% of actual value. (Ways & Means) Some similarities to HF 98

Bill: HF 149 PROPERTY TAX LEVY RATES
Sponsor: Struyk, et al
Description: Strikes the specific property tax levy rates for cities and counties and sets a limit on the maximum amount of property tax revenues that can be raised. Establishes a base year and an allowable growth rate.

Bill: HF 152 COMMERCIAL TAX RATES
Sponsor: Struyk
Description: Requires that commercial properties be assessed under a productivity formula. Requires the DOR to establish the formula. Allows a jurisdiction to request the use of alternative method from the DOR for some or all of its property if the method is not the best suited method for that jurisdiction. (Ways & Means) Similar to HF 153

Bill: HF 153 COMMERCIAL TAX RATES II
Sponsor: Struyk
Description: Requires that commercial properties be assessed under a productivity formula. Requires the DOR to establish the

formula. Establishes a protest process for property owners to contest the valuations. (Ways & Means) Similar to HF 152

Bill: **HF 154 EQUALIZATION ORDERS**
Sponsor: Struyk
Description: Establishes procedures to limit increases in assessed values related to equalization orders unless the city or county to adopt a resolution declaring that levy rate will not be reduced to compensate for an increase in assessed values. Requires a public hearing on the resolution. (Ways & Means)

Bill: **HF 155 BANNING CELL PHONES WHILE DRIVING II**
Sponsor: Gaskill
Description: Establishes a \$25 scheduled fine for using a cell phone or wireless device while driving. Makes an exception public safety agencies. (Transportation) Similarities to HF 9

Bill: **HF 157 AIRPLANE TAXES**
Sponsor: Kuhn
Description: Requires that all revenues from aviation use taxes be credited to the state Aviation Fund. (Transportation)

Bill: **HF 159 CITY PROPERTY GIFTS**
Sponsor: Deyoe & Heddens
Description: Strikes a requirement that a gift of property by a city be to a governmental body and mirrors the gift language for counties that the gift be for a public purpose. (Local Government)

Bill: **HF 160 VOLUNTARY ANNEXATIONS**
Sponsor: Tymeson
Description: Requires the City Development Board to approve a voluntary annexation if the annexation includes more than 20% of the land of an owner who does not consent to the annexation. (Local Government)

Bill: **HF 168 OPEN MEETINGS**
Sponsor: Tymeson
Description: Requires a governmental body subject to the open meetings law, or the joint body for a 28E entity to make materials available to people in attendance, if practicable during the meeting but within at least three days. Requires that 50% of the meetings be held during evening hours. Requires 72 hours notice before a meeting. (State Government)

Bill: **HF 169 MOTEL SALES TAX EXEMPTION**
Sponsor: Jacoby
Description: Strikes the exemption from the hotel/motel sales tax for transactions exempt from the sales tax. (Ways & Means) See SF 35

Bill: **HF 172 28E OPEN MEETINGS**
Sponsor: Tymeson
Description: Makes advisory boards and other bodies created by a 28E entity subject to the open meetings law. (State Government)

Bill: **HF 178 SALVIA BAN** (Successor to HF 2)
Sponsor: Human Resources
Description: Adds salvia divinorum and salvinorin A to list of Schedule I controlled substances. Makes it a Class C felony to deliver or manufacture salvia, or possess with intent to deliver or manufacture. *FM: Smith*

Bill: **HF 181 APARTMENT CLASSIFICATION**
Sponsor: Reichert
Description: Makes apartment buildings with four or fewer units residential property for property tax purposes. (Ways & Means)

Bill: **HF 185 INTERFERENCE WITH OFFICIAL ACTS**
Sponsor: Jacoby
Description: Strikes provisions which include attempting to an inflict an injury with the serious or aggravated misdemeanor crimes of interference with official acts. Makes it an aggravated misdemeanor interference with official acts crime if the person inflicts a bodily injury on a member of a protected class , a Class "D" felony if the injury is to a peace officer or EMS worker and a Class "C" felony if the injury is to a prison guard. (Public Safety)

Bill: **HSB 6 SUBSTANCE ABUSE COVERAGE**
Subcommittee: Human Resources
Description: Requires health coverage plans to include coverage for mental conditions involving alcohol or substance abuse, effective January 2010. Makes definitions and requires the Insurance Commissioner to adopt rules after consulting with a mental health insurance advisory committee, appointed by the Commissioner and with members from business, insurance, consumer, and health groups. Wessel-Kroeschell (C), Hunter, Upmeyer See SSB 1002

Bill: **HSB 17 EXECUTIVE BRANCH ETHICS**
Subcommittee: State Government
Description: Strikes the general prohibitions on conflicts of interest and specifies that impermissible conflicts of interest have to be set out by statute or in legislative or ethics rules. Allows a former employee or official to appear before their old agency within two years of leaving the agency but not to be paid for doing work on matters that they had worked on in government. Prohibits someone who served on a board for a regulatory agency from going to work for the agency within two years or for being paid for working on a matter on which they had worked for the board. Makes corrective changes and language corrections. (Ethics & Campaign Board) Lensing (C), Kaufmann, Taylor See SSB 1046

Bill: **HSB 31 COURT CLERK MATTERS**
Subcommittee: Judiciary
Description: Removes the clerk from collecting uncontested parking tickets. Requires the clerk to receive the original of a citation for a municipal violation. Strikes the need for the clerk of district court to keep a cemetery record book. Requires the clerk to keep a book on cds that the clerk is holding for conservators or others. Requires the clerk to mail notice to a corporation through certified mail for small claims actions. T Olson (C), Huser, Schulte (Judicial Branch) See SSB 1032

Bill: **HSB 42 HISTORIC PRESERVATION GRANTS**
Subcommittee: Economic Growth
Description: Allows the DCA to award more than two historic preservation grants in the same county. Steckman (C), Kelly, Sorenson

Bill: **HSB 52 ELECTRICIAN LICENSING**
Subcommittee: State Government
Description: Allows the Electrical Examining Board to establish by rule a residential master electrician class and residential electrician class. Defines the residential electrician as having the skills to a residential installation and for the master to have skills to plan and supervise a residential installation. Allows the board to determine the qualifications and the limits of such classes. Sets the licensing fee at \$125 for a master and \$25 for a residential class. Prohibits a local government from prohibiting a Class B license holder from doing any kind of work that the license holder was authorized to do on a license issued as of December 31, 2007. Quirk (C), Koester, T Taylor

Bill: HSB 86 PLUMBING BILL
Subcommittee: State Government
Description: Makes technical changes and other revisions to provisions regulating plumbers. (DPH)

Bill: HSB 118 POLICE PLATES
Subcommittee: Transportation
Description: Requires the DOT to design plates for city police vehicles with gold police shields and using the initials of the city and the call number of the vehicle. Wenthe (C), Roberts, Wendt

Bill: HSB 122 CITY & COUNTY FINES
Subcommittee: Judiciary
Description: Makes the penalties for city and county ordinances equal to those for simple misdemeanors (up to 30 days and \$65 to \$625). Wessel-Kroeschell (C), Lensing, Schulte

Bill: HSB 135 IFA MATTERS
Subcommittee: Economic Growth
Description: Includes certain projects receiving tax-exempt financing under the definition of projects. Chk Exempts IFA members or employees from liability while acting within the scope of their powers. Allows the IFA director to establish administrative divisions in IFA. Strikes certain mandatory study issues for ht Council on homelessness. Includes assets of the former Iowa Housing Corporation and money from the national Housing Trust Fund in the Housing Trust Fund. Allows certain moneys allocated but not awarded to put into the Housing Trust Fund. Allows low-interest loans from the fund to local housing trust funds for affordable housing. Ford (C), Forristall, Jacoby (IFA)

Bill: HSB 138 CITY ELECTION TIMES
Subcommittee: State Government
Description: Allows the county commissioner of elections to open the polls for city elections at noon for any city. Willems (C), Gaskill, Roberts

SENATE FILES

- Bill:** **SF 7 WORKERS COMP INFO**
Sponsor: Kettering
Description: Requires the Worker's Comp Commissioner to give notice to injured workers or their dependents on which filing information is a public record and on which information can be protected by a waiver. Requires the Commissioner to put such information up on their website. (Labor)
- Bill:** **SF 13 UNDERAGE ALCOHOL TESTS**
Sponsor: Hancock
Description: Allows a police officer to issue a civil citation to a person who is under the legal age for refusing to take a breath test. Requires the officer to have probable cause to believe the person had possession of alcohol. Makes the results admissible in court. Requires the officer to notify the parents of a person under 18 unless that notification is not in the person's best interest. Makes the fine \$100 for persons over the age of 18 and \$50 for persons under the age of 18. Allows for arrest warrants to be issued for unpaid fines. (Judiciary)
- Bill:** **SF 16 SUBSTANCE ABUSE COVERAGE II**
Sponsor: Jochum
Description: Requires health coverage plans to include coverage for mental conditions involving alcohol or substance abuse, effective January 2010. Makes definitions and requires the Insurance Commissioner to adopt rules after consulting with a mental health insurance advisory committee, appointed by the Commissioner and with members from business, insurance, consumer, and health groups. See HSB 6, SSB 1002 (slight differences regarding adopting mental health definitions by reference)
- Bill:** **SF 31 DISASTER SALES TAX (Successor to SSB 1065)**
Sponsor: Rebuild Iowa
Description: Establishes an expedited procedure for a city in a federally declared disaster area that does not have a local option sales tax to impose one. Requires that the motion be received by the County Commissioner of Elections by February 8 and submitted to the voters as soon as practical after that. Sets the date for imposition of the tax as April 1, 2009. Changes the three-year allocation formula. Effective on enactment. Approved in Ways & Means)

Bill: **SF 34 BIKE RIDING**
Sponsor: McCoy, Bolkcom, Dotzler
Description: Prohibits allowing local governments from barring bike riding on roads. Makes it a \$25 fine for a driver from depriving a bicyclist the full use of a lane if the lane is too small to be shared. Makes it a \$35 fine for 1) a driver to tailgate a bike 2) to fail to stop when crossing a sidewalk or trail, unless the trail has signs requiring trail users to yield 3) for a driver to fail to yield to cars and bikes coming out of a driveway and 4) opening a car door on the side of traffic unless reasonably safe. Makes injury violations for all these offenses subject to a \$500 fine and 90-day license suspension and death subject to a \$1,000 fine and 180-day suspension. Includes bikes under current passing laws. Allows a bicyclist to signal a right turn with the right arm. Strikes a requirement that a driver honk their horn before a turn that might affect a pedestrian. (Transportation)

Bill: **SF 35 MOTEL SALES TAX EXEMPTION**
Sponsor: Danielson
Description: Strikes the exemption from the hotel/motel sales tax for transactions exempt from the sales tax. (Ways & Means)

Bill: **SF 44 DISASTER SALES TAX** (Successor to SF 31)
Sponsor: Ways & Means
Description: Establishes an expedited procedure for a city in a federally declared disaster area that does not have a local option sales tax to impose one. Requires that the motion be received by the County Commissioner of Elections by February 8 and submitted to the voters as soon as practical after that. Sets the date for imposition of the tax as April 1, 2009. Adds a March 10 notice deadline and a May 5 election deadline to allow a July 1, 2009 imposition. Requires the 50% population requirement to be met. Makes changes to the three-year allocation formula but protects distributions now being paid. Effective on enactment. Approved on the floor today.

Bill: **SF 47 EMPLOYEE RESIDENCE DISTANCES**
Sponsor: Danielson
Description: Changes maximum residency distances for police, firefighters and critical municipal employees to maximum travel times. (Local Government) Some similarities to HF 80.

Bill: SF 61 FIRE FIGHTER & POLICE RETIREMENT
Sponsor: Danielson
Description: Establishes a presumption that a cancer is work-related for members of the Statewide Fire and Police Retirement System. Excludes members who joined after July, 1992 if the cancer would not have existed but for a condition known at the time the member joined. Increases the minimum contribution rate for firefighters to 9.4%. (State Government) See HF 83

Bill: SF 66 HISTORIC PRESERVATION CREDITS
Sponsor: Warnstadt
Description: Requires that historic preservation tax credits be awarded based on the following criteria when the applications for such credits exceeds the aggregate amount of credits available: 1) the potential for economic development; 2) the total costs incurred in a rehabilitation; 3) the relative cultural, historic, or architectural significance; 4) other relevant criteria adopted by the DCA.

Bill: SF 67 DISASTER RELIEF (Successor to SSB 1075)
Sponsor: Rebuild Iowa
Description: Appropriates \$56 million from emergency funds for disaster relief. **Housing:** Appropriates \$24 million to IFA to administer a housing assistance program. Defines eligible persons as homeowners affected by natural disasters from May 24 to August 14, 2008 who meet income guidelines. Establishes priorities and authorizes forgivable loans. Effective retroactive to September 2008. Limits the assistance to \$24,999. **Individuals:** Appropriates \$10 million to the DHS for disaster assistance grants. Limits the grants to \$2500 a household and limits the household income to 300% of the poverty level. Allows the grants to be made through vouchers or after getting receipts. Makes persons living in the areas affected by disasters eligible for the grants. Allocates \$250,000 to the DHR for the Individual Development Grant Match fund. **Cities:** Appropriates \$22 million to the DOM for disaster grants to cities and counties affected by the disasters occurring between May and August. Requires the money to be divided based on a pro rata share of damage with each city receiving at least \$2,000. Requires the money to be used for small business assistance, non-profit assistance, purchase of land, housing assistance and other specified areas. **Rebuild Iowa Office:** Establishes the Rebuild Iowa Office. Establishes the duties and reporting requirements of the office. Creates a

coordinating council with members from various state agencies (IFA, DHS, DOE, DCA, College Student Aid, DPH, DWD, the Regents, DOT, DNR, DOM, DEA, DALs, League of Cities, ISAC, COGS, four legislators). Sunsets the office as of June 30, 2011. Effective on enactment. Approved on the floor

Bill: **SF 78 SCRAP METAL SALES**
Sponsor: Noble
Description: Requires a person selling scrap metal to show an id and to give an address. Prohibits spot payments of more than \$300 for copper or aluminum wire greater than 3/8 of an inch. Establishes recordkeeping requirements but exempts small transactions and those involving a person that the dealer knows is a business which generates scrap metal. Makes violations a simple misdemeanor and the third violation in a two-year period a serious misdemeanor. (Judiciary)
Schoenjahn (C), Hancock, Noble

Bill: **SF 84 SMALL WIND ORDINANCES**
Sponsor: Kibbie
Description: Requires a city or county which has not passed an ordinance on installing and operating small wind energy systems to do so by July, 1 2009. Defines such systems. Requires the ordinance to address height, setback, sound, and illumination, installation; engineering drawing requirements; safety, soil conditions, electric code, utility notification, interoperability and signs. Prohibits substantial restrictions, except to protect the public health and safety. (Environment & Energy)

Bill: **SF 90 MFPRSI SERVICE CREDITS**
Sponsor: Danielson
Description: Allows an active member of MFPRSI who has been a member for five years to purchase service credits for up to five years of prior service for which the member received a refund. Requires the member to pay the actuarial cost. Requires the MFPRSI trustees to adopt rules to implement these purchases. (State Government)

Bill: **SF 93 LIBRARY LOANS**
Sponsor: Zaun
Description: Requires libraries that receive state funds to have a policy on loaning videos or DVDs to children 17 and under. (Education)

Bill: **SF 99 HAZARDOUS SUBSTANCE CLEANUP**
Sponsor: Warnstadt
Description: Establishes strict liability for a person with control over a hazardous substance for the costs to a local government for clean up or mitigation costs due to the person's failure to clean up the substance. (Environmental & Energy) See HF 89

Bill: **SSB 1029 DOMESTIC ABUSE STRANGULATION**
Subcommittee: Judiciary
Description: Makes strangulation during a domestic abuse a Class D felony. Requires the officer to arrest the person the officer believes to be the primary physical aggressor during such an attack. Requires the person to be denied parole or work release until serving at least a year, and to be denied a deferred judgment. Kreiman (C), Sodders, Ward (AG)

Bill: **SSB 1032 COURT CLERK MATTERS**
Subcommittee: Judiciary
Description: Removes the clerk from collecting uncontested parking tickets. Requires the clerk to receive the original of a citation for a municipal violation. Strikes the need for the clerk of district court to keep a cemetery record book. Requires the clerk to keep a book on cds that the clerk is holding for conservators or others. Requires the clerk to mail notice to a corporation through certified mail for small claims actions. Kreiman (C), Sodders, Zaun (Judicial Branch) See HSB 31

Bill: **SSB 1039 TEMPORARY UNEMPLOYMENT CHARGES**
Subcommittee: Veterans Affairs
Description: Waives unemployment charges for employers for temporary workers who replace active duty military workers if the temporary worker is laid off as a result of the return of the active duty worker. Beall (C), Kibbie, Wieck

Bill: **SSB 1050 GENDER BALANCE**
Subcommittee: State Government
Description: Requires the appointive boards, commissions and committees of local governments and other entities to be gender balances. Sodders (C), Feenstra, Jochum, (Status of Women) See HSB 12

Bill: **SSB 1067 MILITARY PROPERTY TAX EXEMPTION**
Subcommittee: Veterans Affairs
Description: Increases the property tax exemption for military veterans to \$16,300. Strikes the state funding of \$6.92 per \$1,000 of assessed value and makes the credit subject to the amount appropriated to fund the exemption. Effective for property taxes for fiscal years beginning after July, 2010. Kibbie (C), Ragan, Seymour

Bill: **SSB 1075 DISASTER RELIEF**
Subcommittee: Rebuild Iowa
Description: Appropriates \$56 million from emergency funds for disaster relief. Appropriates \$24 million to IFA to administer a housing assistance program. Defines eligible persons as homeowners affected by natural disasters from May 24 to August 14, 2008 who meet income guidelines. Establishes priorities and authorizes forgivable loans. Effective retroactive to September 2008. Appropriates \$10 million to the DHS for disaster assistance grants. Limits the grants to \$2500 a household and limits the household income to 300% of the poverty level. Makes persons living in the areas affected by disasters eligible for the grants. Appropriates \$22 million to the DOM for disaster grants to cities and counties affected by the disasters occurring between May and August. Requires the money to be used for small business assistance, non-profit assistance, purchase of land, housing assistance and other specified areas. Effective on enactment. Hogg (C), Hamerlinck, Heckroth See HSB 64, approved in committee today.

Bill: **SSB 1085 HISTORIC PRESERVATION GRANTS**
Subcommittee: Economic Growth
Description: Allows the DCA to award more than two historic preservation grants in the same county. Steckman (C), Kelly, Sorenson (DCA) See HSB 42

Bill: **SSB 1086 REHABILITATION CREDITS**
Subcommittee: Economic Growth
Description: Increases the amount of money available for tax credits for property rehabilitation to \$50 million beginning in FY 2010. Dotzler (C), Houser, Olive, Reynolds, Stewart (DCA)

Bill: **SSB 1090 ELECTRICIAN LICENSING**
Subcommittee: State Government
Description: Allows the Electrical Examining Board to establish by rule a residential master electrician class and residential electrician

class. Defines the residential electrician as having the skills to a residential installation and for the master to have skills to plan and supervise a residential installation. Allows the board to determine the qualifications and the limits of such classes. Sets the licensing fee at \$125 for a master and \$25 for a residential class. Prohibits a local government from prohibiting a Class B license holder from doing any kind of work that the license holder was authorized to do on a license issued as of December 31, 2007. Sodders (C), Behn, Dearden See HSB 52

Bill: **SSB 1102 PLUMBING BILL**
Subcommittee: State Government
Description: Makes technical changes and other revisions to provisions regulating plumbers. Danielson (C), Jochum, Wieck (DPH) See HSB 86

Bill: **SSB 1106 WORKERS COMP BENEFIT PENALTIES**
Subcommittee: Labor
Description: Establishes penalties of up to 50% for benefits wrongly withheld delays, denials or termination of worker's comp benefits that occur without reasonable excuse. Defines reasonable excuse. Dearden (C), Hatch, Zaun

Bill: **SSB 1108 WORKER COMP PAYMENTS**
Subcommittee: Labor
Description: Pays compensation to a worker who suffers an injury and cannot return to employment with substantially similar earning capability for the number of weeks in relation to the 500 weeks as the reduction in earning capacity caused by the disability in relation to the earlier earning capacity. Dotzler (C), Jochum,

Bill: **SSB 1118 WORKERS COMP PENALTIES**
Subcommittee: Labor
Description: Allows up to 50% of a withheld benefit to be awarded as a penalty for a benefit not paid when due unless the employer had reasonable cause not to pay after the employer investigated the situation. Excludes as a reasonable cause defense the common law defense that the failure to pay is fairly debatable. Courtney (C), Dotzler, Ward

Bill: **SSB 1119 CHOICE OF DOCTOR**
Subcommittee: Labor
Description: Gives an employee the right to pre-designate a doctor, who has treated the employee previously, to treat the employee

for a work-related injury. Allows the employer to choose a doctor if the employer does not pre-designate a doctor. Requires that the employer give written notice to the employee about this right and that a failure to do so allows the employee to pick any doctor. Allows the employer or employee, if dissatisfied with the care from the doctor selected, to explain the dissatisfaction in writing. Allows the parties to agree to alternate care, or allows the dissatisfied party to appeal to the commissioner for alternate care. Treats the appeal for alternate care as a contested case. Allows an employee to obtain an opinion on disability when no significant improvement is expected from an injury. Allows the employer to seek an opinion from a doctor of the employer's choosing. Applies to injuries after January, 2009. Courtney (C), Dearden, Ward

Bill: **SSB 139 CITY & COUNTY FINES**
Subcommittee: Judiciary
Description: Makes the penalties for city and county ordinances equal to those for simple misdemeanors (up to 30 days and \$65 to \$625). Schoenjahn (C), Boettger, Hancock See HSB 122

Bill: **SSB 1141 LOCAL EXCHANGE INFORMATION**
Subcommittee: Judiciary
Description: Allows a phone customer to agree to let an E911 provider offer additional services related to customer's local exchange number. Schoenjahn (C), Noble, Quirnbach See HSB 94