

Ryan Waller

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To: Ryan Waller
Subject: Legislative Link: February 8



Legislative Link

February 8, 2019

Week 4

88th General Assembly

[Removal of Utility Board Oversight](#) | [Massage Therapy](#) | [Roundabouts on Primary Roads](#) | [Scooters](#) | [Administration of Elections](#) | [Government Contract Thresholds](#) | [Nuisance Abatement Property Tax Exemption](#) | [Nuisance Abatement](#) | [Additional Legislation](#) | [Legislative Forums](#) | [League Updates](#)

You need to know

- February 19: [League Legislative Day](#) is at the Iowa State Historical Building and Iowa State Capitol.
- The first funnel is one month away: Under Joint Rule 20, March 8 is the final date for Senate bills and joint resolutions to be reported out of Senate committees and House bills and joint resolutions out of House committees.
- An agreement between the chambers has been reached on state school aid – much earlier in the session than past years. This legislation is on the House Debate Calendar for Monday, Feb. 11.

[HF261](#) | **Removal of Utility Board Appointee Oversight**

- Formerly HSB3 | Senate Companion: [SSB1095](#)
- Passed out of the House Commerce Committee on Monday.
- **Removes the ability of a city to remove an appointed utility board member.** This Iowa Association of Municipal Utilities (IAMU) sponsored bill is part of an effort to get utility boards more autonomy from the cities that established them and own the systems. The bill will be eligible for house floor debate next week. This bill now has a Senate companion, so it is important that you reach out to your legislators and tell them to oppose this legislation.
- The League is registered opposed to this bill because it is an unnecessary overreach by municipal utilities that:
 - Removes the oversight that taxpayers and ratepayers have over utility board members, which was in place when voters elected to establish a municipal utility. By removing this provision, the legislature would be removing oversight that voters expected to have.
 - Cities and the utilities that they have established should be working together to provide the best service possible to ratepayers at the lowest rate, not using resources to file legislation against one another.
 - Leaves cities liable without recourse in the event of utility board malfeasance that does not rise to the level of a felony or that is settled out of court.

[HSB1](#) | **Massage Therapy**

- Senate Companion: [SSB1006](#)
- Passed out of the House Judiciary Committee on Monday by a vote of 21-0 with an amendment which clarifies that it is a simple misdemeanor for an unlicensed person to use a massage therapist title.

- The amendment removes the local preemption language that was previously in the bill. With the preemption language removed, the League is now in favor of this legislation.

SSB1087 | Roundabouts on Primary Roads

- Passed out of a Senate subcommittee.
- Prohibits the Department of Transportation (DOT) from designing or constructing a roundabout on the primary road system, including any road over which the DOT exercises concurrent jurisdiction pursuant to Section 306.4.
- There was discussion at the subcommittee of an amendment that would make it clear that the bill is only intended to apply to roads that are under DOT control and authority, ensuring that roads within cities are not impacted.

HSB38 | Scooters

- Senate Companion: SSB1024
- Passed out of subcommittee and will likely have several more rounds of alterations as the League works with the various parties involved. Like its Senate counterpart, this bill does not explicitly preempt cities from regulating stand-up scooters.
- Stand-up electric scooters for rent have been brought to several major U.S. cities, and while they are not in Iowa cities yet, they will be soon. Just like Uber, Airbnb or any number of other modern companies, this industry presents a number of possibilities as well as challenges to cities.
- The League's primary concern is the ability to ensure that scooters are not left in areas that create obstructions for other travelers or ridden through areas where it would create an unsafe environment for others.

We are working with stakeholders and legislators to ensure any legislation passed keeps regulatory authority with cities.

HSB49 | **Administration of Elections**

- Senate Companion: [SSB1078](#)
- Passed out of a House subcommittee.
- Eliminates the first Tuesday in December of an even-numbered year as a possible date for a special election on a public measure in a city. Members of the subcommittee agreed that the bill would likely need amendments before passage.

SSB1094 | **Government Contract Thresholds**

- House Companion: [HF178](#)
- Passed out of a Senate subcommittee.
- Increases to \$6,000 the threshold amounts for certain contracts between local governments and employees before such contracts are covered under conflict-of-interest provisions.
- The bill previously included an automatic inflationary adjustment, but subcommittee members agreed to remove that at the committee level to remove confusion.

SF149 | **Nuisance Abatement Property Tax Exemption**

- Passed out of a Senate subcommittee.
- Allows cities to establish a property tax abatement for the increased assessment values resulting from improvements to the property. Establishes a tool similar to *Code of Iowa* Chapter 404 abatement but does not require the establishment of an Urban Revitalization Area.

SF93 | Nuisance Abatement

- Passed out of a Senate subcommittee on Thursday afternoon.
- Allows cities to opt-in to a new nuisance abatement program.
- Currently, the bill strikes the requirement that a building be in violation of the housing code for six months before being declared abandoned; requires the property to have been vacant for 135 days before requesting hearing on abatement; includes inspection requirements; does not allow personal judgement against parties; and includes provisions on paying attorney fees.

Additional Legislation

Below are additional bills that the League is monitoring and working on but that did not have legislative action this week.

HSB137 | Jail Medical Costs

- Filed this week.
- Senate Companion: SSB1074
- Deems that prisoners have the primary responsibility to pay for the costs of medical aid furnished in prison. Establishes a priority order for the health care provider to seek reimbursement. Requires government agencies to pay within 90 days at the Medicare rate if the provider shows that other reimbursements are not available. Does not require payment for services after the prisoner is released. Does not prohibit seeking reimbursement from the prisoner.

SSB1035 | Fireworks

- Pulled from Senate Commerce Committee calendar, likely to be brought up in committee next week with amendments.
- Currently the bill:

- Removes local zoning authority.
- Removes local control over use of fireworks on July 4.

[HF225](#) | **Demolition Reserves**

- Senate Companion: [SF216](#)
- Increases the demolition reserve that insurers must maintain to the greater of \$20,000 or 20 percent of the value of a property insured in the city.
- Allows the city to claim the demolition reserve under specific circumstances regarding the demolition of the property.
- Requests an interim study on demolition reserves.

[HSB122](#) | **Driverless Cars**

- Senate Companion: [SSB1128](#)
- Authorizes driverless cars (automated driving systems/ ADS) and establishes conditions for vehicles to drive on public roads with a human driver.
- Establishes requirements for insurance and for accidents.
- Specifies that ADS vehicles are subject to exclusive regulation by the DOT and preempts local ordinances.

Automated Traffic Enforcement (ATE)

Several bills have been filed that would restrict or prohibit the use of ATE cameras on state highways and within cities.

[HSB36](#) / [HSB125](#) / [HF253](#) / [SSB1004](#)

[SF183](#) | **Bond Elections**

Requires all bond elections to be held on the first Tuesday after the first Monday in November of each year.

[SSB1106](#) | **Arrest Torts**

Prohibits tort claims against state or local governments due to the behavior of an employee unless the behavior was willful and wanton.

[HSB137](#) | Prisoner Medical Expenses

- Senate Companion: [SSB1074](#)
- Deals with the costs of medical aid furnished in prison.

Legislative Forums

February 8

[Sen. Jack Whitver, Reps. John Landon and Heather Matson | Ankeny](#)

[Sen. Randy Feenstra | Orange City](#)

February 9

[Sen. Tom Shipley | Creston](#)

[Reps. Dustin Hite and Holly Brink, and Sen. Ken Rozenboom | Oskaloosa](#)

[Sen. Craig Johnson and Rep. Sandy Salmon | Sumner](#)

[Rep. Karin Derry | Johnston](#)

[Sen. Dan Dawson, Reps. Charlie McConkey, Mary Ann Hanusa, and Jon Jacobsen | Council Bluffs](#)

[Sen. Charles Schneider and Rep. Kenan Judge | Waukee](#)

[Sen. Liz Mathis | Marion](#)

[Sen. Zach Wahls | Tipton](#)

[Rep. Steven Holt | Denison](#)

[Sen. Dan Zumbach | Center Point](#)

[Rep. Bruce Bearinger | Independence](#)

[Sen. Craig Johnson | Readlyn](#)

[Sen. Dan Zumbach | Springville](#)

[Sen. Zach Wahls | Mechanicsville](#)

[Sen. Zach Wahls | Clarence](#)

[Sen. Zach Wahls | Wilton](#)

February 10

[Sen. Zach Wahls | Solon](#)

[Sen. Zach Wahls | Iowa City](#)

[Sen. Zach Wahls | Coralville](#)

February 11

[Rep. Marti Anderson | Des Moines](#)

[Rep. Heather Matson | Ankeny](#)

League Updates

Legislative Day is February 19

Join us in Des Moines for Retain, Attract, Grow, the 2019 Legislative Day. This event at the State Historical Building and State Capitol includes training and speakers for city officials to learn how to retain and attract the talent and tools your city needs to grow.

After the morning speakers and a plated lunch join our government affairs team at the Capitol to visit with your legislator, attend a committee meeting or watch floor debate. If you would like assistance, please contact Daniel Stalder at danielstalder@iowaleague.org.

Thank you for taking the time to read the League's legislative newsletter, *Legislative Link*.

As always, *Legislative Link* is a snapshot of the League's overall government affairs efforts. It is meant to provide as much information as possible without overwhelming you with the minutia of the legislative process. It is important to know that all of this information including bill numbers, viability, and even the bill's content are constantly changing until they are signed into law by the Governor. If you have any questions about the legislative process in Iowa, if you would like to get more information about legislation listed above, if you would like to know about legislation that is not listed above, or if you want to learn how you can be more involved in advancing the League's Legislative

Values through grassroots outreach, please contact

danielstalder@iowaleague.org.



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You are receiving this email because you requested legislative updates from the Iowa League of Cities.

The League sends Legislative Link on Fridays during session, and it contains a snapshot of where pertinent bills are throughout the legislative process. Legislative Link is designed to educate and inform members of the current legislative process and climate as a first step to engaging and helping the League create positive outcomes for cities across Iowa. We hope you will help advance our legislative values, and we welcome your support.

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