

**1995
ANNUAL REPORT**

**IOWA ADVISORY COMMISSION
ON INTERGOVERNMENTAL
RELATIONS**

Presented to the Legislative Council
and the Iowa General Assembly
January 1996

Prepared by the Legislative Service Bureau



Legislative
Service
Bureau

1995 ANNUAL REPORT

Iowa Advisory Commission on Intergovernmental Relations

Submitted January 1996

MEMBERS

Mr. Don Meisner, Chairperson

Mr. Barry Stetzel, Vice Chairperson

Senator Albert G. Sorensen

Senator Lyle E. Ziemann

Representative Richard Myers

Representative Bob Renken

Ms. Alta M. Bachman

Ms. Judith A. Bodholdt

Ms. Cynthia Eisenhauer

Mr. Louis Galetich

Ms. Betty L. Grandquist

Ms. Laura Jardon

Mr. Gordon Kokenge

Mr. Carl Miller

Mr. Robert Paulson

Ms. Janet Phipps

Mr. Linus F. Rothmeyer

Ms. K. Marie Thayer

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AUTHORIZATION AND APPOINTMENT

The Iowa Advisory Commission on Intergovernmental Relations (IACIR) was created by the General Assembly in 1982 and reenacted in 1991 to foster communication and cooperation between state and local governments. Patterned after the United States Advisory Commission on Intergovernmental Relations, the IACIR is designed to provide a forum for dialogue and understanding of intergovernmental issues, to study issues affecting Iowa governments, and to make recommendations to the Governor, General Assembly, state agencies, and local governments. The IACIR was statutorily sunset on July 1, 1995, in accordance with Chapter 28C, Code of Iowa, but the Legislative Council continued its existence as a study committee.



Iowa Advisory Commission on Intergovernmental Relations

1. Background.

The IACIR is composed of 21 members representing schools, cities, counties, regional councils of government, the state executive branch, and the General Assembly. Seventeen of the members are appointed by the Governor, two state senators are appointed by the Majority Leader of the Senate, and two state representatives are appointed by the Speaker of the House of Representatives. Members are appointed for two-year terms. A membership list is attached and made a part of this Report.

The IACIR is charged with studying and reporting on the following:

- ◇ The current pattern of local governmental structure.
- ◇ Powers and functions of local governments, including their fiscal powers.
- ◇ The existing, necessary, and desirable relationships among local governments and the State.
- ◇ The necessary and desirable allocation of state and local fiscal resources.
- ◇ The necessary and desirable roles of the State as the creator of local governmental systems.
- ◇ The special problems in interstate areas facing their general local governments, interstate regional units, and area-wide bodies.

Primary staff support to the IACIR is provided by the Legislative Service Bureau.

2. Committee Proceedings.

a. June 9, 1995, Meeting.

The IACIR conducted three meetings during 1995. The first meeting of the Commission was held on Friday, June 9, 1995. The Commission elected Mr. Don Meisner and Mr. Barry Stetzel as chairperson and vice chairperson, respectively.

◆ **Federal Mandate Study.** The Commission received testimony from Mr. David Vestal, Legal Counsel, Iowa State Association of Counties (ISAC), regarding Iowa data which ISAC collected at the request of the U.S. Advisory Commission on Intergovernmental Relations (US ACIR) regarding the most burdensome federal mandates.

◆ **Mental Health Costs.** The Commission also received a report from Mr. John Pollak, Committee Services Administrator, Legislative Service Bureau (LSB), relating to those provisions of House File 69 which provide state funding for mental health, mental retardation, and developmental disabilities programs for counties.

◆ **Underground Storage Tanks.** Ms. Julie Smith, Legal Counsel, LSB, reported on amendments to the Underground Storage Tank (UST) law which were designed

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to correct problems experienced with the UST program. The Commission supported many of the provisions and amendments which were enacted to provide property tax relief to counties regarding the mental health programs and the UST law.

♦ **Additional 1995 Legislation.** The Commission also received reports from Ms. Susan Crowley, Legal Counsel, LSB, regarding the provisions of House File 69 which grants property tax exemptions for certain industrial machinery, equipment, and computers, and Mr. Thane Johnson, Senior Research Analyst, LSB, who reported on the enactment of three bills affecting local government -- Senate File 9, relating to the transfer of county recorder duties when the office is abolished, Senate File 422, relating to the transfer of vital statistics duties to the county recorder, and House File 458, relating to technical changes to county treasurer's duties. Before adjourning, the Commission agreed to select their priority study topics from a list mailed to the Commissioners by the staff.

b. September 8, 1995, Meeting.

Administrative Rules Process. The second meeting of the Commission was held on Friday, September 8, 1995. The Commission received a full briefing on the Iowa administrative rules review process. The briefing was given by Representative Janet Metcalf, Co-chairperson of the Iowa Administrative Rules Review Committee, Mr. Joe Royce, Legal Counsel for the Iowa Administrative Rules Review Committee, Ms. Paula Dierenfeld, Iowa Administrative Rules Coordinator, and Senator Sheldon Rittmer, who is a member of the Committee. The Commission also received comments concerning the rules review process from Mr. David Vestal, ISAC, Ms. Joanne Strack, Iowa League of Cities, and Mr. Jason Bridie, Iowa Association of School Boards. Following the regular meeting of the Commission, the Education Mandates Work Group and the Transportation Mandates Work Group met to discuss possible recommendations on those issues.

c. December 21, 1995, Meeting.

Consideration of Recommendations. The third meeting of the Commission was held on Thursday, December 21, 1995. The Commission discussed school mandate proposals suggested by Ms. Judith Bodholdt regarding the gifted and talented children program and the special education program. The Commission also received a report from Mr. John Pollak regarding recommendations from the State County Management Committee for joint state and county planning, implementing, and funding of mental health, mental retardation, and developmental disabilities services. Mr. John Easter of the Iowa State Association of Counties (ISAC) discussed a legislative objectives handout which focused on a consistent, orderly implementation of federal block grants for local political subdivisions. The Commission agreed to give further consideration to an implementation plan at its next meeting. The Commission discussed its 1995 Recommendations and expressed continuing support for almost all of the recommendations which were not enacted in 1995. Two additional issues for further study in 1996 are solid



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waste disposal including funding, tipping fees, interstate disposal, and closure, and personnel concerns about dispatchers and jailers holding a combined position.

3. Recommendations.

The Iowa Advisory Commission on Intergovernmental Relations makes the following recommendations:

a. That the special education foundation base be increased to 83% of the state cost per pupil.

b. That proposed legislation reenacting a statutory Iowa Advisory Commission on Intergovernmental Relations be enacted by the General Assembly. (A bill draft, LSB 3260IC, has been prepared by the Legislative Service Bureau.)

c. That continuing support is given to the following 1995 Recommendations:

(1) Repeal of the requirement that names on the general election ballot be rotated for the election of all officials.

(2) Removal from the general election ballot of nonpolitical (changed from "nonpartisan") offices, with those offices to instead be appointed by county boards of supervisors.

(3) Polling hour reduction of one hour, from 9 p.m. to 8 p.m.

(4) Prohibition of private and public haulers from making intrastate transfers of waste outside their planning area without certified approval.

(5) Continued full reimbursement for leaking underground storage tanks from the Underground Storage Tank Fund for cleanup performed by a city or county on property which has reverted via tax deed to the city or county.

(6) Review by the General Assembly and the Department of Natural Resources of underground storage tank-based assessment standards to reflect changes in technology, and review of cleanup standards by the DNR with the objective of making them not more stringent than federal standards as well as enhancing flexibility.

(7) Reconsideration by the State-County Management Committee of the significance of legal settlement when a plan for joint state and county funding of mental health and developmental disabilities services is finalized.

(8) Development of a funding formula whereby the state pays two-thirds of mental health and developmental disabilities services costs.

(9) Amendment of Iowa Code section 804.28 to provide that the Department of Public Safety is responsible for medical costs incurred for injury suffered during an arrest by a detainee.

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(10) Promotion of the fact that a jail population annual report is available from the Iowa State Association of Counties and other organizations representing county sheriffs.

4. Written Materials Filed with the Legislative Service Bureau.

- a. Draft: Most Burdensome Federal Mandates, Iowa State Association of Counties.
- b. Summary of Senate File 69 - Funding of Mental Health, Mental Retardation, and Developmental Disabilities (MH/MR/DD) Services, John Pollak, Committee Services Administrator, Legislative Service Bureau.
- c. Memorandum: Summary of House File 508 Relating to Underground Storage Tank Program, Julie A. Smith, Legal Counsel, Legislative Service Bureau.
- d. Tax Exemption for Machinery and Equipment (Senate File 69), Susan Crowley, Legal Counsel, Legislative Service Bureau.
- e. *Rulemaking in Iowa*. Submitted by Mr. Joe Royce, Legal Counsel for the Iowa Administrative Rules Review Committee.
- f. *Governing* magazine article on the federal Advisory Commission on Intergovernmental Relations distributed by Mr. Thane Johnson, Legislative Service Bureau.
- g. Information on Federal Funds and Compensatory Education, distributed by Mr. Thane Johnson, Legislative Service Bureau.
- h. Proposed School Mandates Recommendations, submitted by Commissioner Judith Bodholdt.
- i. State-County Management Committee Briefing, submitted by Mr. John Pollak, Legislative Service Bureau.
- j. Legislative Objectives handout, submitted by Mr. John Easter, Iowa State Association of Counties.
- k. Recommendations handout, submitted by the Legislative Service Bureau staff.
- l. Proposed Iowa Advisory Commission on Intergovernmental Relations bill, LSB 3260IC, prepared by the Legislative Service Bureau.

**MEMBERS OF THE IOWA ADVISORY COMMISSION
ON INTERGOVERNMENTAL RELATIONS
1995-1996**

STATE OFFICERS

Cynthia P. Eisenhower, Director (1/31/96)
Department of Employment Services
Betty L. Grandquist, Executive Director
(1/31/97)
Department of Elder Affairs
Janet Phipps, Director (1/31/97)
Department of General Services
K. Marie Thayer, Administrator (1/31/96)
Professional Licensing Division,
Department of Commerce

COUNTY OFFICERS

Robert D. "Bob" Paulson (1/31/97)
Winnebago County Auditor
Linus F. Rothmeyer (1/31/96)
Winnesheik County Board of Supervisors

Barry C. Stetzel (1/31/96)
Guthrie County Assessor
VACANCY

CITY OFFICERS

Alta M. Bachman (1/31/96)
Mayor Pro Tem of Independence

Louis Galetich (1/31/97)
Mayor of Madrid
Gordon Kokenge (1/31/96)
City Council Member
Carl R. Miller (1/31/97)
Mayor of Mason City

SCHOOL CORPORATIONS OFFICERS

Judith A. Bodholdt (1/31/96)
Newell-Providence Community School
District
Laura L. Jardon
Farragut Community School District

VACANCY

VACANCY

REGIONAL COUNCIL OF GOVERNMENTS REPRESENTATIVE

Donald M. Meisner, Executive Director (1/31/97)
Siouxland Interstate Metropolitan Planning Council

MEMBERS OF THE GENERAL ASSEMBLY

Representative Richard E. Myers,
Coralville (1/31/97)
Representative Bob Renken, Aplington
(1/31/97)

Senator Lyle E. Zieman, Postville (1/31/97)
Senator Albert Sorensen, Boone (1/31/97)

(Expiration Date of Term is in Parenthesis)