

# Legislative Newsletter

Feb. 14, 2020



The first legislative funnel deadline is already next week. Bills must have cleared a sub-committee and full committee in the chamber of origin by Feb. 21 to still be eligible for consideration this session; the exception to this are Appropriations and Ways bills. That means this past week and the upcoming week will be hectic in the Legislature.

Urban County Coalition representatives met with leadership in the House and Senate and other legislators on Wednesday to discuss top priorities. The most significant of these is mental health funding and the Governor's bill.

The UCC representatives talked about what the UCC liked (the mechanism) and what they didn't (the numbers), and discussed the concept of a buy-down as opposed to a buy-out as being the only sustainable way to achieve sustainable mental health funding.

UCC reps added it doesn't really matter where the state gets the money, but that the participation by the state must be required by most of the regions before all the regions hit the brick wall on funding, which is starting to happen in some regions already. It seems the Governor's bill has not been largely explored in the Legislature; no subcommittees have been assigned on the bill, and it is possible the Senate has its own alternative, though the details are not well-defined.

The UCC representatives also discussed county zoning issues, including for gun ranges, general procedures for counties, and land owners self-identifying agricultural buildings for zoning. UCC reps reiterated these are bad ideas and depend on local control to the counties.

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Gary Grant, CEO  
Cell 319.721.5977  
gary@grantconsultingllc.com

Larry Murphy, CFO  
Cell 319.361.2834  
larry@llmurphy.com

Meghan Malloy, General Counsel  
Cell 515.321.5825  
meghan@malloyjdlaw.com

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Introduced this week:

**Senate Study Bill 3153/House Study Bill 674** is an alternative public improvement contracts bill also introduced this week. It excludes work on a city utility on existing infrastructure or connections to the existing system from “public improvements.” It also prohibits the selection of an architect, engineer, or landscape architect based on fees, and further prohibits the Regents from using design-build contracts.

This is the second bill dealing with offering options on public improvements; the first one which is the product of a coalition of construction companies, workers and public sector entities which would add at-risk construction manager options for public improvements. SSF 3153/HSB 674 is a much more limited bill put forward by some construction groups who were involved with eliminating lease purchase options for local governments several years ago.

**Senate Study Bill 3159** is a non-compete clause bill which would prohibit regent universities from enforcing non-compete provisions in employment contracts between the university and a mental health professional, so the professional may enter into independent contractor work with the Regions in “identified mental health professional shortage area.” The employee must be a qualified mental health prescriber (for example, a psychiatrist). Our team will seek further clarity on how “identified mental health professional shortage area” is defined in the bill.

Debate continued this week in both chambers. In the House, **Senate File 2144** was unanimously approved in the House after amendment and sent back to the Senate, who later in the week also unanimously approved the bill to send to Gov. Reynolds’ desk. The Governor signed it late in the week. The bill makes supplemental appropriations of \$333,000 to the Glenwood facility (via Dept. of Human Services), and originally \$20 million for flood recovery. However, the flood recovery task force, in going through the necessary recovery projects, realized the total needed was \$21 million. The House amended SF 2144 to appropriate the necessary amount of money.

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Both the Dept. of Human Services and the flood mitigation board will have to make monthly reports on the appropriations.

Committees were busy all week, passing bills to beat first legislative funnel deadline:

**Senate File 2179:** allows fire departments, EMS agencies and law enforcement agencies to donate used equipment to another organization. This bill passed unanimously.

**Senate Study Bill 3040:** This is the public interest death bill, which has gone through several amendments and been the point of contention for several groups. The bill passed committee unanimously.

**Senate Study Bill 3065,** minor business permits, is now Senate File 2241. This bill simply pertains to the operation of things like children's lemonade stands, lawn mowing service, etc. A minor would not have to get a permit from their city or county to operate their business if they operate it 89 or less days a year.

The Senate Transportation Committee unanimously passed **Senate Study Bill 3045.** This bill prohibits any use of an electronic communications device while driving, with exemptions for hands-free devices and public safety/health/emergency workers. We are in support of this bill.

**Several bills have been reassigned numbers in advance of funnel week:**

House Study Bill 504, the open meetings budgetary bill, is now **House File 2308.**

House Study Bill 519, the amended Ban the Box bill, is now **House File 2309.** This bill has been amended to require a court to award attorney fees and costs to the party challenging the

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enforcement of an ordinance if the party prevails. Applies to actions pending on the effective date of the bill.

Other introduced bills include:

**Senate Study Bill 3153/House Study Bill 674** is a public improvement contracts bill. It excludes work on a city utility on existing infrastructure or connections to the existing system from “public improvements.” It also prohibits the selection of an architect, engineer, or landscape architect based on fees, and further prohibits the Regents from using design-build contracts.

**Senate Study Bill 3138** is the gun range zoning bill UCC reps discussed with leadership and their delegation, and the bill is very concerning to the counties. The bill prohibits cities and counties from requiring shooting ranges from complying with any conditions more strict than state law, along with several other prohibitions which cut into local control to regulate firearms in these jurisdictions.

**House Study Bill 664** is an extensive bill pertaining to elections and voting. It requires the Secretary of State to summarize proposed amendments and public measures and to post the full text in voting booths; requires bond measures to include the current property tax levy and the average increase or decrease in the bond, and other information on the ballot. It also prohibits state-wide elected officials from using direct mass mailing to promote the official or an idea, and changes filing deadlines and other deadlines to run for elected office. The bill also makes various changes to the satellite voting system. Of note: this bill makes changes to removing inactive votes, and requires county auditors to submit an annual report on voter list maintenance and requires the Secretary of State to publish those reports online.

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