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## LEGAL UPDATE

Legal Services Division



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### STATE GOVERNMENT EFFICIENCY REVIEW COMMITTEE MEETING — NOVEMBER 16, 2021

**Purpose.** *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent meetings, court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

Co-chairperson: Senator Roby Smith

Co-chairperson: Representative Brooke Boden

**Overview.** The State Government Efficiency Review Committee, created in Iowa Code section 2.69, is charged with reviewing the efficiency of state government operations and submitting reports and recommendations to the General Assembly.

**National Conference of State Legislatures.** Ms. Suzanne Hultin, Associate Director, Employment, Labor, and Retirement Program of the National Conference of State Legislatures, discussed historical and current trends in occupational licensing across the United States. Trends included changes in fees and licensing requirements, increases in licensing portability, the creation of new licensed professions, and the enactment of bills targeting certain population groups, such as former criminal offenders or military spouses. Ms. Hultin enumerated several forms of licensure portability that states have adopted, including licensure by endorsement, reciprocity agreements, expedited and temporary licensure, interstate compacts, and universal licensure. She then addressed the temporary licensing changes that states made in response to the COVID-19 pandemic, including that most such changes came through executive action rather than through legislation. Regarding the Occupational Licensing Policy Learning Consortium, Ms. Hultin mentioned the importance of public messaging, stakeholder engagement, institutionalizing state efforts at regulation, targeting occupations, and targeting population groups. She then discussed sunset processes by which state legislators periodically evaluate government functions and modify or eliminate licenses or boards. Such processes can be implemented by small or large staffs and driven either by a legislature or by a mixture of governmental entities. Sunrise processes, currently in place in 14 states, evaluate the necessity of occupational licensing before enacting new legislation. A sunrise review process can be housed in the legislative or executive branches of state government or undertaken by an independent state office. Such processes require the evaluation of various criteria over a period of time that ranges from roughly six months to one year and culminates in a report regarding the proposed legislation.

**Senate File 487.** Senator Waylon Brown summarized Senate File 487, a bill regarding the regulation of professions, including a sunrise and sunset review process.

**Iowa Department of Revenue.** Mr. Kraig Paulsen, Director, Iowa Department of Revenue, discussed technology upgrades undertaken by the department. Mr. Paulsen said that the implementation of new portal software is projected to pay for itself after approximately five years. The new program is currently active for business filers and will be rolled out to corporate filers in November 2022, individual filers in 2023, and for miscellaneous fees and taxes in November 2024. Mr. Paulsen provided an example of the new GovConnectIowa homepage. Mr. Paulsen stated that the Internet site is eventually intended to encompass licensing functions for multiple state agencies. He provided

examples of features that users are currently able to use or will be able to use in the future, including the payment of balances, altering of information, and submission of returns.

**Iowa Department of Public Safety.** Mr. Rusty Ringler, Bureau Chief; Ms. Jeannie Guttenfelder, Management Analyst; and Mr. Brian Young, Chief Electrical Inspector, gave presentations on the licensing technology used by the Department of Public Safety. The fire marshal licensing system has transitioned to a largely online system which was not significantly impacted by the COVID-19 pandemic, except that there was a backlog for criminal history checks, which has since been cleared. The electrician licensing system is also largely online and has improved in efficiency due to automation. The private investigation private security bail enforcement (PIPSBE) licensing system is largely paper-based and the lack of staff has created a backlog. The department is currently creating a system similar to that used by the fire marshal to be launched in December 2021. Mr. Ringler said that the fee structure for PIPSBE licenses is in need of an update.

**Iowa Department of Public Health.** Ms. Sarah Reisetter, Deputy Director, and Ms. Maddie Wilcox, Legislative Liaison, gave a presentation on the professional licensing technology used by the Iowa Department of Public Health. The department is responsible for licensing functions for several boards, most of which use the Application Management & Data Automation (AMANDA) system, and strongly encourages members of the public to submit electronic applications. Currently, the boards use five different instances of AMANDA. The five instances of AMANDA are scheduled to be consolidated into a single instance by June 2022, which is projected to have cost savings for the state. The upgrade to a newer version of the program is also projected to increase usability by staff and members of the public. Ms. Reisetter said that the biggest delays in licensing come from background checks and requiring the sources of credentials, such as universities, to send those credentials directly to the boards for verification. However, Ms. Reisetter said that removing primary source verification may have implications that need to be investigated.

**Iowa Division of Labor.** Mr. Rod Roberts, Labor Commissioner; Ms. Michelle O'Hollearn, Bureau Chief, Iowa Workforce Development Enterprise Project Management Bureau; Ms. Mary Montgomery, Executive Assistant; and Ms. Dawn Chamberlain, Program Planner, presented information regarding licensing technology used by the division. Mr. Roberts discussed the various functions performed by the division, including the registration of contractors, the issuance of asbestos permits and licenses; occupational safety and health functions; boiler, elevator, and amusement ride licensing; child labor and wage issues; and athletic events. The division uses the AMANDA system for managing licenses, permits, and inspections. A recent upgrade allows technicians to use AMANDA in the field to complete inspections. The upgrade is also more widely available and configurable and can be more easily integrated with partner agencies. Mr. Roberts said that because of the amount of foot traffic received by the division, it is difficult for the division to go completely paperless. Mr. Roberts also discussed the recent upgrade of the division's website to refresh content, simplify access to services, digitize forms, and reengineer processes. The website will also soon include a chatbot for automated customer service functionality.

**Division of Banking, Professional Licensing Bureau.** Ms. Lori SchraderBacher, Bureau Chief, and Mr. Zak Hingst, presented information regarding licensing technology used by the bureau. The bureau licenses approximately 34,500 persons in an assortment of professions. Ms. SchraderBacher focused on the technology used by staff members to process license applications. License applications are submitted almost entirely online using a system based on Salesforce platform and bureau staff will help applicants with the online application process if necessary. Due to the largely online nature of applications, the bureau's licensing functions were only minimally impacted by the COVID-19 pandemic. Ms. SchraderBacher said it would be useful to be able to continue to conduct virtual board meetings and that the state might see cost savings by negotiating a single Salesforce contract to be used across multiple government agencies.

**Questionnaire Review.** Co-chairperson Smith briefly explained a questionnaire on the operations of state government that was sent to all departments and agencies of the state of Iowa, including certain boards, councils, and commissions.

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