



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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## House Amendment 8241

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1 1 Amend House File 2651 as follows:  
1 2 #1. Page 8, by inserting after line 19 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 331.382, subsection 8,  
1 5 unnumbered paragraph 2, Code 2007, is amended to read  
1 6 as follows:  
1 7 However, the board may assume and exercise the  
1 8 powers and duties of a governing body under chapter  
1 9 357, 357A, 357B, 358 or chapter 468, subchapter III,  
1 10 if a governing body established under one of those  
1 11 chapters has insufficient membership to perform its  
1 12 powers and duties, and the board, upon petition of the  
1 13 number of property owners within a proposed district  
1 14 and filing of a bond as provided in section 357A.2,  
1 15 may establish a service district within the  
1 16 unincorporated area of the county and exercise within  
1 17 the district the powers and duties granted in chapter  
1 18 357, 357A, 357B, 357C, 357I, 358, 359, 384, division  
1 19 IV, or chapter 468, subchapter III.>  
1 20 #2. Page 9, by inserting after line 19 the  
1 21 following:  
1 22 <Sec. \_\_\_\_\_. NEW SECTION. 357I.1 DEFINITIONS.  
1 23 As used in this chapter, unless the context  
1 24 otherwise requires:  
1 25 1. "Board" means the board of supervisors of a  
1 26 county.  
1 27 2. "Book", "list", "record", or "schedule" kept by  
1 28 a county auditor, assessor, treasurer, recorder,  
1 29 sheriff, or other county officer means the county  
1 30 system as defined in section 445.1.  
1 31 3. "District" means a benefited secondary road  
1 32 services district.  
1 33 4. "Trustee" means a trustee of a district.  
1 34 Sec. \_\_\_\_\_. NEW SECTION. 357I.2 PETITION FOR  
1 35 PUBLIC HEARING.  
1 36 1. The board shall, on the petition of twenty=five  
1 37 percent of the resident property owners in a proposed  
1 38 district if the assessed valuation of the property  
1 39 owned by the petitioners represents at least  
1 40 twenty=five percent of the total assessed value of the  
1 41 proposed district, hold a public hearing concerning  
1 42 the establishment of a proposed district. The  
1 43 petition shall include a statement containing the  
1 44 following information:  
1 45 a. The need for secondary road services.  
1 46 b. The district to be served.  
1 47 c. The approximate number of families in the  
1 48 district.  
1 49 d. A general description of the secondary road  
1 50 services to be provided in the district.



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2 1 2. The board may require a bond of the petitioners  
2 2 conditioned for the payment of all costs and expenses  
2 3 incurred in the proceedings in case the district is  
2 4 not established.

2 5 Sec. \_\_\_\_\_. NEW SECTION. 357I.3 LIMITATION ON  
2 6 AREA.

2 7 A district may include all or parts of the  
2 8 unincorporated areas of one township and any  
2 9 unincorporated areas of adjoining townships or parts  
2 10 of adjoining townships.

2 11 Sec. \_\_\_\_\_. NEW SECTION. 357I.4 TIME OF HEARING.

2 12 The public hearing required in section 357I.2 shall  
2 13 be held within thirty days of the presentation of the  
2 14 petition. Notice of hearing shall be given by  
2 15 publication in two successive issues of any newspaper  
2 16 of general circulation within the district. The last  
2 17 publication shall be not less than one week before the  
2 18 proposed hearing.

2 19 Sec. \_\_\_\_\_. NEW SECTION. 357I.5 ACTION BY BOARD.

2 20 After, and within ten days of, the hearing, the  
2 21 board shall either establish the district by  
2 22 resolution or disallow the petition.

2 23 Sec. \_\_\_\_\_. NEW SECTION. 357I.6 ENGINEER.

2 24 1. When the board establishes a district, the  
2 25 board shall appoint a competent disinterested civil  
2 26 engineer, who shall prepare a preliminary plat  
2 27 showing:

2 28 a. The proper design in general outline of the  
2 29 district.

2 30 b. The lots and parcels of land within the  
2 31 proposed district as they appear on the county  
2 32 auditor's plat books with the names of the owners.

2 33 c. The assessed valuation of the lots and parcels.

2 34 2. The compensation of the engineer on the  
2 35 preliminary investigation shall be determined by the  
2 36 board. The engineer shall file a report with the  
2 37 county auditor within thirty days of appointment. The  
2 38 board may extend the time upon good cause shown.

2 39 Sec. \_\_\_\_\_. NEW SECTION. 357I.7 HEARING ON  
2 40 ENGINEER'S REPORT.

2 41 After the engineer's report is filed, the board  
2 42 shall give notice, as provided in section 357I.4, of a  
2 43 public hearing to be held concerning the engineer's  
2 44 preliminary plat.

2 45 Sec. \_\_\_\_\_. NEW SECTION. 357I.8 ELECTION ON  
2 46 PROPOSED LEVY AND CANDIDATES FOR TRUSTEES.

2 47 When a preliminary plat has been approved by the  
2 48 board, an election shall be held within the district  
2 49 within sixty days to approve or disapprove the levy of  
2 50 a tax not to exceed in any fiscal year one dollar per



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3 1 thousand dollars of assessed value on all the taxable  
3 2 property within the district and to choose candidates  
3 3 for the offices of trustees of the district. Notice  
3 4 of the election, including the time and place of  
3 5 holding the election, shall be given as provided in  
3 6 section 357I.4. The vote shall be by ballot which  
3 7 shall state clearly the proposition to be voted upon  
3 8 and any registered voter residing within the district  
3 9 at the time of the election may vote. It is not  
3 10 mandatory for the county commissioner of elections to  
3 11 conduct elections held pursuant to this chapter, but  
3 12 the elections shall be conducted in accordance with  
3 13 chapter 49 where not in conflict with this chapter.  
3 14 Judges shall be appointed to serve without pay by the  
3 15 board from among the registered voters of the district  
3 16 to be in charge of the election. The proposition is  
3 17 approved if sixty percent of those voting on the  
3 18 proposition vote in favor of it.

3 19 Sec. \_\_\_\_\_. NEW SECTION. 357I.9 TRUSTEES == TERM  
3 20 AND QUALIFICATION.

3 21 At the election, the names of up to three  
3 22 candidates for trustee shall be written in by the  
3 23 voters on blank ballots without formal nomination and  
3 24 the board shall appoint three from among the five  
3 25 receiving the highest number of votes as trustees for  
3 26 the district. One trustee shall be appointed to serve  
3 27 for one year, one for two years, and one for three  
3 28 years. The trustees and their successors must be  
3 29 residents of the district and shall give bond in the  
3 30 amount required by the board, the premium of which  
3 31 shall be paid by the district. Vacancies shall be  
3 32 filled by election, but if there are no candidates for  
3 33 a trustee office, the vacancy may be filled by  
3 34 appointment by the board. The term of succeeding  
3 35 trustees shall be three years.

3 36 Sec. \_\_\_\_\_. NEW SECTION. 357I.10 TRUSTEES' POWERS.

3 37 The trustees may contract with the county for road  
3 38 paving, reconstruction, or maintenance services not  
3 39 otherwise provided by the county on roads within the  
3 40 district and may certify for levy an annual tax as  
3 41 provided in section 357I.8. The trustees may purchase  
3 42 material and perform all other acts necessary to  
3 43 properly maintain and operate the district. The  
3 44 trustees are allowed necessary expenses in the  
3 45 discharge of their duties, but they shall not receive  
3 46 a salary.

3 47 Sec. \_\_\_\_\_. NEW SECTION. 357I.11 BONDS IN  
3 48 ANTICIPATION OF REVENUE.

3 49 A district may anticipate the collection of taxes  
3 50 by the levy authorized in this chapter, and to carry



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4 1 out the purposes of this chapter may issue bonds  
4 2 payable in not more than ten equal installments with  
4 3 the rate of interest not exceeding that permitted by  
4 4 chapter 74A. An indebtedness shall not be incurred  
4 5 under this chapter until authorized by an election.  
4 6 The election shall be held and notice given in the  
4 7 same manner as provided in section 357I.8, and the  
4 8 same sixty percent vote shall be necessary to  
4 9 authorize indebtedness. Both propositions may be  
4 10 submitted to the voters at the same election.

4 11 Sec. \_\_\_\_\_. NEW SECTION. 357I.12 DISSOLUTION OF  
4 12 DISTRICT.

4 13 Upon petition of thirty-five percent of the  
4 14 resident eligible electors, the board may dissolve a  
4 15 district and dispose of any remaining property, the  
4 16 proceeds of which shall first be applied against  
4 17 outstanding obligations and any balance shall be  
4 18 applied to tax credit of property owners of the  
4 19 district. However, if the district is annexed, the  
4 20 board of supervisors may transfer the remaining  
4 21 property and balance to the city which annexed the  
4 22 territory. The board shall continue to levy a tax  
4 23 after dissolution of a district, of not to exceed  
4 24 twenty-seven cents per thousand dollars of assessed  
4 25 value on all the taxable property of the district,  
4 26 until all outstanding obligations of the district are  
4 27 paid.

4 28 Sec. \_\_\_\_\_. NEW SECTION. 357I.13 INCORPORATION OF  
4 29 DISTRICT LAND.

4 30 If part of a district is incorporated by a city and  
4 31 there are outstanding indebtedness obligations against  
4 32 the district, the city shall pay the outstanding  
4 33 obligations against the part of the district which is  
4 34 incorporated by the city.

4 35 Sec. \_\_\_\_\_. NEW SECTION. 357I.14 ADDING PROPERTY  
4 36 TO DISTRICT.

4 37 The owner of any property in an unincorporated area  
4 38 contiguous to the boundaries of an established  
4 39 district may petition the board to be included in the  
4 40 district. Upon receipt of the petition, the board  
4 41 shall submit the request to a competent disinterested  
4 42 civil engineer to investigate the feasibility of  
4 43 adding the additional territory and to make a report  
4 44 to the board. If the board agrees that the property  
4 45 should be added to the district, the tax levy for the  
4 46 next year shall be applied to the property and on the  
4 47 first day of the next fiscal year the property shall  
4 48 become a part of the district. If the district lies  
4 49 in more than one county the joint action of the boards  
4 50 involved is required to add additional territory.



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5 1 Sec. \_\_\_\_ . NEW SECTION. 357I.15 DETERMINATION OF  
5 2 FEE.  
5 3 1. The owner of any property joining an  
5 4 established district shall pay to the trustees of the  
5 5 district an initial fee to be computed as follows:  
5 6 a. The trustees shall first determine fair market  
5 7 value of all property and improvements owned by the  
5 8 district, less the amount of debt incurred by the  
5 9 district, if any.  
5 10 b. The board shall then determine the assessed  
5 11 value of all property in the district. This shall be  
5 12 divided into the value determined in paragraph "a".  
5 13 c. The board shall determine the assessed value of  
5 14 the property of each landowner joining the established  
5 15 district.  
5 16 d. The result obtained in paragraph "b" shall be  
5 17 multiplied by the result obtained in paragraph "c".  
5 18 The result shall be the initial fee to be charged each  
5 19 landowner.  
5 20 2. The initial fees paid to the trustees shall be  
5 21 used to help defray the cost of the district's  
5 22 secondary road services.>  
5 23 #3. Title page, lines 2 and 3, by striking the  
5 24 words <by the department of transportation>.  
5 25 #4. Title page, line 16, by inserting after the  
5 26 word <facilities,> the following: <establishment of  
5 27 benefited secondary road services districts,>.  
5 28 #5. By renumbering as necessary.  
5 29  
5 30  
5 31  
5 32 HUSER of Polk  
5 33 HF 2651.704 82  
5 34 dea/sc/10717



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## House Amendment 8242

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1 1 Amend House File 2591 as follows:

1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:

1 4 <Section 1. Section 235B.1, subsection 4,  
1 5 paragraph a, subparagraph (3), Code 2007, is amended  
1 6 to read as follows:

1 7 (3) Receive and review recommendations and  
1 8 complaints from the public, health care facilities,  
1 9 and health care programs concerning the dependent  
1 10 adult abuse services program.

1 11 Sec. 2. Section 235B.1, subsection 4, paragraph b,  
1 12 subparagraph (1), Code 2007, is amended to read as  
1 13 follows:

1 14 (1) The advisory council shall consist of ~~ten~~  
1 15 twelve members. Six members shall be appointed by and  
1 16 serve at the pleasure of the governor. Four of the  
1 17 members appointed shall be appointed on the basis of  
1 18 knowledge and skill related to expertise in the area  
1 19 of dependent adult abuse including professionals  
1 20 practicing in the disciplines of medicine, public  
1 21 health, mental health, long-term care, social work,  
1 22 law, and law enforcement. Two of the members  
1 23 appointed shall be members of the general public with  
1 24 an interest in the area of dependent adult abuse and  
1 25 two of the members appointed shall be members of the

1 26 Iowa caregivers association. In addition, the  
1 27 membership of the council shall include the director  
1 28 or the director's designee of the department of human  
1 29 services, the department of elder affairs, the Iowa  
1 30 department of public health, and the department of  
1 31 inspections and appeals.

1 32 Sec. 3. Section 235B.2, subsection 5, paragraph a,  
1 33 subparagraph (3), unnumbered paragraph 1, Code 2007,  
1 34 is amended to read as follows:

1 35 Sexual exploitation of a dependent adult ~~who is a~~  
1 36 ~~resident of a health care facility, as defined in~~  
1 37 ~~section 135C.1, by a caretaker providing services to~~  
1 38 ~~or employed by the health care facility, whether~~  
1 39 ~~within the health care facility or at a location~~  
1 40 ~~outside of the health care facility~~ by a caretaker.

1 41 Sec. 4. Section 235B.3, subsection 1, paragraph a,  
1 42 Code Supplement 2007, is amended to read as follows:

1 43 a. The department shall receive dependent adult  
1 44 abuse reports and shall collect, maintain, and  
1 45 disseminate the reports by establishing a central  
1 46 registry for dependent adult abuse information. The  
1 47 department shall evaluate the reports expeditiously.  
1 48 However, the department of inspections and appeals is  
1 49 solely responsible for the evaluation and disposition  
1 50 of dependent adult abuse cases within ~~health care~~



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2 1 facilities and programs pursuant to chapter 235E and  
2 2 shall inform the department of human services of such  
2 3 evaluations and dispositions pursuant to section  
2 4 235E.2.

2 5 Sec. 5. Section 235B.3, subsection 2, paragraph a,  
2 6 Code Supplement 2007, is amended to read as follows:

2 7 a. A member of the staff of a community mental  
2 8 health center, ~~a member of the staff of a hospital, a~~  
~~2 9 member of the staff or employee of a public or private~~  
~~2 10 health care facility as defined in section 135C.1, a~~  
~~2 11 member of the staff or employee of an elder group home~~  
~~2 12 as defined in section 231B.1, a member of the staff or~~  
~~2 13 employee of an assisted living program certified under~~  
~~2 14 section 231C.3, and a member of the staff or employee~~  
~~2 15 of an adult day services program as defined in section~~  
~~2 16 231D.1.~~

2 17 Sec. 6. Section 235B.3, subsection 13, Code  
2 18 Supplement 2007, is amended to read as follows:

2 19 13. The department of inspections and appeals  
2 20 shall adopt rules which require licensed health care  
2 21 facilities or programs to separate an alleged  
2 22 dependent adult abuser from a victim following an  
2 23 allegation of perpetration of abuse and prior to the  
2 24 completion of an investigation of the allegation.

2 25 Sec. 7. Section 235B.5, subsection 5, Code 2007,  
2 26 is amended to read as follows:

2 27 5. An oral report of suspected dependent adult  
2 28 abuse initially made to the central registry regarding  
2 29 a ~~health care facility~~ facility or program as defined in  
2 30 section 235E.1 shall be transmitted by the department  
2 31 to the department of inspections and appeals on the  
2 32 first working day following the submitting of the  
2 33 report.

2 34 Sec. 8. Section 235B.6, subsection 2, paragraph c,  
2 35 subparagraphs (1) and (4), Code Supplement 2007, are  
2 36 amended to read as follows:

2 37 (1) A licensing authority for a facility,  
2 38 including a facility or program defined in section  
2 39 235E.1, providing care to an adult named in a report.

2 40 (4) The legally authorized protection and advocacy  
2 41 agency recognized pursuant to section 135C.2 if a  
2 42 person identified in the information as a victim or a  
2 43 perpetrator of abuse resided in or receives services  
2 44 from a facility, including a facility or program  
2 45 defined in section 235E.1, or agency because the  
2 46 person is diagnosed as having a developmental  
2 47 disability or a mental illness.

2 48 Sec. 9. Section 235B.6, subsection 2, paragraph d,  
2 49 subparagraph (3), Code Supplement 2007, is amended to  
2 50 read as follows:



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3 1 (3) An expert witness or a witness who testifies  
3 2 at any stage of an appeal necessary for correction of  
3 3 dependent adult abuse information as provided in  
3 4 section 235B.10.  
3 5 Sec. 10. Section 235B.16, subsection 5, paragraphs  
3 6 b, f, g, and i, Code Supplement 2007, are amended to  
3 7 read as follows:  
3 8 b. A person required to report cases of dependent  
3 9 adult abuse pursuant to ~~section~~ sections 235B.3 and  
3 10 235E.2, other than a physician whose professional  
3 11 practice does not regularly involve providing primary  
3 12 health care to adults, shall complete two hours of  
3 13 training relating to the identification and reporting  
3 14 of dependent adult abuse within six months of initial  
3 15 employment or self=employment which involves the  
3 16 examination, attending, counseling, or treatment of  
3 17 adults on a regular basis. Within one month of  
3 18 initial employment or self=employment, the person  
3 19 shall obtain a statement of the abuse reporting  
3 20 requirements from the person's employer or, if  
3 21 self=employed, from the department. The person shall  
3 22 complete at least two hours of additional dependent  
3 23 adult abuse identification and reporting training  
3 24 every five years.  
3 25 f. A licensing board with authority over the  
3 26 license of a person required to report cases of  
3 27 dependent adult abuse pursuant to ~~section~~ sections  
3 28 235B.3 and 235E.2 shall require as a condition of  
3 29 licensure that the person is in compliance with the  
3 30 requirements for abuse training under this subsection.  
3 31 The licensing board shall require the person upon  
3 32 licensure renewal to accurately document for the  
3 33 licensing board the person's completion of the  
3 34 training requirements. However, the licensing board  
3 35 may adopt rules providing for waiver or suspension of  
3 36 the compliance requirements, if the waiver or  
3 37 suspension is in the public interest, applicable to a  
3 38 person who is engaged in active duty in the military  
3 39 service of this state or of the United States, to a  
3 40 person for whom compliance with the training  
3 41 requirements would impose a significant hardship, or  
3 42 to a person who is practicing a licensed profession  
3 43 outside this state or is otherwise subject to  
3 44 circumstances that would preclude the person from  
3 45 encountering dependent adult abuse in this state.  
3 46 g. For persons required to report cases of  
3 47 dependent adult abuse pursuant to ~~section~~ sections  
3 48 235B.3 and 235E.2, who are not engaged in a licensed  
3 49 profession that is subject to the authority of a  
3 50 licensing board but are employed by a facility or



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4 1 program subject to licensure, registration, or  
4 2 approval by a state agency, the agency shall require  
4 3 as a condition of the renewal of the facility's or  
4 4 program's licensure, registration, or approval, that  
4 5 such persons employed by the facility or program are  
4 6 in compliance with the training requirements of this  
4 7 subsection.

4 8 i. For persons required to report cases of  
4 9 dependent adult abuse pursuant to ~~section~~ sections  
4 10 235B.3 and 235E.2 who are employees of state  
4 11 departments and political subdivisions of the state,  
4 12 the department director or the chief administrator of  
4 13 the political subdivision shall ensure the persons'  
4 14 compliance with the training requirements of this  
4 15 subsection.

4 16 Sec. 11. NEW SECTION. 235E.1 DEFINITIONS.

4 17 As used in this chapter, unless the context  
4 18 otherwise requires:

4 19 1. "Caretaker" means a person who is a staff  
4 20 member of a facility or program who provides care,  
4 21 protection, or services to a dependent adult  
4 22 voluntarily, by contract, through employment, or by  
4 23 order of the court.

4 24 2. "Court" means the district court.

4 25 3. "Department" means the department of  
4 26 inspections and appeals.

4 27 4. "Dependent adult" means a person eighteen years  
4 28 of age or older whose ability to perform the normal  
4 29 activities of daily living or to provide for the  
4 30 person's own care or protection is impaired, either  
4 31 temporarily or permanently.

4 32 5. a. "Dependent adult abuse" means:

4 33 (1) Any of the following as a result of the  
4 34 willful misconduct or gross negligence or reckless  
4 35 acts or omissions of a caretaker, taking into account  
4 36 the totality of the circumstances:

4 37 (a) A physical injury to, or injury which is at a  
4 38 variance with the history given of the injury, or  
4 39 unreasonable confinement, unreasonable punishment, or  
4 40 assault of a dependent adult which involves a breach  
4 41 of skill, care, and learning ordinarily exercised by a  
4 42 caretaker in similar circumstances. "Assault of a  
4 43 dependent adult" means the commission of any act which  
4 44 is generally intended to cause pain or injury to a  
4 45 dependent adult, or which is generally intended to  
4 46 result in physical contact which would be considered  
4 47 by a reasonable person to be insulting or offensive or  
4 48 any act which is intended to place another in fear of  
4 49 immediate physical contact which will be painful,  
4 50 injurious, insulting, or offensive, coupled with the



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5 1 apparent ability to execute the act.  
5 2 (b) The commission of a sexual offense under  
5 3 chapter 709 or section 726.2 with or against a  
5 4 dependent adult.  
5 5 (c) Exploitation of a dependent adult.  
5 6 "Exploitation" means a caretaker who knowingly  
5 7 obtains, uses, endeavors to obtain to use, or who  
5 8 misappropriates, a dependent adult's funds, assets,  
5 9 medications, or property with the intent to  
5 10 temporarily or permanently deprive a dependent adult  
5 11 of the use, benefit, or possession of the funds,  
5 12 assets, medication, or property for the benefit of  
5 13 someone other than the dependent adult.  
5 14 (d) Neglect of a dependent adult. "Neglect of a  
5 15 dependent adult" means the deprivation of the minimum  
5 16 food, shelter, clothing, supervision, physical or  
5 17 mental health care, or other care necessary to  
5 18 maintain a dependent adult's life or physical or  
5 19 mental health.  
5 20 (2) Sexual exploitation of a dependent adult by a  
5 21 caretaker whether within a facility or program or at a  
5 22 location outside of a facility or program. "Sexual  
5 23 exploitation" means any consensual or nonconsensual  
5 24 sexual conduct with a dependent adult which includes  
5 25 but is not limited to kissing; touching of the clothed  
5 26 or unclothed breast, groin, buttock, anus, pubes, or  
5 27 genitals; or a sex act, as defined in section 702.17.  
5 28 "Sexual exploitation" includes the transmission,  
5 29 display, taking of electronic images of the unclothed  
5 30 breast, groin, buttock, anus, pubes, or genitals of a  
5 31 dependent adult by a caretaker for a purpose not  
5 32 related to treatment or diagnosis or as part of an  
5 33 ongoing investigation. Sexual exploitation does not  
5 34 include touching which is part of a necessary  
5 35 examination, treatment, or care by a caretaker acting  
5 36 within the scope of the practice or employment of the  
5 37 caretaker; the exchange of a brief touch or hug  
5 38 between the dependent adult and a caretaker for the  
5 39 purpose of reassurance, comfort, or casual friendship;  
5 40 or touching between spouses or domestic partners in a  
5 41 intimate relationship.  
5 42 b. "Dependent adult abuse" does not include any of  
5 43 the following:  
5 44 (1) Circumstances in which the dependent adult  
5 45 declines medical treatment if the dependent adult  
5 46 holds a belief or is an adherent of a religion whose  
5 47 tenets and practices call for reliance on spiritual  
5 48 means in place of reliance on medical treatment.  
5 49 (2) Circumstances in which the dependent adult's  
5 50 caretaker, acting in accordance with the dependent



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6 1 adult's stated or implied consent, declines medical  
6 2 treatment or care.  
6 3 (3) The withholding or withdrawing of health care  
6 4 from a dependent adult who is terminally ill in the  
6 5 opinion of a licensed physician, when the withholding  
6 6 or withdrawing of health care is done at the request  
6 7 of the dependent adult or at the request of the  
6 8 dependent adult's next of kin, attorney in fact, or  
6 9 guardian pursuant to the applicable procedures under  
6 10 chapter 125, 144A, 144B, 222, 229, or 633.  
6 11 6. "Facility" means a health care facility as  
6 12 defined in section 135C.1 or a hospital as defined in  
6 13 section 135B.1.  
6 14 7. "Intimate relationship" means a significant  
6 15 romantic involvement between two persons that need not  
6 16 include sexual involvement, but does not include a  
6 17 casual social relationship or association in a  
6 18 business or professional capacity. In determining  
6 19 whether persons are in an intimate relationship, the  
6 20 court may consider the following nonexclusive list of  
6 21 factors:  
6 22 a. The duration of the relationship.  
6 23 b. The frequency of interaction.  
6 24 c. Whether the relationship has been terminated.  
6 25 d. The nature of the relationship, characterized  
6 26 by either person's expectation of sexual or romantic  
6 27 involvement.  
6 28 8. "Person" means person as defined in section  
6 29 4.1.  
6 30 9. "Program" means an elder group home as defined  
6 31 in section 231B.1, an assisted living program  
6 32 certified under section 231C.3, or an adult day  
6 33 services program as defined in section 231D.1.  
6 34 10. "Recklessly" means that a person acts or fails  
6 35 to act with respect to a material element of a public  
6 36 offense, when the person is aware of and consciously  
6 37 disregards a substantial and unjustifiable risk that  
6 38 the material element exists or will result from the  
6 39 act or omission. The risk must be of such a nature  
6 40 and degree that disregard of the risk constitutes a  
6 41 gross deviation from the standard conduct that a  
6 42 reasonable person would observe in the situation.  
6 43 11. "Support services" includes but is not limited  
6 44 to community-based services including area agency on  
6 45 aging assistance, mental health services, fiscal  
6 46 management, home health services, housing-related  
6 47 services, counseling services, transportation  
6 48 services, adult day services, respite services, legal  
6 49 services, and advocacy services.  
6 50 Sec. 12. NEW SECTION. 235E.2 DEPENDENT ADULT



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7 1 ABUSE REPORTS IN FACILITIES AND PROGRAMS.  
7 2 1. a. The department shall receive and evaluate  
7 3 reports of dependent adult abuse in facilities and  
7 4 programs. The department shall inform the department  
7 5 of human services of such evaluations and dispositions  
7 6 for inclusion in the central registry for dependent  
7 7 adult abuse information pursuant to section 235B.5.  
7 8 b. Reports of dependent adult abuse which is the  
7 9 result of the acts or omissions of the dependent adult  
7 10 shall be collected and maintained in the files of the  
7 11 dependent adult as assessments only and shall not be  
7 12 included in the central registry.  
7 13 c. A report of dependent adult abuse that meets  
7 14 the definition of dependent adult abuse under section  
7 15 235E.1, subsection 5, paragraph "a", subparagraph (1),  
7 16 subparagraph subdivision (a) or (d), which the  
7 17 department determines is minor, isolated, and unlikely  
7 18 to reoccur shall be collected and maintained by the  
7 19 department of human services as an assessment only for  
7 20 a five-year period and shall not be included in the  
7 21 central registry and shall not be considered to be  
7 22 founded dependent adult abuse. A subsequent report of  
7 23 dependent adult abuse that meets the definition of  
7 24 dependent adult abuse under section 235E.1, subsection  
7 25 5, paragraph "a", subparagraph (1), subparagraph  
7 26 subdivision (a) or (d), that occurs within the  
7 27 five-year period, and that is committed by the  
7 28 caretaker responsible for the act or omission which  
7 29 was the subject of the previous report of dependent  
7 30 adult abuse which the department determined was minor,  
7 31 isolated, and unlikely to reoccur, may be considered  
7 32 minor, isolated, and unlikely to reoccur depending on  
7 33 the circumstances of the report.  
7 34 2. A staff member or employee of a facility or  
7 35 program who, in the course of employment, examines,  
7 36 attends, counsels, or treats a dependent adult in a  
7 37 facility or program and reasonably believes the  
7 38 dependent adult has suffered dependent adult abuse,  
7 39 shall report the suspected dependent adult abuse to  
7 40 the department.  
7 41 3. a. If a staff member or employee is required  
7 42 to make a report pursuant to this section, the staff  
7 43 member or employee shall immediately notify the person  
7 44 in charge or the person's designated agent who shall  
7 45 then notify the department within twenty-four hours of  
7 46 such notification. If the person in charge is the  
7 47 alleged dependent adult abuser, the staff member shall  
7 48 directly report the abuse to the department within  
7 49 twenty-four hours.  
7 50 b. The employer or supervisor of a person who is



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8 1 required to or may make a report pursuant to this  
8 2 section shall not apply a policy, work rule, or other  
8 3 requirement that interferes with the person making a  
8 4 report of dependent adult abuse or that results in the  
8 5 failure of another person to make the report.  
8 6 4. An employee of a financial institution may  
8 7 report suspected financial exploitation of a dependent  
8 8 adult to the department.  
8 9 5. Any other person who believes that a dependent  
8 10 adult has suffered dependent adult abuse may report  
8 11 the suspected dependent adult abuse to the department  
8 12 of inspections and appeals. The department of  
8 13 inspections and appeals shall transfer any reports  
8 14 received of dependent adult abuse in the community to  
8 15 the department of human services. The department of  
8 16 human services shall transfer any reports received of  
8 17 dependent adult abuse in facilities or programs to the  
8 18 department of inspections and appeals.  
8 19 6. The department shall inform the appropriate  
8 20 county attorneys of any reports of dependent adult  
8 21 abuse. The department may request information from  
8 22 any person believed to have knowledge of a case of  
8 23 dependent adult abuse. The person, including but not  
8 24 limited to a county attorney, a law enforcement  
8 25 agency, a multidisciplinary team, a social services  
8 26 agency in the state, or any person who is required  
8 27 pursuant to subsection 2 to report dependent adult  
8 28 abuse, whether or not the person made the specific  
8 29 dependent adult abuse report, shall cooperate and  
8 30 assist in the evaluation upon the request of the  
8 31 department. If the department's assessment reveals  
8 32 that dependent adult abuse exists which might  
8 33 constitute a criminal offense, a report shall be made  
8 34 to the appropriate law enforcement agency. County  
8 35 attorneys and appropriate law enforcement agencies  
8 36 shall also take any other lawful action necessary or  
8 37 advisable for the protection of the dependent adult.  
8 38 a. If, upon completion of an investigation, the  
8 39 department determines that the best interests of the  
8 40 dependent adult require court action, the department  
8 41 shall notify the department of human services of the  
8 42 potential need for a guardian or conservator or for  
8 43 admission or commitment to an appropriate institution  
8 44 or facility pursuant to the applicable procedures  
8 45 under chapter 125, 222, 229, or 633, or shall pursue  
8 46 other remedies provided by law. The appropriate  
8 47 county attorney shall assist the department of human  
8 48 services in the preparation of the necessary papers to  
8 49 initiate the action and shall appear and represent the  
8 50 department of human services at all district court



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9 1 proceedings.

9 2     b. Investigators within the department shall be

9 3 specially trained to investigate cases of dependent

9 4 adult abuse including but not limited to cases

9 5 involving gerontological, dementia, and wound care

9 6 issues.

9 7     c. The department shall assist the court during

9 8 all stages of court proceedings involving a suspected

9 9 case of dependent adult abuse.

9 10     d. In every case involving dependent adult abuse

9 11 which is substantiated by the department and which

9 12 results in a judicial proceeding on behalf of the

9 13 dependent adult, legal counsel shall be appointed by

9 14 the court to represent the dependent adult in the

9 15 proceedings. The court may also appoint a guardian ad

9 16 litem to represent the dependent adult if necessary to

9 17 protect the dependent adult's best interests. The

9 18 same attorney may be appointed to serve both as legal

9 19 counsel and as guardian ad litem. Before legal

9 20 counsel or a guardian ad litem is appointed pursuant

9 21 to this paragraph, the court shall require the

9 22 dependent adult and any person legally responsible for

9 23 the support of the dependent adult to complete under

9 24 oath a detailed financial statement. If, on the basis

9 25 of that financial statement, the court deems that the

9 26 dependent adult or the legally responsible person is

9 27 able to bear all or a portion of the cost of the legal

9 28 counsel or guardian ad litem, the court shall so

9 29 order. In cases where the dependent adult or the

9 30 legally responsible person is unable to bear the cost

9 31 of the legal counsel or guardian ad litem, the expense

9 32 shall be paid by the county.

9 33     7. A person participating in good faith in

9 34 reporting or cooperating with or assisting the

9 35 department in evaluating a case of dependent adult

9 36 abuse has immunity from liability, civil or criminal,

9 37 which might otherwise be incurred or imposed based

9 38 upon the act of making the report or giving the

9 39 assistance. The person has the same immunity with

9 40 respect to participating in good faith in a judicial

9 41 proceeding resulting from the report, cooperation, or

9 42 assistance or relating to the subject matter of the

9 43 report, cooperation, or assistance.

9 44     8. It shall be unlawful for any person or employer

9 45 to discharge, suspend, or otherwise discipline a

9 46 person required to report or voluntarily reporting an

9 47 instance of suspected dependent adult abuse pursuant

9 48 to subsection 2 or 5, or cooperating with, or

9 49 assisting the department in evaluating a case of

9 50 dependent adult abuse, or participating in judicial



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House Amendment 8242 continued

10 1 proceedings relating to the reporting or cooperation  
10 2 or assistance based solely upon the person's reporting  
10 3 or assistance relative to the instance of dependent  
10 4 adult abuse. A person or employer found in violation  
10 5 of this subsection is guilty of a simple misdemeanor.

10 6 9. A person required by this section to report a  
10 7 suspected case of dependent adult abuse pursuant to  
10 8 subsection 2 who knowingly and willfully fails to do  
10 9 so within twenty-four hours commits a simple  
10 10 misdemeanor. A person required by subsection 2 to  
10 11 report a suspected case of dependent adult abuse who  
10 12 knowingly fails to do so or who knowingly interferes  
10 13 with the making of such a report or applies a  
10 14 requirement that results in such a failure is civilly  
10 15 liable for the damages proximately caused by the  
10 16 failure.

10 17 10. The department shall adopt rules which require  
10 18 facilities and programs to separate an alleged  
10 19 dependent adult abuser from a victim following an  
10 20 allegation of perpetration of dependent adult abuse  
10 21 and prior to the completion of an investigation of the  
10 22 allegation.

10 23 11. Upon receiving notice from a credible source,  
10 24 the department shall notify a facility or program that  
10 25 subsequently employs a dependent adult abuser when the  
10 26 notice of investigative findings has been issued.  
10 27 Such notification shall occur prior to the completion  
10 28 of an investigation that is founded for dependent  
10 29 adult abuse.

10 30 12. An inspector of the department may enter any  
10 31 facility or program without a warrant and may examine  
10 32 all records pertaining to residents, employees, former  
10 33 employees, and the alleged dependent adult abuser. An  
10 34 inspector of the department may contact or interview  
10 35 any resident, employee, former employee, or any other  
10 36 person who might have knowledge about the alleged  
10 37 dependent adult abuse. An inspector may take or cause  
10 38 to be taken photographs of the dependent adult abuse  
10 39 victim and the vicinity involved. The department  
10 40 shall obtain consent from the dependent adult abuse  
10 41 victim or guardian or other person with a power of  
10 42 attorney over the dependent adult abuse victim prior  
10 43 to taking photographs of the dependent adult abuse  
10 44 victim.

10 45 13. a. Notwithstanding section 235B.6 and chapter  
10 46 22, an employee organization or union representative  
10 47 may observe an investigative interview conducted by  
10 48 the department of an alleged dependent adult abuser if  
10 49 all of the following conditions are met:

10 50 (1) The alleged dependent adult abuser is part of



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11 1 a bargaining unit that is party to a collective  
11 2 bargaining agreement under chapter 20 or any other  
11 3 applicable state or federal law.  
11 4 (2) The alleged dependent adult abuser requests  
11 5 the presence of a union representative.  
11 6 (3) The union representative maintains the  
11 7 confidentiality of all information from the interview  
11 8 subject to the penalties provided in section 235B.12  
11 9 if such confidentiality is breached.  
11 10 b. This subsection shall only apply to interviews  
11 11 conducted pursuant to this chapter. This subsection  
11 12 does not apply to interviews conducted pursuant to the  
11 13 regulatory activities of chapter 135B, 135C, 231B,  
11 14 231C, or 231D, or any other state or federal law.  
11 15 Sec. 13. NEW SECTION. 235E.3 PREVENTION OF  
11 16 ADDITIONAL DEPENDENT ADULT ABUSE == NOTIFICATION OF  
11 17 RIGHTS.  
11 18 If a peace officer has reason to believe that  
11 19 dependent adult abuse, which is criminal in nature,  
11 20 has occurred in a facility or program, the officer  
11 21 shall use all reasonable means to prevent further  
11 22 dependent adult abuse, including but not limited to  
11 23 any of the following:  
11 24 1. If requested, remaining on the scene as long as  
11 25 there is a danger to the dependent adult's physical  
11 26 safety without the presence of a peace officer,  
11 27 including but not limited to staying in the facility  
11 28 or program, or if unable to remain at the scene,  
11 29 assisting the dependent adult in leaving the facility  
11 30 or program and securing support services or emergency  
11 31 shelter services.  
11 32 2. Assisting the dependent adult in obtaining  
11 33 medical treatment necessitated by the dependent adult  
11 34 abuse, including providing assistance to the dependent  
11 35 adult in obtaining transportation to the emergency  
11 36 room of the nearest hospital.  
11 37 3. Providing a dependent adult with immediate and  
11 38 adequate notice of the dependent adult's rights. The  
11 39 notice shall consist of handing the dependent adult a  
11 40 copy of the following written statement, requesting  
11 41 the dependent adult to read the card and asking the  
11 42 dependent adult whether the dependent adult  
11 43 understands the rights:  
11 44 "a. You have the right to ask the court for the following  
11 45 help on a temporary basis:  
11 46 (1) Keeping the alleged perpetrator away from you, your  
11 47 home, your facility, and your place of work.  
11 48 (2) The right to stay at your home or facility without  
11 49 interference from the alleged perpetrator.  
11 50 (3) Professional counseling for you, your family, or



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12 1 household members, and the alleged perpetrator of the  
12 2 dependent adult abuse.  
12 3 b. If you are in need of medical treatment, you have  
12 4 the right to request that the peace officer present assist  
12 5 you in obtaining transportation to the nearest hospital  
12 6 or otherwise assist you.  
12 7 c. If you believe that police protection is needed  
12 8 for your physical safety, you have the right to request  
12 9 that the peace officer present remain at the scene until  
12 10 you and other affected parties can leave or safety is  
12 11 otherwise ensured."  
12 12 The notice shall also contain the telephone number  
12 13 of the local emergency shelter services, support  
12 14 services, or crisis lines operating in the area.  
12 15 Sec. 14. NEW SECTION. 235E.4 CHAPTER 235B  
12 16 APPLICATION.  
12 17 Sections 235B.4 through 235B.20, not inconsistent  
12 18 with this chapter, shall apply to this chapter.  
12 19 Sec. 15. NEW SECTION. 235E.5 RULEMAKING  
12 20 AUTHORITY.  
12 21 The department, in cooperation and consultation  
12 22 with the dependent adult protective advisory council  
12 23 established in section 235B.1, affected industry  
12 24 representatives, and professional and consumer groups,  
12 25 may adopt rules pursuant to chapter 17A to administer  
12 26 this chapter.>  
12 27 #2. Title page, by striking lines 1 through 3 and  
12 28 inserting the following: <An Act relating to  
12 29 dependent adult abuse in certain facilities and  
12 30 programs and providing penalties.>  
12 31  
12 32  
12 33  
12 34 HUNTER of Polk  
12 35 HF 2591.701 82  
12 36 rh/rj/11387



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## House Amendment 8243

PAG LIN

1 1 Amend House File 2393 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 2.56, subsection 1, Code 2007,  
1 5 is amended to read as follows:  
1 6 1. Prior to debate on the floor of a chamber of  
1 7 the general assembly, a correctional impact statement  
1 8 shall be attached to any bill, joint resolution, or  
1 9 amendment which proposes a change in the law which  
1 10 creates a public offense, significantly changes an  
1 11 existing public offense or the penalty for an existing  
1 12 offense, or changes existing sentencing, parole, or  
1 13 probation procedures. The statement shall include  
1 14 information concerning the estimated number of  
1 15 criminal cases per year that the legislation will  
1 16 impact, the fiscal impact of confining persons  
1 17 pursuant to the legislation, the impact of the  
1 18 legislation on minorities, the impact of the  
1 19 legislation upon existing correctional institutions,  
1 20 community-based correctional facilities and services,  
1 21 and jails, the likelihood that the legislation may  
1 22 create a need for additional prison capacity, and  
1 23 other relevant matters. The statement shall be  
1 24 factual and shall, if possible, provide a reasonable  
1 25 estimate of both the immediate effect and the  
1 26 long-range impact upon prison capacity.  
1 27 Sec. 2. Section 2.56, Code 2007, is amended by  
1 28 adding the following new subsection:  
1 29 NEW SUBSECTION. 4A. The legislative services  
1 30 agency in cooperation with the division of criminal  
1 31 and juvenile justice planning of the department of  
1 32 human rights shall develop a protocol for analyzing  
1 33 the impact of the legislation on minorities.  
1 34 Sec. 3. NEW SECTION. 8.11 GRANT APPLICATIONS ==  
1 35 MINORITY IMPACT STATEMENTS.  
1 36 1. Each application for a grant from a state  
1 37 agency shall include a minority impact statement that  
1 38 contains the following information:  
1 39 a. Any disproportionate or unique impact of  
1 40 proposed policies or programs on minority persons in  
1 41 this state.  
1 42 b. A rationale for the existence of programs or  
1 43 policies having an impact on minority persons in this  
1 44 state.  
1 45 c. Evidence of consultation of representatives of  
1 46 minority persons in cases where a policy or program  
1 47 has an identifiable impact on minority persons in this  
1 48 state.  
1 49 2. For the purposes of this section, the following  
1 50 definitions shall apply:



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2 1 a. "Disability" means the same as provided in  
2 2 section 15.102, subsection 5, paragraph "b",  
2 3 subparagraph (1).  
2 4 b. "Minority persons" includes individuals who are  
2 5 women, persons with a disability, Blacks, Latinos,  
2 6 Asians or Pacific Islanders, American Indians, and  
2 7 Alaskan Native Americans.  
2 8 c. "State agency" means a department, board,  
2 9 bureau, commission, or other agency or authority of  
2 10 the state of Iowa.  
2 11 3. The office of grants enterprise management  
2 12 shall create and distribute a minority impact  
2 13 statement form for state agencies and ensure its  
2 14 inclusion with applications for grants.  
2 15 4. The directives of this section shall be carried  
2 16 out to the extent consistent with federal law.  
2 17 5. The minority impact statement shall be used for  
2 18 informational purposes.  
2 19 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This  
2 20 Act takes effect July 1, 2008, and shall apply to  
2 21 grants for which applications are due beginning  
2 22 January 1, 2009.>  
2 23 #2. Title page, by striking lines 1 through 4 and  
2 24 inserting the following: <An Act providing  
2 25 requirements for minority impact statements in  
2 26 relation to state grant applications and correctional  
2 27 impact statements for legislation, and providing  
2 28 effective and applicability dates.>  
2 29 #3. By renumbering as necessary.  
2 30  
2 31  
2 32  
2 33 SMITH of Marshall  
2 34  
2 35  
2 36  
2 37 FORD of Polk  
2 38  
2 39  
2 40  
2 41 SWAIM of Davis  
2 42  
2 43  
2 44  
2 45 ABDUL-SAMAD of Polk  
2 46  
2 47  
2 48  
2 49 TOMENGA of Polk  
2 50



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House Amendment 8243 continued

3 1  
3 2  
3 3 HEATON of Henry  
3 4 HF 2393.501 82  
3 5 ak/nh/11231



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House Amendment 8244

PAG LIN

1 1 Amend Senate File 2347, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, lines 12 and 13, by striking the words  
1 4 <rebuild Iowa infrastructure fund> and inserting the  
1 5 following: <general fund of the state>.  
1 6 #2. Page 2, by striking lines 18 and 19 and  
1 7 inserting the following: <established in section  
1 8 47.10:>  
1 9 #3. Page 2, line 26, by striking the words  
1 10 <rebuild Iowa infrastructure fund> and inserting the  
1 11 following: <general fund of the state>.  
1 12 #4. By striking page 3, line 7, through page 4,  
1 13 line 9.  
1 14 #5. Title page, line 4, by striking the words  
1 15 <reducing certain appropriations,>.  
1 16 #6. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 JACOBS of Polk  
1 21  
1 22  
1 23  
1 24 RAECKER of Polk  
1 25 SF 2347.201 82  
1 26 sc/rj/5633  
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House Amendment 8245

PAG LIN

1 1 Amend Senate File 2089, as passed by the Senate, as  
1 2 follows:

1 3 #1. Page 1, line 5, by inserting after the word  
1 4 <application> the following: <on a sheet of paper no  
1 5 smaller than three by five inches in size>.

1 6 #2. Page 1, by inserting before line 16, the  
1 7 following:

1 8 <Sec. \_\_\_\_\_. Section 53.2, subsection 4, Code  
1 9 Supplement 2007, is amended to read as follows:  
1 10 4. Each application shall contain the name and  
1 11 signature of the registered voter, the registered  
1 12 voter's date of birth, the address at which the voter  
1 13 is registered to vote, and the name or date of the  
1 14 election for which the absentee ballot is requested,  
1 15 and such other information as may be necessary to  
1 16 determine the correct absentee ballot for the  
1 17 registered voter. If insufficient information has  
1 18 been provided, either on the prescribed form or on an  
1 19 application created by the applicant, the commissioner  
1 20 shall, by the best means available, obtain the  
1 21 additional necessary information.>

1 22 #3. Page 1, by inserting before line 16 the  
1 23 following:

1 24 <Sec. \_\_\_\_\_. Section 53.3, Code 2007, is amended to  
1 25 read as follows:

1 26 53.3 ~~RECEIPT REQUIRED~~ REQUIREMENTS FOR CERTAIN  
1 27 ABSENTEE BALLOT APPLICATIONS == PRESCRIBED FORM ==  
1 28 RECEIPT.

1 29 1. When an application for an absentee ballot is  
1 30 solicited by, or collected for return to the  
1 31 commissioner by, a person acting as an actual or  
1 32 implied agent for a political party, candidate, or  
1 33 committee, as defined by chapter 68A, the person shall  
1 34 provide the applicant with the form prescribed by the  
1 35 state commissioner.

1 36 2. a. When an application for an absentee ballot  
1 37 is solicited by, and returned to the commissioner by,  
1 38 a person acting as an actual or implied agent for a  
1 39 political party, candidate, or committee, as defined  
1 40 by chapter 68A, the person shall issue to the  
1 41 applicant a receipt for the completed application.

1 42 b. The receipt shall contain the following  
1 43 information:

1 44 ~~1.~~ (1) The name of the applicant.

1 45 ~~2.~~ (2) The date and time the completed application  
1 46 was received from the applicant.

1 47 ~~3.~~ (3) The name and date of the election for which  
1 48 the application is being completed.

1 49 ~~4.~~ (4) The name of the political party, candidate,  
1 50 or committee for whom the person is soliciting and



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House Amendment 8245 continued

2 1 returning the application for the absentee ballot.  
2 2 ~~5.~~ (5) The name of the person acting as an actual  
2 3 or implied agent for the political party, candidate,  
2 4 or committee.  
2 5 ~~6.~~ (6) A statement that the application will be  
2 6 delivered to the appropriate commissioner within  
2 7 seventy-two hours of the date and time the completed  
2 8 application was received from the applicant or no  
2 9 later than five p.m. on the Friday before the  
2 10 election, whichever is earlier.  
2 11 ~~7.~~ (7) A statement that an absentee ballot will be  
2 12 mailed to the applicant within twenty-four hours after  
2 13 the ballot for the election is available.  
2 14 c. The commissioner shall make receipt forms  
2 15 required by this section available for photocopying at  
2 16 the expense of the political party, candidate, or  
2 17 committee.>  
2 18 #4. By renumbering as necessary.  
2 19  
2 20  
2 21  
2 22 COMMITTEE ON STATE GOVERNMENT  
2 23 MASCHER of Johnson, CHAIRPERSON  
2 24 SF 2089.203 82  
2 25 sc/nh/11341



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House Amendment 8246

PAG LIN

1 1 Amend House File 2624 as follows:  
1 2 #1. Page 1, line 6, by striking the words  
1 3 <exonerate the person> and inserting the following:  
1 4 <expunge the record>.  
1 5 #2. Page 1, by striking lines 9 and 10 and  
1 6 inserting the following: <two-year period, the  
1 7 records shall be expunged. The court shall enter an  
1 8 order>.  
1 9 #3. Page 1, line 11, by striking the words  
1 10 <exonerating the person> and inserting the following:  
1 11 <expunging the record>.  
1 12 #4. Page 1, line 11, by striking the word  
1 13 <ordering> and inserting the following: <order>.  
1 14  
1 15  
1 16  
1 17 STRUYK of Pottawattamie  
1 18 HF 2624.701 82  
1 19 jm/rj/20895  
1 20  
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House Amendment 8247

PAG LIN

1 1 Amend House File 2617 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. NEW SECTION. 504.132 SECRETARY OF  
1 5 STATE == INTERNET SITE.  
1 6 The secretary of state shall place on the secretary  
1 7 of state's internet site a link to the internal  
1 8 revenue service's internet site for internal revenue  
1 9 service forms 990 and 990EZ.>  
1 10 #2. Title page, by striking lines 1 through 4 and  
1 11 inserting the following: <An Act requiring certain  
1 12 links on the internet site of the secretary of state.>  
1 13  
1 14  
1 15  
1 16 MASCHER of Johnson  
1 17 HF 2617.201 82  
1 18 jm/rj/20908  
1 19  
1 20  
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House Amendment 8248

PAG LIN

1 1 Amend House File 2527 as follows:  
1 2 #1. Page 1, line 25, by striking the words <an  
1 3 aggravated misdemeanor> and inserting the following:  
1 4 <indecent exposure by electronic transmission of an  
1 5 image>.  
1 6 #2. By striking page 1, line 30, through page 2,  
1 7 line 3, and inserting the following:  
1 8 <2. A person who commits indecent exposure by  
1 9 electronic transmission of an image is guilty of an  
1 10 aggravated misdemeanor.>  
1 11  
1 12  
1 13  
1 14 BERRY of Black Hawk  
1 15 HF 2527.301 82  
1 16 jm/nh/20854  
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House Amendment 8249

PAG LIN

1 1 Amend House File 2326 as follows:  
1 2 #1. Page 1, by striking lines 1 and 2 and  
1 3 inserting the following:  
1 4 <Section 1. Section 88A.3, Code 2007, is amended  
1 5 to read as follows:  
1 6 88A.3 RULES.  
1 7 The commissioner shall adopt ~~and issue~~ rules for  
1 8 the safe installation, repair, maintenance, use,  
1 9 operation, and inspection of amusement devices,  
1 10 amusement rides, concession booths, and related  
1 11 electrical equipment at carnivals and fairs to the  
1 12 extent necessary for the protection of the public.  
1 13 The rules shall be based ~~upon~~ on generally accepted  
1 14 engineering standards and shall be concerned with, but  
1 15 not necessarily limited to, engineering force  
1 16 stresses, safety devices, and preventive maintenance.  
1 17 ~~Whenever such~~ If standards are available in suitable  
1 18 form ~~they, the standards~~ may be incorporated by  
1 19 reference. The rules shall provide for the reporting  
1 20 of accidents and injuries incurred from the operation  
1 21 of amusement devices or rides, concession booths, or  
1 22 related electrical equipment.  
1 23 The commissioner may modify or repeal any rule  
1 24 adopted under the provisions of this chapter.  
1 25 Sec. 2. Section 88A.4, Code 2007, is amended to  
1 26 read as follows:  
1 27 88A.4 PERMIT AND INSPECTION FEES ~~== NONLIABILITY~~  
1 28 AND SPECIAL INSPECTORS.  
1 29 Annual inspection fees under this chapter shall be  
1 30 as follows:  
1 31 1. Permit fees.  
1 32 a. One through ten rides, or devices or  
1 33 concessions, ~~twenty~~ thirty dollars.  
1 34 b. Eleven or more rides, or devices or  
1 35 concessions, ~~thirty~~ forty dollars.  
1 36 2. Mechanical and electrical inspection fees for  
1 37 amusement rides and devices.  
1 38 a. For rides which are designed for seventy-five  
1 39 pounds or less per passenger unit, ~~sixty~~ seventy-five  
1 40 dollars for each inspection.  
1 41 b. For rides which are designed for seventy-five  
1 42 pounds or more and for which the manufacturer's  
1 43 recommended assembly time is less than forty work  
1 44 hours, ~~ninety~~ one hundred ten dollars for each  
1 45 inspection.  
1 46 c. For rides for which the manufacturer's  
1 47 recommended assembly time is forty work hours or more,  
1 48 ~~one hundred twenty~~ two hundred fifty dollars for each  
1 49 inspection.  
1 50 3. Electrical inspection of concession booths, and



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House Amendment 8249 continued

2 1 amusement devices fees, ~~thirty=~~five forty dollars  
2 2 each.  
2 3 4. ~~Special inspectors authorization fee,~~  
~~2 4 twenty=~~five dollars each. The special inspectors  
~~2 5 authorization shall allow a person to perform~~  
~~2 6 inspections only on rides, devices, and concession~~  
~~2 7 booths of an operator who makes the request for the~~  
~~2 8 special inspectors authorization. The failure of a~~  
~~2 9 special inspector to inform the commissioner of~~  
~~2 10 violations shall not subject the commissioner to~~  
~~2 11 liability for any damages incurred.~~  
2 12 Sec. 3. EFFECTIVE DATE. The portion of the  
2 13 section of this Act amending section 88A.4,  
2 14 subsections 1 through 3, takes effect January 1,  
2 15 2009.>  
2 16 #2. Title page, line 1, by striking the words  
2 17 <inspections conducted by> and inserting the  
2 18 following: <inspection fees and>.  
2 19 #3. Title page, line 3, by inserting after the  
2 20 word <development> the following: <and providing an  
2 21 effective date>.  
2 22  
2 23  
2 24  
2 25 HUSER of Polk  
2 26 HF 2326.701 82  
2 27 ak/rj/5634



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# House Concurrent Resolution 107 - Introduced

PAG LIN

H.C.R. \_\_\_\_\_ S.C.R. \_\_\_\_\_

1 1                                   HOUSE CONCURRENT RESOLUTION NO.  
 1 2   BY MASCHER  
 1 3 A Concurrent Resolution recognizing the rights of workers  
 1 4     in Iowa's meatpacking industry.  
 1 5     WHEREAS, the State of Iowa is home to a significant  
 1 6 meatpacking industry with thousands of workers; and  
 1 7     WHEREAS, the State of Iowa advocates safe work practices  
 1 8 and responsible management; and  
 1 9     WHEREAS, the State of Iowa believes that all workers in  
 1 10 this state should be treated with dignity and respect; NOW  
 1 11 THEREFORE,  
 1 12     BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE  
 1 13 CONCURRING, That the General Assembly supports the following  
 1 14 rights for workers in Iowa's meatpacking industry:  
 1 15     1. The right to organize.  
 1 16     2. The right to a safe workplace.  
 1 17     3. The right to adequate facilities and the opportunity to  
 1 18 use them.  
 1 19     4. The right to adequate equipment.  
 1 20     5. The right to complete information.  
 1 21     6. The right to understand information the worker is  
 1 22 entitled to know.  
 1 23     7. The right to existing state and federal benefits and  
 1 24 rights.  
 1 25     8. The right to be free from discrimination.  
 1 26     9. The right to continuing training, including supervisor  
 1 27 training.  
 1 28     10. The right to compensation for work performed.  
 1 29     11. The right to seek help from the state.  
 1 30     BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
 1 31 SENATE CONCURRING, That the General Assembly recognizes the  
 1 32 importance of these rights for workers in Iowa's meatpacking  
 1 33 industry.  
 1 34 LSB 6582HH 82  
 1 35 ak/nh/14



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# House Concurrent Resolution 108 - Introduced

PAG LIN

H.C.R. \_\_\_\_\_ S.C.R. \_\_\_\_\_

1 1                                   HOUSE CONCURRENT RESOLUTION NO.  
 1 2   BY SMITH and FOEGE  
 1 3 A Concurrent Resolution urging the United States  
 1 4    Congress to adopt a budget that meets the needs  
 1 5    of Iowa's children and families, restores funding  
 1 6    for human needs, and avoids shifting the  
 1 7    responsibility for funding of necessary human  
 1 8    needs from the federal to state government.  
 1 9    WHEREAS, President Bush's proposed federal fiscal year 2009  
 1 10 budget calls for cuts in appropriations for the Medicaid and  
 1 11 Medicare programs and inadequately funds the State Children's  
 1 12 Health Insurance Program (SCHIP), known in Iowa as hawk=i, at  
 1 13 a time when expanding health coverage for children is a  
 1 14 priority; and  
 1 15    WHEREAS, the President's budget calls for deep cuts or no  
 1 16 inflationary adjustments to appropriations for key domestic  
 1 17 human needs programs; and  
 1 18    WHEREAS, the President's budget is based on questionable  
 1 19 assumptions and unrealistic revenue and cost projections,  
 1 20 incorporates unsustainable tax cuts, and seriously understates  
 1 21 its full impact on Iowa and other states; and  
 1 22    WHEREAS, according to the most recent United States Census  
 1 23 Bureau data from 2006, a total of 38.8 million people in this  
 1 24 country are living in poverty, an increase of 4.9 million  
 1 25 people since 2000, and 13.3 million of the total are children;  
 1 26 in Iowa, according to the 2006 data, 316,022 people were  
 1 27 living in poverty, including 95,696 children; and  
 1 28    WHEREAS, the President's budget would cut the federal  
 1 29 Social Services Block Grant for federal fiscal year 2009 and  
 1 30 eliminate the block grant entirely in federal fiscal year  
 1 31 2010; the block grant provides a flexible source of federal  
 1 32 funds used for a wide range of social services in Iowa; and  
 1 33    WHEREAS, the President's budget cuts the Low Income Home  
 1 34 Energy Assistance Program (LIHEAP) by 22 percent despite  
 1 35 skyrocketing energy costs, with nearly 22,000 Iowa households



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House Concurrent Resolution 108 - Introduced continued

2 1 potentially losing assistance at a time when home heating  
2 2 costs for the average family have increased nearly 80 percent  
2 3 since 2001; and  
2 4 WHEREAS, the President's budget would eliminate the federal  
2 5 Community Services Block Grant that helps maintain the network  
2 6 of community action agencies and rural outreach offices across  
2 7 Iowa, which are often the only places where low-income local  
2 8 residents can get assistance; eliminating the block grant  
2 9 would close Iowa's 91 outreach offices and the Red Rock  
2 10 Community Action Agency, leaving more than 300,000 low-income  
2 11 Iowans, including 126,000 children, without much-needed  
2 12 assistance; and  
2 13 WHEREAS, the President's budget inadequately funds the Head  
2 14 Start Program, threatening the quality of services offered and  
2 15 possibly forcing children out of the program; and  
2 16 WHEREAS, the President's budget offers no increase in  
2 17 funding for the federal Child Care and Development Block  
2 18 Grant, which would result in fewer low-income families having  
2 19 access to vital child care services to maintain employment;  
2 20 and  
2 21 WHEREAS, the underfunding of the SCHIP Program (hawk=i) in  
2 22 the President's budget would result in budget shortfalls that  
2 23 will make greater demands of Iowa taxpayers or drive Iowa  
2 24 children from the program and into the escalating ranks of the  
2 25 uninsured; NOW THEREFORE,  
2 26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE  
2 27 CONCURRING, That the General Assembly calls upon the United  
2 28 States Congress to adopt a budget that adequately meets the  
2 29 needs of Iowa children and families; and  
2 30 BE IT FURTHER RESOLVED, That the General Assembly calls  
2 31 upon Congress to adopt a budget that restores much needed  
2 32 funding to human needs programs to at least the federal fiscal  
2 33 year 2005 budget levels, as adjusted for inflation; and  
2 34 BE IT FURTHER RESOLVED, That the General Assembly calls  
2 35 upon the Congress to adopt a budget that does not unfairly



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House Concurrent Resolution 108 - Introduced continued

3 1 shift the federal government's responsibility to provide  
3 2 funding for human needs onto Iowa and the other states; and  
3 3 BE IT FURTHER RESOLVED, That upon passage of this  
3 4 resolution, suitable copies of the resolution shall be  
3 5 transmitted to the members of Iowa's congressional delegation,  
3 6 the President of the United States, and the federal Office of  
3 7 Management and Budget.  
3 8 LSB 6591HH 82  
3 9 jp/nh/5.1



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**House File 2660 - Introduced**

HOUSE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 773)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to and making appropriations to the justice
- 2 system.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5007HV 82
- 5 jm/jp/8



**Iowa General Assembly  
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House File 2660 - Introduced continued

PAG LIN

1 1 Section 1. DEPARTMENT OF JUSTICE.

1 2 1. There is appropriated from the general fund of the

1 3 state to the department of justice for the fiscal year

1 4 beginning July 1, 2008, and ending June 30, 2009, the

1 5 following amounts, or so much thereof as is necessary, to be

1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for

1 8 salaries, support, maintenance, and miscellaneous purposes,

1 9 including the prosecuting attorneys training program, victim

1 10 assistance grants, office of drug control policy (ODCP)

1 11 prosecuting attorney program, and odometer fraud enforcement,

1 12 and for not more than the following full-time equivalent

1 13 positions:

1 14 .....	\$ 9,437,720
1 15 .....	FTEs 226.50

1 16 It is the intent of the general assembly that as a

1 17 condition of receiving the appropriation provided in this

1 18 lettered paragraph, the department of justice shall maintain a

1 19 record of the estimated time incurred representing each agency

1 20 or department.

1 21 b. For victim assistance grants:

1 22 .....	\$ 150,000
------------	------------

1 23 The funds appropriated in this lettered paragraph shall be

1 24 used to provide grants to care providers providing services to

1 25 crime victims of domestic abuse or to crime victims of rape

1 26 and sexual assault.

1 27 The balance of the victim compensation fund established in

1 28 section 915.94 may be used to provide salary and support of

1 29 not more than 22 FTEs and to provide maintenance for the

1 30 victim compensation functions of the department of justice.

1 31 As a condition of receiving the appropriation in this

1 32 lettered paragraph, the department of justice shall transfer

1 33 at least \$3,200,000 from the victim compensation fund

1 34 established in section 915.94 to the victim assistance grant

1 35 program.



**Iowa General Assembly  
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House File 2660 - Introduced continued

2 1 As a condition of receiving the appropriation in this  
 2 2 lettered paragraph, the department of justice shall transfer  
 2 3 at least \$600,000 from the proceeds of forfeited property  
 2 4 delivered to the department pursuant to section 809A.17 to be  
 2 5 used for the victim assistance grant program.  
 2 6 c. For legal services for persons in poverty grants as  
 2 7 provided in section 13.34:  
 2 8 ..... \$ 2,000,000  
 2 9 d. For the purpose of funding farm mediation services and  
 2 10 other farm assistance program provisions in accordance with  
 2 11 sections 13.13 through 13.24:  
 2 12 ..... \$ 300,000  
 2 13 2. a. The department of justice, in submitting budget  
 2 14 estimates for the fiscal year commencing July 1, 2009,  
 2 15 pursuant to section 8.23, shall include a report of funding  
 2 16 from sources other than amounts appropriated directly from the  
 2 17 general fund of the state to the department of justice or to  
 2 18 the office of consumer advocate. These funding sources shall  
 2 19 include but are not limited to reimbursements from other state  
 2 20 agencies, commissions, boards, or similar entities, and  
 2 21 reimbursements from special funds or internal accounts within  
 2 22 the department of justice. The department of justice shall  
 2 23 also report actual reimbursements for the fiscal year  
 2 24 commencing July 1, 2007, and actual and expected  
 2 25 reimbursements for the fiscal year commencing July 1, 2008.  
 2 26 b. The department of justice shall include the report  
 2 27 required under paragraph "a", as well as information regarding  
 2 28 any revisions occurring as a result of reimbursements actually  
 2 29 received or expected at a later date, in a report to the co=  
 2 30 chairpersons and ranking members of the joint appropriations  
 2 31 subcommittee on the justice system and the legislative  
 2 32 services agency. The department of justice shall submit the  
 2 33 report on or before January 15, 2009.  
 2 34 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
 2 35 appropriated from the general fund of the state to the office



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House File 2660 - Introduced continued

3 1 of consumer advocate of the department of justice for the  
 3 2 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 3 3 the following amount, or so much thereof as is necessary, to  
 3 4 be used for the purposes designated:  
 3 5     For salaries, support, maintenance, miscellaneous purposes,  
 3 6 and for not more than the following full-time equivalent  
 3 7 positions:  
 3 8 ..... \$ 3,101,884  
 3 9 ..... FTEs 27.00  
 3 10     Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.  
 3 11     1. There is appropriated from the general fund of the  
 3 12 state to the department of corrections for the fiscal year  
 3 13 beginning July 1, 2008, and ending June 30, 2009, the  
 3 14 following amounts, or so much thereof as is necessary, to be  
 3 15 used for the purposes designated:  
 3 16     For the operation of adult correctional institutions,  
 3 17 reimbursement of counties for certain confinement costs, and  
 3 18 federal prison reimbursement, to be allocated as follows:  
 3 19     a. For the operation of the Fort Madison correctional  
 3 20 facility, including salaries, support, maintenance, and  
 3 21 miscellaneous purposes:  
 3 22 ..... \$ 44,512,509  
 3 23     b. For the operation of the Anamosa correctional facility,  
 3 24 including salaries, support, maintenance, and miscellaneous  
 3 25 purposes:  
 3 26 ..... \$ 30,894,866  
 3 27     Moneys are provided within this appropriation for one full-  
 3 28 time substance abuse counselor for the Luster Heights facility  
 3 29 for the purpose of certification of a substance abuse program  
 3 30 at that facility.  
 3 31     c. For the operation of the Oakdale correctional facility,  
 3 32 including salaries, support, maintenance, and miscellaneous  
 3 33 purposes:  
 3 34 ..... \$ 56,204,468  
 3 35     d. For the operation of the Newton correctional facility,



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House File 2660 - Introduced continued

4 1 including salaries, support, maintenance, and miscellaneous  
 4 2 purposes:  
 4 3 ..... \$ 27,841,158  
 4 4 e. For the operation of the Mt. Pleasant correctional  
 4 5 facility, including salaries, support, maintenance, and  
 4 6 miscellaneous purposes:  
 4 7 ..... \$ 26,331,092  
 4 8 f. For the operation of the Rockwell City correctional  
 4 9 facility, including salaries, support, maintenance, and  
 4 10 miscellaneous purposes:  
 4 11 ..... \$ 9,166,484  
 4 12 g. For the operation of the Clarinda correctional  
 4 13 facility, including salaries, support, maintenance, and  
 4 14 miscellaneous purposes:  
 4 15 ..... \$ 25,078,365  
 4 16 Moneys received by the department of corrections as  
 4 17 reimbursement for services provided to the Clarinda youth  
 4 18 corporation are appropriated to the department and shall be  
 4 19 used for the purpose of operating the Clarinda correctional  
 4 20 facility.  
 4 21 h. For the operation of the Mitchellville correctional  
 4 22 facility, including salaries, support, maintenance, and  
 4 23 miscellaneous purposes:  
 4 24 ..... \$ 15,878,663  
 4 25 i. For the operation of the Fort Dodge correctional  
 4 26 facility, including salaries, support, maintenance, and  
 4 27 miscellaneous purposes:  
 4 28 ..... \$ 29,715,121  
 4 29 j. For reimbursement of counties for temporary confinement  
 4 30 of work release and parole violators, as provided in sections  
 4 31 901.7, 904.908, and 906.17, and for offenders confined  
 4 32 pursuant to section 904.513:  
 4 33 ..... \$ 967,983  
 4 34 k. For federal prison reimbursement, reimbursements for  
 4 35 out-of-state placements, and miscellaneous contracts:



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House File 2660 - Introduced continued

5 1 ..... \$ 241,293

5 2 2. The department of corrections shall use funds

5 3 appropriated in subsection 1 to continue to contract for the

5 4 services of a Muslim imam.

5 5 3. It is the intent of the general assembly that if

5 6 \$382,288 in additional funding becomes available, the funds

5 7 will be appropriated for eight additional correctional officer

5 8 positions to be distributed between the Anamosa correctional

5 9 facility and the Mt. Pleasant correctional facility.

5 10 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.

5 11 1. There is appropriated from the general fund of the

5 12 state to the department of corrections for the fiscal year

5 13 beginning July 1, 2008, and ending June 30, 2009, the

5 14 following amounts, or so much thereof as is necessary, to be

5 15 used for the purposes designated:

5 16 a. For general administration, including salaries,

5 17 support, maintenance, employment of an education director to

5 18 administer a centralized education program for the

5 19 correctional system, and miscellaneous purposes:

5 20 ..... \$ 5,050,732

5 21 (1) It is the intent of the general assembly that as a

5 22 condition of receiving the appropriation provided in this

5 23 lettered paragraph the department of corrections shall not,

5 24 except as otherwise provided in subparagraph (3), enter into a

5 25 new contract, unless the contract is a renewal of an existing

5 26 contract, for the expenditure of moneys in excess of \$100,000

5 27 during the fiscal year beginning July 1, 2008, for the

5 28 privatization of services performed by the department using

5 29 state employees as of July 1, 2008, or for the privatization

5 30 of new services by the department without prior consultation

5 31 with any applicable state employee organization affected by

5 32 the proposed new contract and prior notification of the co=

5 33 chairpersons and ranking members of the joint appropriations

5 34 subcommittee on the justice system.

5 35 (2) It is the intent of the general assembly that each



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6 1 lease negotiated by the department of corrections with a  
6 2 private corporation for the purpose of providing private  
6 3 industry employment of inmates in a correctional institution  
6 4 shall prohibit the private corporation from utilizing inmate  
6 5 labor for partisan political purposes for any person seeking  
6 6 election to public office in this state and that a violation  
6 7 of this requirement shall result in a termination of the lease  
6 8 agreement.

6 9 (3) It is the intent of the general assembly that as a  
6 10 condition of receiving the appropriation provided in this  
6 11 lettered paragraph the department of corrections shall not  
6 12 enter into a lease or contractual agreement pursuant to  
6 13 section 904.809 with a private corporation for the use of  
6 14 building space for the purpose of providing inmate employment  
6 15 without providing that the terms of the lease or contract  
6 16 establish safeguards to restrict, to the greatest extent  
6 17 feasible, access by inmates working for the private  
6 18 corporation to personal identifying information of citizens.

6 19 b. For educational programs for inmates at state penal  
6 20 institutions:

6 21 ..... \$ 1,570,358

6 22 As a condition of receiving the appropriation in this  
6 23 lettered paragraph, the department of corrections shall  
6 24 transfer at least \$300,000 from the canteen operating funds  
6 25 established pursuant to section 904.310 to be used for  
6 26 correctional educational programs funded in this lettered  
6 27 paragraph. In addition, as a condition of receiving the  
6 28 appropriation made in this lettered paragraph, the department  
6 29 of corrections shall expend, from the funds available to the  
6 30 department, at least \$300,000 more in the fiscal year  
6 31 beginning July 1, 2008, and ending June 30, 2009, than was  
6 32 expended in the previous fiscal year, for correctional  
6 33 education programs.

6 34 It is the intent of the general assembly that moneys  
6 35 appropriated in this lettered paragraph shall be used solely



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House File 2660 - Introduced continued

7 1 for the purpose indicated and that the moneys shall not be  
7 2 transferred for any other purpose. In addition, it is the  
7 3 intent of the general assembly that the department shall  
7 4 consult with the community colleges in the areas in which the  
7 5 institutions are located to utilize moneys appropriated in  
7 6 this lettered paragraph to fund the high school completion,  
7 7 high school equivalency diploma, adult literacy, and adult  
7 8 basic education programs in a manner so as to maintain these  
7 9 programs at the institutions.

7 10 To maximize the funding for educational programs, the  
7 11 department shall establish guidelines and procedures to  
7 12 prioritize the availability of educational and vocational  
7 13 training for inmates based upon the goal of facilitating an  
7 14 inmate's successful release from the correctional institution.

7 15 The director of the department of corrections may transfer  
7 16 moneys from Iowa prison industries for use in educational  
7 17 programs for inmates.

7 18 Notwithstanding section 8.33, moneys appropriated in this  
7 19 lettered paragraph that remain unobligated or unexpended at  
7 20 the close of the fiscal year shall not revert but shall remain  
7 21 available for expenditure only for the purpose designated in  
7 22 this lettered paragraph until the close of the succeeding  
7 23 fiscal year.

7 24 c. For the development of the Iowa corrections offender  
7 25 network (ICON) data system:

7 26 ..... \$ 427,700

7 27 d. For offender mental health and substance abuse  
7 28 treatment:

7 29 ..... \$ 25,000

7 30 e. For viral hepatitis prevention and treatment:

7 31 ..... \$ 188,000

7 32 2. It is the intent of the general assembly that the  
7 33 department of corrections shall continue to operate the  
7 34 correctional farms under the control of the department at the  
7 35 same or greater level of participation and involvement as



**Iowa General Assembly  
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House File 2660 - Introduced continued

8 1 existed as of January 1, 2008; shall not enter into any rental  
 8 2 agreement or contract concerning any farmland under the  
 8 3 control of the department that is not subject to a rental  
 8 4 agreement or contract as of January 1, 2008, without prior  
 8 5 legislative approval; and shall further attempt to provide job  
 8 6 opportunities at the farms for inmates. The department shall  
 8 7 attempt to provide job opportunities at the farms for inmates  
 8 8 by encouraging labor-intensive farming or gardening where  
 8 9 appropriate; using inmates to grow produce and meat for  
 8 10 institutional consumption; researching the possibility of  
 8 11 instituting food canning and cook-and-chill operations; and  
 8 12 exploring opportunities for organic farming and gardening,  
 8 13 livestock ventures, horticulture, and specialized crops.

8 14 3. The department of corrections shall provide a smoking  
 8 15 cessation program to offenders committed to the custody of the  
 8 16 director or who are otherwise detained by the department, that  
 8 17 complies with legislation enacted restricting or prohibiting  
 8 18 smoking on the grounds of correctional institutions.

8 19 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
 8 20 SERVICES.

8 21 1. There is appropriated from the general fund of the  
 8 22 state to the department of corrections for the fiscal year  
 8 23 beginning July 1, 2008, and ending June 30, 2009, for the  
 8 24 treatment and supervision of probation and parole violators  
 8 25 who have been released from the department of corrections  
 8 26 violator program, the following amounts, or so much thereof as  
 8 27 is necessary, to be allocated as follows:

- 8 28 a. For the first judicial district department of  
 8 29 correctional services:  
 8 30 ..... \$ 12,912,033
- 8 31 b. For the second judicial district department of  
 8 32 correctional services:  
 8 33 ..... \$ 10,669,139
- 8 34 c. For the third judicial district department of  
 8 35 correctional services:



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House File 2660 - Introduced continued

9 1 ..... \$ 5,903,401  
 9 2 d. For the fourth judicial district department of  
 9 3 correctional services:  
 9 4 ..... \$ 5,419,406  
 9 5 e. For the fifth judicial district department of  
 9 6 correctional services, including funding for electronic  
 9 7 monitoring devices for use on a statewide basis:  
 9 8 ..... \$ 18,276,003  
 9 9 f. For the sixth judicial district department of  
 9 10 correctional services:  
 9 11 ..... \$ 12,475,246  
 9 12 The sixth judicial district department of correctional  
 9 13 services shall maintain a youth leadership model program to  
 9 14 help at-risk youth. As a part of the program, the district  
 9 15 department may recruit college or high school students in the  
 9 16 judicial district to work with at-risk youth. The student  
 9 17 workers shall be recruited regardless of gender and be  
 9 18 recommended by their respective schools as good role models,  
 9 19 including but not limited to students who possess capabilities  
 9 20 in one or more of the following areas of ability:  
 9 21 intellectual capacity, athletics, visual arts, or performing  
 9 22 arts.  
 9 23 g. For the seventh judicial district department of  
 9 24 correctional services:  
 9 25 ..... \$ 7,020,794  
 9 26 h. For the eighth judicial district department of  
 9 27 correctional services:  
 9 28 ..... \$ 6,998,544  
 9 29 2. Each judicial district department of correctional  
 9 30 services, within the funding available, shall continue  
 9 31 programs and plans established within that district to provide  
 9 32 for intensive supervision, sex offender treatment, diversion  
 9 33 of low-risk offenders to the least restrictive sanction  
 9 34 available, job development, and expanded use of intermediate  
 9 35 criminal sanctions.



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10 1 3. Each judicial district department of correctional  
10 2 services shall provide alternatives to prison consistent with  
10 3 chapter 901B. The alternatives to prison shall ensure public  
10 4 safety while providing maximum rehabilitation to the offender.  
10 5 A judicial district department of correctional services may  
10 6 also establish a day program.

10 7 4. The governor's office of drug control policy shall  
10 8 consider federal grants made to the department of corrections  
10 9 for the benefit of each of the eight judicial district  
10 10 departments of correctional services as local government  
10 11 grants, as defined pursuant to federal regulations.

10 12 5. The department of corrections shall continue to  
10 13 contract with a judicial district department of correctional  
10 14 services to provide for the rental of electronic monitoring  
10 15 equipment which shall be available statewide.

10 16 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF  
10 17 APPROPRIATIONS. Notwithstanding section 8.39, within the  
10 18 funds appropriated in this Act to the department of  
10 19 corrections, the department may reallocate the funds  
10 20 appropriated and allocated as necessary to best fulfill the  
10 21 needs of the correctional institutions, administration of the  
10 22 department, and the judicial district departments of  
10 23 correctional services. However, in addition to complying with  
10 24 the requirements of sections 904.116 and 905.8 and providing  
10 25 notice to the legislative services agency, the department of  
10 26 corrections shall also provide notice to the department of  
10 27 management, prior to the effective date of the revision or  
10 28 reallocation of an appropriation made pursuant to this  
10 29 section. The department shall not reallocate an appropriation  
10 30 or allocation for the purpose of eliminating any program.

10 31 Sec. 7. INTENT == REPORTS.

10 32 1. The department in cooperation with townships, the Iowa  
10 33 cemetery associations, and other nonprofit or governmental  
10 34 entities may use inmate labor during the fiscal year beginning  
10 35 July 1, 2008, to restore or preserve rural cemeteries and



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11 1 historical landmarks. The department in cooperation with the  
11 2 counties may also use inmate labor to clean up roads, major  
11 3 water sources, and other water sources around the state.

11 4 2. Each month the department shall provide a status report  
11 5 regarding private-sector employment to the legislative  
11 6 services agency beginning on July 1, 2008. The report shall  
11 7 include the number of offenders employed in the private  
11 8 sector, the combined number of hours worked by the offenders,  
11 9 and the total amount of allowances, and the distribution of  
11 10 allowances pursuant to section 904.702, including any moneys  
11 11 deposited in the general fund of the state.

11 12 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
11 13 corrections shall submit a report on electronic monitoring to  
11 14 the general assembly, to the co-chairpersons and the ranking  
11 15 members of the joint appropriations subcommittee on the  
11 16 justice system, and to the legislative services agency by  
11 17 January 15, 2009. The report shall specifically address the  
11 18 number of persons being electronically monitored and break  
11 19 down the number of persons being electronically monitored by  
11 20 offense committed. The report shall also include a comparison  
11 21 of any data from the prior fiscal year with the current year.

11 22 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

11 23 1. As used in this section, unless the context otherwise  
11 24 requires, "state agency" means the government of the state of  
11 25 Iowa, including but not limited to all executive branch  
11 26 departments, agencies, boards, bureaus, and commissions, the  
11 27 judicial branch, the general assembly and all legislative  
11 28 agencies, institutions within the purview of the state board  
11 29 of regents, and any corporation whose primary function is to  
11 30 act as an instrumentality of the state.

11 31 2. State agencies are hereby encouraged to purchase  
11 32 products from Iowa state industries, as defined in section  
11 33 904.802, when purchases are required and the products are  
11 34 available from Iowa state industries. State agencies shall  
11 35 obtain bids from Iowa state industries for purchases of office



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12 1 furniture during the fiscal year beginning July 1, 2008,  
 12 2 exceeding \$5,000 or in accordance with applicable  
 12 3 administrative rules related to purchases for the agency.  
 12 4     Sec. 10. STATE PUBLIC DEFENDER. There is appropriated  
 12 5 from the general fund of the state to the office of the state  
 12 6 public defender of the department of inspections and appeals  
 12 7 for the fiscal year beginning July 1, 2008, and ending June  
 12 8 30, 2009, the following amounts, or so much thereof as is  
 12 9 necessary, to be allocated as follows for the purposes  
 12 10 designated:  
 12 11     1. For salaries, support, maintenance, miscellaneous  
 12 12 purposes, and for not more than the following full-time  
 12 13 equivalent positions:  
 12 14 ..... \$ 21,749,296  
 12 15 ..... FTEs     203.00  
 12 16     2. For the fees of court-appointed attorneys for indigent  
 12 17 adults and juveniles, in accordance with section 232.141 and  
 12 18 chapter 815:  
 12 19 ..... \$ 31,282,538  
 12 20     Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.  
 12 21     1. There is appropriated from the general fund of the  
 12 22 state to the Iowa law enforcement academy for the fiscal year  
 12 23 beginning July 1, 2008, and ending June 30, 2009, the  
 12 24 following amount, or so much thereof as is necessary, to be  
 12 25 used for the purposes designated:  
 12 26     For salaries, support, maintenance, miscellaneous purposes,  
 12 27 including jailer training and technical assistance, and for  
 12 28 not more than the following full-time equivalent positions:  
 12 29 ..... \$ 1,283,115  
 12 30 ..... FTEs     30.05  
 12 31     It is the intent of the general assembly that the Iowa law  
 12 32 enforcement academy may provide training of state and local  
 12 33 law enforcement personnel concerning the recognition of and  
 12 34 response to persons with Alzheimer's disease.  
 12 35     The Iowa law enforcement academy may temporarily exceed and



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13 1 draw more than the amount appropriated and incur a negative  
13 2 cash balance as long as there are receivables equal to or  
13 3 greater than the negative balance and the amount appropriated  
13 4 in this subsection is not exceeded at the close of the fiscal  
13 5 year.

13 6 2. The Iowa law enforcement academy may select at least  
13 7 five automobiles of the department of public safety, division  
13 8 of state patrol, prior to turning over the automobiles to the  
13 9 department of administrative services to be disposed of by  
13 10 public auction, and the Iowa law enforcement academy may  
13 11 exchange any automobile owned by the academy for each  
13 12 automobile selected if the selected automobile is used in  
13 13 training law enforcement officers at the academy. However,  
13 14 any automobile exchanged by the academy shall be substituted  
13 15 for the selected vehicle of the department of public safety  
13 16 and sold by public auction with the receipts being deposited  
13 17 in the depreciation fund to the credit of the department of  
13 18 public safety, division of state patrol.

13 19 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
13 20 general fund of the state to the board of parole for the  
13 21 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
13 22 the following amount, or so much thereof as is necessary, to  
13 23 be used for the purposes designated:

13 24 For salaries, support, maintenance, miscellaneous purposes,  
13 25 and for not more than the following full-time equivalent  
13 26 positions:

13 27 .....	\$ 1,249,992
13 28 .....	FTEs 18.50

13 29 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
13 30 appropriated from the general fund of the state to the  
13 31 department of public defense for the fiscal year beginning  
13 32 July 1, 2008, and ending June 30, 2009, the following amounts,  
13 33 or so much thereof as is necessary, to be used for the  
13 34 purposes designated:

13 35 1. MILITARY DIVISION



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14 1 For salaries, support, maintenance, miscellaneous purposes,  
 14 2 and for not more than the following full-time equivalent  
 14 3 positions:  
 14 4 ..... \$ 6,404,798  
 14 5 ..... FTEs 306.43  
 14 6 The military division may temporarily exceed and draw more  
 14 7 than the amount appropriated and incur a negative cash balance  
 14 8 as long as there are receivables of federal funds equal to or  
 14 9 greater than the negative balance and the amount appropriated  
 14 10 in this subsection is not exceeded at the close of the fiscal  
 14 11 year.  
 14 12 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION  
 14 13 a. For salaries, support, maintenance, miscellaneous  
 14 14 purposes, and for not more than the following full-time  
 14 15 equivalent positions:  
 14 16 ..... \$ 2,271,581  
 14 17 ..... FTEs 35.10  
 14 18 The homeland security and emergency management division may  
 14 19 temporarily exceed and draw more than the amount appropriated  
 14 20 and incur a negative cash balance as long as there are  
 14 21 receivables of federal funds equal to or greater than the  
 14 22 negative balance and the amount appropriated in this  
 14 23 subsection is not exceeded at the close of the fiscal year.  
 14 24 It is the intent of the general assembly that the homeland  
 14 25 security and emergency management division work in conjunction  
 14 26 with the department of public safety, to the extent possible,  
 14 27 when gathering and analyzing information related to potential  
 14 28 domestic or foreign security threats, and when monitoring such  
 14 29 threats.  
 14 30 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
 14 31 appropriated from the general fund of the state to the  
 14 32 department of public safety for the fiscal year beginning July  
 14 33 1, 2008, and ending June 30, 2009, the following amounts, or  
 14 34 so much thereof as is necessary, to be used for the purposes  
 14 35 designated:



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15 1 1. For the department's administrative functions,  
 15 2 including the criminal justice information system, and for not  
 15 3 more than the following full-time equivalent positions:  
 15 4 ..... \$ 4,455,581  
 15 5 ..... FTEs 39.00  
 15 6 2. For the division of criminal investigation, including  
 15 7 the state's contribution to the peace officers' retirement,  
 15 8 accident, and disability system provided in chapter 97A in the  
 15 9 amount of 17 percent of the salaries for which the funds are  
 15 10 appropriated, to meet federal fund matching requirements, and  
 15 11 for not more than the following full-time equivalent  
 15 12 positions:  
 15 13 ..... \$ 21,121,120  
 15 14 ..... FTEs 286.50  
 15 15 If any of the Indian tribes fail to pay for one full-time  
 15 16 equivalent position pursuant to the agreements or compacts  
 15 17 entered into between the state and the Indian tribes pursuant  
 15 18 to section 10A.104, subsection 10, the number of full-time  
 15 19 equivalent positions authorized under this subsection is  
 15 20 reduced by one full-time equivalent position.  
 15 21 The department shall employ one additional special agent  
 15 22 and one additional criminalist for the purpose of  
 15 23 investigating cold cases. Prior to employing the additional  
 15 24 special agent and criminalist authorized in this paragraph,  
 15 25 the department shall provide a written statement to  
 15 26 prospective employees that states to the effect that the  
 15 27 positions are being funded by a temporary federal grant and  
 15 28 there are no assurances that funds from other sources will be  
 15 29 available after the federal funding expires. If the federal  
 15 30 funding for the additional positions expires during the fiscal  
 15 31 year, the number of full-time equivalent positions authorized  
 15 32 in this subsection is reduced by two full-time equivalent  
 15 33 positions.  
 15 34 The department of public safety, with the approval of the  
 15 35 department of management, may employ no more than two special



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16 1 agents and four gaming enforcement officers for each  
 16 2 additional riverboat or gambling structure regulated after  
 16 3 July 1, 2008, and one special agent for each racing facility  
 16 4 which becomes operational during the fiscal year which begins  
 16 5 July 1, 2008. One additional gaming enforcement officer, up  
 16 6 to a total of four per riverboat or gambling structure, may be  
 16 7 employed for each riverboat or gambling structure that has  
 16 8 extended operations to 24 hours and has not previously  
 16 9 operated with a 24-hour schedule. Positions authorized in  
 16 10 this paragraph are in addition to the full-time equivalent  
 16 11 positions otherwise authorized in this subsection.

16 12 3. For the criminalistics laboratory fund created in  
 16 13 section 691.9:  
 16 14 ..... \$ 342,000

16 15 4. a. For the division of narcotics enforcement,  
 16 16 including the state's contribution to the peace officers'  
 16 17 retirement, accident, and disability system provided in  
 16 18 chapter 97A in the amount of 17 percent of the salaries for  
 16 19 which the funds are appropriated, to meet federal fund  
 16 20 matching requirements, and for not more than the following  
 16 21 full-time equivalent positions:  
 16 22 ..... \$ 6,302,046  
 16 23 ..... FTEs 82.00

16 24 b. For the division of narcotics enforcement for  
 16 25 undercover purchases:  
 16 26 ..... \$ 123,343

16 27 5. For the division of state fire marshal, for fire  
 16 28 protection services as provided through the state fire service  
 16 29 and emergency response council as created in the department,  
 16 30 and for the state's contribution to the peace officers'  
 16 31 retirement, accident, and disability system provided in  
 16 32 chapter 97A in the amount of 17 percent of the salaries for  
 16 33 which the funds are appropriated, and for not more than the  
 16 34 following full-time equivalent positions:  
 16 35 ..... \$ 3,991,394



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17 1 ..... FTEs 59.00  
 17 2 6. For the division of state patrol, for salaries,  
 17 3 support, maintenance, workers' compensation costs, and  
 17 4 miscellaneous purposes, including the state's contribution to  
 17 5 the peace officers' retirement, accident, and disability  
 17 6 system provided in chapter 97A in the amount of 17 percent of  
 17 7 the salaries for which the funds are appropriated, and for not  
 17 8 more than the following full-time equivalent positions:  
 17 9 ..... \$ 49,688,777  
 17 10 ..... FTEs 535.00  
 17 11 It is the intent of the general assembly that members of  
 17 12 the state patrol be assigned to patrol the highways and roads  
 17 13 in lieu of assignments for inspecting school buses for the  
 17 14 school districts.  
 17 15 7. For deposit in the sick leave benefits fund established  
 17 16 under section 80.42 for all departmental employees eligible to  
 17 17 receive benefits for accrued sick leave under the collective  
 17 18 bargaining agreement:  
 17 19 ..... \$ 316,179  
 17 20 8. For costs associated with the training and equipment  
 17 21 needs of volunteer fire fighters:  
 17 22 ..... \$ 669,587  
 17 23 Notwithstanding section 8.33, moneys appropriated in this  
 17 24 subsection that remain unencumbered or unobligated at the  
 17 25 close of the fiscal year shall not revert but shall remain  
 17 26 available for expenditure only for the purpose designated in  
 17 27 this subsection until the close of the succeeding fiscal year.  
 17 28 Notwithstanding section 8.39, within the funds appropriated  
 17 29 in this section the department of public safety may reallocate  
 17 30 funds as necessary to best fulfill the needs provided for in  
 17 31 the appropriation. However, the department shall not  
 17 32 reallocate an appropriation made to the department in this  
 17 33 section unless notice of the reallocation is given to the  
 17 34 legislative services agency and the department of management  
 17 35 prior to the effective date of the reallocation. The notice



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18 1 shall include information about the rationale for reallocating  
18 2 the appropriation. The department shall not reallocate an  
18 3 appropriation made in this section for the purpose of  
18 4 eliminating any program.

18 5 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated  
18 6 from the general fund of the state to the Iowa state civil  
18 7 rights commission for the fiscal year beginning July 1, 2008,  
18 8 and ending June 30, 2009, the following amount, or so much  
18 9 thereof as is necessary, to be used for the purposes  
18 10 designated:

18 11 For salaries, support, maintenance, miscellaneous purposes,  
18 12 and for not more than the following full-time equivalent  
18 13 positions:

18 14 .....	\$ 1,504,036
18 15 .....	FTEs 29.00

18 16 The Iowa state civil rights commission may enter into a  
18 17 contract with a nonprofit organization to provide legal  
18 18 assistance to resolve civil rights complaints.

18 19 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
18 20 DIVISION. There is appropriated from the wireless E911  
18 21 emergency communications fund created in section 34A.7A to the  
18 22 administrator of the homeland security and emergency  
18 23 management division of the department of public defense for  
18 24 the fiscal year beginning July 1, 2008, and ending June 30,  
18 25 2009, an amount not exceeding \$200,000 to be used for  
18 26 implementation, support, and maintenance of the functions of  
18 27 the administrator and program manager under chapter 34A and to  
18 28 employ the auditor of the state to perform an annual audit of  
18 29 the wireless E911 emergency communications fund.

18 30 Sec. 17. IOWA LAW ENFORCEMENT ACADEMY == FEES.  
18 31 Notwithstanding section 80B.11B, the Iowa law enforcement  
18 32 academy may charge more than one-half the cost of providing  
18 33 the basic training course if a majority of the Iowa law  
18 34 enforcement academy council authorizes charging more than one=  
18 35 half of the cost of providing basic training. This section is



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19 1 repealed on June 30, 2009.

19 2 Sec. 18. Section 822.2, subsection 1, unnumbered paragraph  
19 3 1, Code 2007, is amended to read as follows:

19 4 Any person who has been convicted of, or sentenced for, a  
19 5 public offense and who claims any of the following may  
19 6 institute, ~~without paying a filing fee,~~ a proceeding under  
19 7 this chapter to secure relief:

19 8 Sec. 19. Section 904.108, subsection 4, Code 2007, is  
19 9 amended to read as follows:

19 10 4. The director may expend moneys from the support  
19 11 allocation of the department as reimbursement for replacement  
19 12 or repair of personal items of the department's employees  
19 13 damaged or destroyed by clients of the department during the  
19 14 employee's tour of duty. However, the reimbursement shall not  
19 15 exceed ~~one~~ three hundred ~~fifty~~ dollars for each item. The  
19 16 director shall establish rules in accordance with chapter 17A  
19 17 to carry out the purpose of this subsection.

19 18 EXPLANATION

19 19 This bill makes appropriations from the general fund of the  
19 20 state for fiscal year 2008=2009 to the departments of justice,  
19 21 corrections, public defense, and public safety, and the Iowa  
19 22 law enforcement academy, office of consumer advocate, office  
19 23 of the state public defender, board of parole, and Iowa state  
19 24 civil rights commission.

19 25 The bill requires the department of corrections to use  
19 26 \$300,000 from the canteen operating funds established pursuant  
19 27 to Code section 904.310 for educational programs for inmates.

19 28 The bill provides that if additional funding becomes  
19 29 available the funds will be appropriated for eight additional  
19 30 correctional officer positions to be distributed between the  
19 31 Anamosa correctional facility and the Mt. Pleasant  
19 32 correctional facility.

19 33 The bill provides that if any of the Indian tribes fail to  
19 34 fund one FTE position within the division of criminal  
19 35 investigation of the department of public safety pursuant to



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20 1 the agreements and compacts entered into between the state and  
20 2 the Indian tribes, the number of authorized FTE positions  
20 3 within the division is reduced by one FTE.

20 4 The bill also adds two FTE positions within the division of  
20 5 criminal investigation of the department of public safety for  
20 6 the purpose of investigating cold cases. The two additional  
20 7 positions are funded by a federal grant, and are eliminated by  
20 8 the bill if federal funding expires.

20 9 The bill specifies that a person filing a civil action for  
20 10 postconviction relief pursuant to Code chapter 822, must pay a  
20 11 filing fee.

20 12 The bill provides that the department of corrections may  
20 13 reallocate appropriated funds between the institutions of the  
20 14 department of corrections, the department's administration,  
20 15 and the judicial district departments of correctional  
20 16 services. The bill provides the department, prior to the  
20 17 effective date of any reallocation, must provide notice to the  
20 18 department of management, the legislative services agency, and  
20 19 the district board of any judicial district department of  
20 20 correctional services affected by the reallocation.

20 21 The bill provides that the department of public safety may  
20 22 also reallocate the funds appropriated to the department  
20 23 between the divisions of the department. The bill provides  
20 24 that the department, prior to the effective date of any  
20 25 reallocation, must provide notice of the reallocation to the  
20 26 department of management and the legislative services agency.

20 27 The bill also appropriates moneys, not to exceed \$200,000,  
20 28 from the wireless E911 emergency communications fund to the  
20 29 homeland security and emergency management division for  
20 30 implementation, support, and maintenance of the functions of  
20 31 the administrator and program manager of the E911 emergency  
20 32 system.

20 33 The bill addresses Code section 80B.11B to provide that for  
20 34 FY 2008=2009 the Iowa law enforcement academy may charge a  
20 35 department of the state, a member of a police force, or any



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21 1 political subdivision of the state more than one-half of the  
21 2 cost to provide the basic training course for a law  
21 3 enforcement officer, provided a majority of the Iowa law  
21 4 enforcement council approves such a charge. Current law  
21 5 prohibits the Iowa law enforcement academy from charging more  
21 6 than one-half of the cost of providing the basic training  
21 7 course.  
21 8 The bill amends Code section 904.108 to authorize the  
21 9 department of corrections to reimburse employees for damage to  
21 10 the personal property of the employee up to the amount of  
21 11 \$300. Current law limits the reimbursement at \$150.  
21 12 LSB 5007HV 82  
21 13 jm/jp/8



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**House File 2661 - Introduced**

HOUSE FILE  
BY MAY

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act providing for the issuance of tax credits to improve
- 2 infrastructure.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 6108YH 82
- 5 da/rj/14



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1 1 Section 1. NEW SECTION. 174.24 ISSUANCE OF TAX CREDIT  
1 2 CERTIFICATES TO SUPPORT INFRASTRUCTURE.  
1 3 1. A county fair qualifies to receive assistance under  
1 4 this section if all of the following applies:  
1 5 a. It is located in a county having a population of less  
1 6 than twenty thousand.  
1 7 b. Its fair event was attended by more than two hundred  
1 8 fifty thousand persons for each of the last three years.  
1 9 2. The department of revenue shall issue a tax credit  
1 10 certificate to the county fair after calculating the revenue  
1 11 collected from the sales tax imposed upon the retail sales of  
1 12 tangible personal property and the furnishing of enumerated  
1 13 services as provided in chapter 423. The department shall  
1 14 consider the sales taxes collected by all persons doing  
1 15 business in a city nearest in proximity to the qualifying  
1 16 county fair. The department shall obtain the amount of the  
1 17 tax credit by subtracting the total amount of the sales tax  
1 18 receipts collected for the same number of days that the fair  
1 19 event is conducted immediately preceding the fair event from  
1 20 the sales tax receipts collected during the days of the fair  
1 21 event.  
1 22 3. The department of revenue shall deliver the tax credit  
1 23 certificate to the fair within one hundred twenty days from  
1 24 the date that the fair event commenced. The tax credit  
1 25 certificate shall contain the fair's name, address, tax  
1 26 identification number, the amount of the tax credit, and other  
1 27 information required by the department.  
1 28 4. The fair may transfer the tax credit to any person.  
1 29 a. The taxpayer to whom the tax credit has been  
1 30 transferred may claim the amount of the tax credit against any  
1 31 income tax due. Any credit in excess of the taxpayer's tax  
1 32 liability shall be refunded. In lieu of claiming a refund,  
1 33 the taxpayer may elect to have the overpayment shown on the  
1 34 taxpayer's final, completed return credited to the tax  
1 35 liability for the following tax year.





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# House Resolution 128 - Introduced

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H.R. \_\_\_\_\_ S.R. \_\_\_\_\_

1 1                                   HOUSE RESOLUTION NO.

1 2                                   BY TYMESON, DANDEKAR, ALONS, HEATON,

1 3                                   SCHICKEL, ARNOLD, WINDSCHITL, T. OLSON,

1 4                                   HORBACH, WATTS, STAED, ROBERTS, MAY, CHAMBERS,

1 5                                   FORRISTALL, SODERBERG, L. MILLER, DEYOE, GRANZOW,

1 6                                   DE BOEF, UPMEYER, RAYHONS, GAYMAN, PAULSEN,

1 7                                   BOAL, KAUFMANN, and MERTZ

1 8 A Resolution designating the second week in June as

1 9     Home Education Week in Iowa.

1 10     WHEREAS, the state of Iowa is committed to

1 11 excellence in education and recognizes the importance

1 12 of family participation and parental choice in this

1 13 pursuit of excellence; and

1 14     WHEREAS, teaching children at home was the

1 15 predominant form of education during our nation's

1 16 early years; and

1 17     WHEREAS, many notable Americans benefited from home

1 18 education, including George Washington, Martha

1 19 Washington, Benjamin Franklin, John Quincy Adams,

1 20 Patrick Henry, John Marshall, Robert E. Lee, Abraham

1 21 Lincoln, Thomas "Stonewall" Jackson, Thomas Edison,

1 22 Woodrow Wilson, and Franklin D. Roosevelt; and

1 23     WHEREAS, it is important that parents take a strong

1 24 role in the education of their children; and

1 25     WHEREAS, the Network of Iowa Christian Home

1 26 Educators is dedicated to academic excellence and

1 27 holds a statewide convention for home educators on the

1 28 second week of June each year that strengthens Iowa's

1 29 pursuit of excellence in education; and

1 30     WHEREAS, a growing number of parents in Iowa have



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2 1 chosen to teach their children at home; NOW THEREFORE,  
2 2 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
2 3 That the House of Representatives recognizes the  
2 4 second week of June in 2008 as Home Education Week in  
2 5 Iowa and invites the citizens of Iowa during this time  
2 6 to recognize the contributions to education excellence  
2 7 made by home educators.  
2 8 LSB 5640HH 82  
2 9 ak/nh/14



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# House Resolution 129 - Introduced

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H.R. \_\_\_\_\_ S.R. \_\_\_\_\_

1 1                                   HOUSE RESOLUTION NO.  
 1 2                                   BY HEDDENS, WESSEL=KROESCHELL,  
 1 3                                   DEYOE, and D. OLSON  
 1 4 A Resolution congratulating Iowa State University of  
 1 5     Science and Technology for 150 years of leadership  
 1 6     and service to the nation and the world as Iowa's  
 1 7     land=grant university.  
 1 8     WHEREAS, Iowa State University of Science and  
 1 9     Technology was established by the General Assembly on  
 1 10    March 22, 1858, as the Iowa Agricultural College and  
 1 11    Model Farm in response to the state's desire to  
 1 12    provide higher education opportunities to farm  
 1 13    families and working classes in Iowa; and  
 1 14     WHEREAS, on September 3, 1862, Iowa became the  
 1 15    first state in the nation to accept the terms and  
 1 16    conditions of the federal Morrill Act creating the  
 1 17    land=grant system of colleges and universities; and  
 1 18     WHEREAS, the Iowa Agricultural College and Model  
 1 19    Farm, today Iowa State University of Science and  
 1 20    Technology, received Iowa's land=grant charter on  
 1 21    March 29, 1864, making it one of the first land=grant  
 1 22    institutions in the nation; and  
 1 23     WHEREAS, Iowa State University was a pioneer in all  
 1 24    three parts of the land=grant mission, namely:  
 1 25     1. Access to all, regardless of race, gender, or  
 1 26     social class: Iowa State University was the first  
 1 27     land=grant institution to be coeducational from its  
 1 28     opening, with 16 women in its first class; future  
 1 29     suffragist Carrie Chapman Catt was an 1880 graduate;  
 1 30     and George Washington Carver was the first



**Iowa General Assembly**  
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House Resolution 129 - Introduced continued

2 1 African-American student, earning a bachelor's degree  
2 2 in 1894 and a master's degree in 1896, and was also  
2 3 the institution's first African-American faculty  
2 4 member;

2 5 2. Practical research: Iowa State University  
2 6 established the nation's first engineering experiment  
2 7 station and domestic economy experimental kitchen, and  
2 8 one of the first agriculture experiment stations;

2 9 3. Outreach: Among the earliest land-grant  
2 10 institution outreach activities were the Farmers  
2 11 Institutes in the winter of 1869-1870 by Iowa State  
2 12 University President Adonijah Welch, and the nation's  
2 13 first county extension service was organized in 1903  
2 14 in Sioux County in northwest Iowa by Professor Perry  
2 15 Holden; and

2 16 WHEREAS, some of the most important technological  
2 17 advancements of the modern world were the result of  
2 18 research at Iowa State University, including:  
2 19 development of hybrid seed corn in the 1920s;  
2 20 pioneering work on soybean oil extraction and  
2 21 producing ethanol from corn and other plant materials  
2 22 by Professor Orland Sweeney in the 1930s; invention of  
2 23 the electronic digital computer in the late 1930s by  
2 24 Professor John Atanasoff and graduate student Clifford  
2 25 Berry, whose Atanasoff-Berry computer was the first to  
2 26 incorporate the seven basic principles of modern  
2 27 computing; development of modern livestock animal  
2 28 genetics by Professor Jay Lush; development of a  
2 29 digital encoding process that made the fax machine a  
2 30 business office staple, by graduate student David



**Iowa General Assembly  
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House Resolution 129 - Introduced continued

3 1 Nicholas in 1971; and first field-testing of a  
3 2 genetically altered plant in 1987 by Professor Robert  
3 3 Thornburg; and  
3 4       WHEREAS, Iowa State University hired one of the  
3 5 nation's first permanent campus artists-in-residence,  
3 6 with sculptor Christian Petersen holding that position  
3 7 from 1934 to 1955; and  
3 8       WHEREAS, Iowa State University has had a technology  
3 9 transfer office since 1935, longer than all but one  
3 10 other university in the nation, and is today  
3 11 acknowledged as a national leader in putting  
3 12 technology to work, being cited as a "model of  
3 13 economic development" and "licensing powerhouse" in a  
3 14 2007 study commissioned by the National Science  
3 15 Foundation; and  
3 16       WHEREAS, Iowa State University is today  
3 17 spearheading new advances in science and technology,  
3 18 including new materials, information sciences, green  
3 19 architecture, biological research, and the development  
3 20 of biorenewable fuels and other resources to support  
3 21 the bioeconomy and the nation's independence from  
3 22 nonrenewable petroleum resources; and  
3 23       WHEREAS, more than 257,000 degrees have been  
3 24 awarded by Iowa State University, and its graduates  
3 25 include heads of state, leaders of industry, great  
3 26 humanitarians, and gifted scientists, whose work has  
3 27 improved the quality of life for people worldwide; NOW  
3 28 THEREFORE,  
3 29       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
3 30 That the House of Representatives congratulates Iowa



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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House Resolution 129 - Introduced continued

4 1 State University of Science and Technology for 150  
4 2 years of outstanding service to the State of Iowa, the  
4 3 United States, and the world in fulfilling its mission  
4 4 as a land=grant university, and thanks the State of  
4 5 Iowa for its visionary leadership in the beginning of  
4 6 the land=grant movement in the United States.  
4 7 LSB 6587HH 82  
4 8 jr/nh/14



Iowa General Assembly  
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House Study Bill 785

HOUSE FILE  
BY (PROPOSED COMMITTEE ON WAYS  
AND MEANS BILL BY  
CHAIRPERSON SHOMSHOR)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

- 1 An Act providing for a sales tax exemption for school supplies
- 2 purchased by a nonprofit organization that are to be donated
- 3 to students at certain educational institutions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 6381HC 82
- 6 ak/nh/14



Iowa General Assembly  
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House Study Bill 785 continued

PAG LIN

1 1 Section 1. Section 423.3, Code Supplement 2007, is amended  
1 2 by adding the following new subsection:  
1 3 NEW SUBSECTION. 17A. The sales price from the sale of  
1 4 general school supplies to a nonprofit organization which is  
1 5 exempt from federal income taxation pursuant to section 501 of  
1 6 the Internal Revenue Code and has an agreement with one or  
1 7 more educational institutions in this state to donate the  
1 8 supplies to students enrolled at the educational institution.

1 9 EXPLANATION

1 10 This bill provides a sales and use tax exemption for the  
1 11 purchase of general school supplies by a nonprofit  
1 12 organization if two conditions are met: the nonprofit  
1 13 organization is exempt from federal income taxation pursuant  
1 14 to section 501 of the Internal Revenue Code and the nonprofit  
1 15 organization has an agreement with at least one educational  
1 16 institution in the state to donate the supplies to students  
1 17 enrolled in the educational institution.

1 18 LSB 6381HC 82

1 19 ak/nh/14



Iowa General Assembly  
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Senate Amendment 5173

PAG LIN

1 1 Amend Senate File 2332 as follows:  
1 2 #1. Page 2, line 14, by striking the words  
1 3 <sixty=day>, and inserting the following:  
1 4 <thirty=day>.  
1 5 #2. Page 2, line 16, by inserting after the word  
1 6 <department.> the following: <The notice to the  
1 7 affected employees or their representatives shall be  
1 8 at least thirty days before such action is planned  
1 9 unless an applicable collective bargaining agreement  
1 10 designates a different notice period, in which case  
1 11 the notice period in the collective bargaining  
1 12 agreement shall govern.>  
1 13 #3. Page 3, line 18, by striking the word <sixty>,  
1 14 and inserting the following: <thirty>.  
1 15 #4. Page 3, line 27, by striking the words  
1 16 <sixty=day>, and inserting the following:  
1 17 <thirty=day>.  
1 18 #5. Page 3, line 31, by striking the word <sixty>,  
1 19 and inserting the following: <thirty>.  
1 20 #6. Page 4, line 12, by striking the word <sixty>,  
1 21 and inserting the following: <thirty>.  
1 22 #7. Page 4, line 19, by striking the word <sixty>,  
1 23 and inserting the following: <thirty>.  
1 24 #8. Page 4, line 22, by striking the words  
1 25 <sixty=day>, and inserting the following:  
1 26 <thirty=day>.  
1 27 #9. Page 4, line 27, by striking the words  
1 28 <sixty=day>, and inserting the following:  
1 29 <thirty=day>.  
1 30 #10. Page 5, line 24, by striking the words  
1 31 <sixty=day>, and inserting the following:  
1 32 <thirty=day>.  
1 33 #11. Page 5, line 27, by striking the words  
1 34 <sixty=day>, and inserting the following:  
1 35 <thirty=day>.  
1 36 #12. Page 6, line 8, by striking the words  
1 37 <sixty=day>, and inserting the following:  
1 38 <thirty=day>.  
1 39 #13. Page 7, line 33, by striking the word  
1 40 <sixty>, and inserting the following: <thirty>.  
1 41 #14. By renumbering as necessary.  
1 42  
1 43  
1 44  
1 45 DICK L. DEARDEN  
1 46 SF 2332.201 82  
1 47 ak/nh/20862  
1 48  
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Iowa General Assembly  
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## Senate Amendment 5174

PAG LIN

1 1 Amend the amendment, S=5150, to Senate File 2378,  
1 2 as follows:  
1 3 #1. Page 4, by inserting after line 13 the  
1 4 following:  
1 5 <#\_\_\_\_. Page 27, line 10, by striking the word  
1 6 <agency> and inserting the following: <entity>.>  
1 7  
1 8  
1 9  
1 10 MICHAEL CONNOLLY  
1 11 SF 2378.502 82  
1 12 rh/rj/20868  
1 13  
1 14  
1 15  
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# Senate Amendment 5175

PAG LIN

1 1 Amend the amendment, S=5150, to Senate File 2378 as  
1 2 follows:  
1 3 #1. Page 1, line 46, by striking the word <The>  
1 4 and inserting the following: <If the lawful custodian  
1 5 is a state agency, the>.  
1 6  
1 7  
1 8  
1 9 ROBERT E. DVORSKY  
1 10 SF 2378.206 82  
1 11 rh/rj/20866  
1 12  
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Iowa General Assembly  
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**Senate Amendment 5176**

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 10, by striking lines 5 through 9.  
1 3 #2. By renumbering as necessary.  
1 4  
1 5  
1 6  
1 7 ROBERT E. DVORSKY  
1 8 SF 2378.702 82  
1 9 rh/rj/20815  
1 10  
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Senate Amendment 5177

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 20, line 35, by inserting after the word  
1 3 <board.> the following: <The budget for the board  
1 4 shall not exceed five hundred thousand dollars  
1 5 annually.>  
1 6  
1 7  
1 8  
1 9 JERRY BEHN  
1 10 PAUL MCKINLEY  
1 11 LARRY MCKIBBEN  
1 12 JOHN PUTNEY  
1 13 BRAD ZAUN  
1 14 DAVID L. HARTSUCH  
1 15 NANCY J. BOETTGER  
1 16 JAMES A. SEYMOUR  
1 17 MARK ZIEMAN  
1 18 RON WIECK  
1 19 STEVE KETTERING  
1 20 JAMES F. HAHN  
1 21 JEFF ANGELO  
1 22 SF 2378.720 82  
1 23 rh/rj/20850  
1 24  
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**Senate Amendment 5178**

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 2, by striking lines 9 through 23.  
1 3 #2. Page 5, by striking lines 2 through 6.  
1 4 #3. By striking page 6, line 26, through page 8,  
1 5 line 32.  
1 6 #4. Page 10, by striking lines 17 through 28.  
1 7 #5. Page 17, by striking lines 18 through 27.  
1 8 #6. By striking page 27, line 13, through page 31,  
1 9 line 28.  
1 10 #7. By striking page 32, line 2, through page 37,  
1 11 line 33.  
1 12 #8. By striking page 38, line 17, through page 40,  
1 13 line 21.  
1 14 #9. By renumbering as necessary.  
1 15  
1 16  
1 17  
1 18 KEITH A. KREIMAN  
1 19 SF 2378.204 82  
1 20 rh/rj/11384  
1 21  
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**Senate Amendment 5179**

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. By striking page 8, line 33, through page 9,  
1 3 line 11.  
1 4 #2. By renumbering as necessary.  
1 5  
1 6  
1 7  
1 8 KEITH A. KREIMAN  
1 9 SF 2378.303 82  
1 10 rh/rj/11386  
1 11  
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## Senate Amendment 5180

PAG LIN

1 1 Amend Senate File 2343 as follows:  
 1 2 #1. Page 2, by inserting after line 3 the  
 1 3 following:  
 1 4 <Sec. \_\_\_\_\_. NEW SECTION. 123.92A CIVIL PENALTY ==  
 1 5 SOCIAL HOSTS AND UNDERAGE PERSONS CONSUMING OR  
 1 6 POSSESSING ALCOHOL.  
 1 7 Notwithstanding section 123.49, subsection 1, a  
 1 8 person who is not a licensee or permittee who  
 1 9 knowingly permits a private social gathering in the  
 1 10 person's residence or on the person's property and who  
 1 11 knows or has reason to know that an underage person  
 1 12 has consumed any beer, wine, or intoxicating liquor or  
 1 13 possessed any beer, wine, or intoxicating liquor in  
 1 14 the person's residence or on the person's property  
 1 15 commits a scheduled violation under section 805.8C,  
 1 16 subsection 2, paragraph "b", for each violation.  
 1 17 Sec. \_\_\_\_\_. Section 805.8C, subsection 2, Code  
 1 18 Supplement 2007, is amended to read as follows:  
 1 19 2. ALCOHOLIC BEVERAGE VIOLATIONS.  
 1 20 a. For violations of section 123.49, subsection 2,  
 1 21 paragraph "h", the scheduled fine for a licensee or  
 1 22 permittee is one thousand five hundred dollars, and  
 1 23 the scheduled fine for a person who is employed by a  
 1 24 licensee or permittee is five hundred dollars.  
 1 25 b. For violations of section 123.92A, the  
 1 26 scheduled fine is two hundred fifty dollars and is a  
 1 27 civil penalty, and the criminal penalty surcharge  
 1 28 under section 911.1 shall not be added to the penalty,  
 1 29 and the court costs pursuant to section 805.9,  
 1 30 subsection 6, shall not be imposed.>  
 1 31 #2. Title page, line 1, by inserting after the  
 1 32 word <liability> the following: <and other  
 1 33 penalties>.  
 1 34 #3. By renumbering as necessary.  
 1 35  
 1 36  
 1 37  
 1 38 KEITH A. KREIMAN  
 1 39  
 1 40  
 1 41  
 1 42 FRANK B. WOOD  
 1 43 SF 2343.701 82  
 1 44 rh/rj/20891

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Iowa General Assembly  
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# Senate Amendment 5181

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 3, line 34, by inserting after the word  
1 3 <board> the following: <at least twenty=four hours>.  
1 4 #2. Page 4, line 1, by inserting after the word  
1 5 <at> the following: <least twenty=four hours prior  
1 6 to>.  
1 7 #3. Page 4, line 4, by inserting after the word  
1 8 <posted> the following: <at least twenty=four hours>.  
1 9 #4. Page 4, line 5, by inserting after the word  
1 10 <at> the following: <least twenty=four hours prior  
1 11 to>.  
1 12 #5. By renumbering as necessary.  
1 13  
1 14  
1 15  
1 16 HERMAN C. QUIRMBACH  
1 17 SF 2378.726 82  
1 18 rh/rj/20894  
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## Senate Amendment 5182

PAG LIN

1 1 Amend Senate File 2378 as follows:  
1 2 #1. Page 5, by striking lines 2 and 3 and  
1 3 inserting the following:  
1 4 <Sec.     . Section 21.5, subsection 1, paragraphs  
1 5 j and k, Code Supplement 2007, are amended to read as  
1 6 follows:  
1 7 j. To discuss the purchase of particular real  
1 8 estate only where premature disclosure could be  
1 9 reasonably expected to increase the price the  
1 10 governmental body would have to pay for that property.  
1 11 The minutes and the ~~tape~~ audio recording of a session  
1 12 closed under this paragraph shall be available for  
1 13 public examination when the transaction discussed is  
1 14 completed.>  
1 15 #2. Page 5, line 11, by striking the word <tape>  
1 16 and inserting the following: <~~tape~~ audio>.  
1 17 #3. Page 5, line 12, by striking the word <tape>  
1 18 and inserting the following: <~~tape~~ audio>.  
1 19 #4. Page 5, line 15, by striking the word <tape>  
1 20 and inserting the following: <~~tape~~ audio>.  
1 21 #5. Page 5, line 27, by striking the word <tape>  
1 22 and inserting the following: <~~tape~~ audio>.  
1 23 #6. Page 5, line 29, by striking the word <tape>  
1 24 and inserting the following: <~~tape~~ audio>.  
1 25 #7. By renumbering as necessary.  
1 26  
1 27  
1 28  
1 29 HERMAN C. QUIRMBACH  
1 30 SF 2378.211 82  
1 31 rh/rj/20906  
1 32  
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Iowa General Assembly  
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Senate Concurrent Resolution 104 -  
Introduced

PAG LIN

S.C.R. \_\_\_\_\_ H.C.R. \_\_\_\_\_

1 1 SENATE CONCURRENT RESOLUTION NO.  
1 2 BY COMMITTEE ON AGRICULTURE  
1 3 (SUCCESSOR TO SSB 3281)  
1 4 A Concurrent Resolution concerning Iowa's support  
1 5 for the "25 x 25" initiative and, in connection  
1 6 therewith, promoting the increased production of  
1 7 renewable energy by the agricultural community.  
1 8 WHEREAS, having an affordable, reliable, and  
1 9 plentiful energy supply is critical to our economy, as  
1 10 well as our national and international food supply;  
1 11 and  
1 12 WHEREAS, current and future risks to United States  
1 13 energy security are mounting while domestic and global  
1 14 energy demands are growing exponentially; and  
1 15 WHEREAS, Iowa and the United States have tremendous  
1 16 renewable energy resources; and  
1 17 WHEREAS, the development of a broad spectrum of  
1 18 renewable energy resources, including wind power,  
1 19 biofuels, biomass, methane digesters, ethanol, and  
1 20 solar, benefits the environment and will have a direct  
1 21 economic benefit to agricultural landowners and rural  
1 22 communities; and  
1 23 WHEREAS, rural communities and agriculture sectors  
1 24 will experience multiple benefits, including  
1 25 establishing additional markets for agricultural  
1 26 commodities; increasing farm income; creating  
1 27 added-value uses for crops, livestock, and their  
1 28 byproducts; making more productive use of marginal  
1 29 lands; resolving air, water, and soil quality problems  
1 30 that may arise from agricultural operations; improving



**Iowa General Assembly**  
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Senate Concurrent Resolution 104 - Introduced continued

2 1 wildlife habitat; and creating many new job  
2 2 opportunities; and  
2 3       WHEREAS, American agriculture is well positioned to  
2 4 play an expanded role in the development and  
2 5 implementation of new energy solutions and with  
2 6 appropriate technological innovation, incentives, and  
2 7 investments, America's farms and ranches can become  
2 8 the factories that produce a new generation of fuels  
2 9 to help meet the nation's energy needs; and  
2 10       WHEREAS, "25 x 25" is an agriculturally led  
2 11 initiative that envisions America's farms and ranches  
2 12 producing 25 percent of America's energy demand by the  
2 13 year 2025 while continuing to produce abundant, safe,  
2 14 and affordable food and fiber; and  
2 15       WHEREAS, agriculture's role as an energy producer  
2 16 will have a positive effect on national security and  
2 17 trade imbalances, and will serve as a catalyst for  
2 18 rural development in Iowa and the United States; NOW  
2 19 THEREFORE,  
2 20       BE IT RESOLVED BY THE SENATE, THE HOUSE OF  
2 21 REPRESENTATIVES CONCURRING, That the Iowa General  
2 22 Assembly endorses the vision of "25 x 25" whereby  
2 23 agriculture will provide 25 percent of the total  
2 24 energy consumed in the United States by the year 2025,  
2 25 while continuing to produce abundant, safe, and  
2 26 affordable food and fiber, and commits itself and the  
2 27 state to working collaboratively with leaders of the  
2 28 nation's agricultural community to develop an action  
2 29 plan to bring this vision to fruition; and  
2 30       BE IT FURTHER RESOLVED, That a copy of this



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Senate Concurrent Resolution 104 - Introduced continued

3 1 resolution be delivered to the Honorable Chet Culver,  
3 2 Governor of the State of Iowa; and  
3 3 BE IT FURTHER RESOLVED, That a copy of this  
3 4 resolution be delivered to Iowa's congressional  
3 5 delegation; and  
3 6 BE IT FURTHER RESOLVED, That a copy of this  
3 7 resolution be delivered to Mr. J. Read Smith and Mr.  
3 8 William Richards, co=chairs of the "25 x 25" Steering  
3 9 Committee at the Maryland office of the "25 x 25"  
3 10 Alliance; and  
3 11 BE IT FURTHER RESOLVED, That a copy of this  
3 12 resolution be delivered to the Denver office of the  
3 13 National Conference of State Legislatures.  
3 14 LSB 5660SV 82  
3 15 da/rj/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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**Senate File 2399 - Introduced**

SENATE FILE  
BY COMMITTEE ON WAYS AND MEANS  
  
(SUCCESSOR TO SF 2075)  
(SUCCESSOR TO SSB 3004)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to the eligibility requirements for the barn
- 2 preservation property tax exemption.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 5142SZ 82
- 5 md/rj/5



Iowa General Assembly  
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Senate File 2399 - Introduced continued

PAG LIN

1 1 Section 1. Section 427.1, subsection 31, unnumbered  
1 2 paragraphs 1 and 2, Code Supplement 2007, are amended to read  
1 3 as follows:  
1 4 The increase in assessed value added to a farm structure  
1 5 ~~constructed prior to 1937~~ as a result of improvements made to  
1 6 the farm structure for purposes of preserving the integrity of  
1 7 the internal and external features of the structure as a barn  
1 8 is exempt from taxation. To be eligible for the exemption,  
1 9 the structure must have been first placed in service as a barn  
1 10 ~~prior to 1937~~ fifty or more years before the date the  
1 11 exemption application is filed with the assessing authority.

1 12 The exemption shall apply to the assessment year beginning  
1 13 after the completion of the improvements to preserve the  
1 14 structure as a barn.

1 15 For purposes of this subsection, "barn" means an  
1 16 agricultural structure, in whatever shape or design, which is  
1 17 used for the storage of farm products or feed or for the  
1 18 housing of farm animals, poultry, or farm equipment. "Barn"  
1 19 does not include a pole barn.

1 20 EXPLANATION

1 21 The Iowa barn preservation tax exemption makes any increase  
1 22 in assessed value to a barn as a result of improvements made  
1 23 for the purposes of preserving the integrity of the internal  
1 24 and external features of the structure as a barn exempt from  
1 25 taxation. Under the current exemption, only barns put into  
1 26 service prior to 1937 are eligible for the exemption.

1 27 This bill removes the requirement that the barn must have  
1 28 been put into service prior to 1937 and makes the exemption  
1 29 available to barns that are 50 or more years old. To be  
1 30 eligible for the exemption, the barn must have been placed  
1 31 into service 50 or more years before the date the exemption  
1 32 application is filed with the assessing authority. The bill  
1 33 also makes pole barns ineligible for the exemption.

1 34 LSB 5142SZ 82

1 35 md/rj/5



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**Senate File 2400 - Introduced**

SENATE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3264)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

1 An Act relating to and making appropriations to certain state  
2 departments, agencies, funds, and certain other entities,  
3 providing for regulatory authority, and other properly related  
4 matters and providing an effective date.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TL5B 5000SV 82  
7 ec/mg/5



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Senate File 2400 - Introduced continued

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1 1 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.  
 1 2 1. There is appropriated from the general fund of the  
 1 3 state to the department of administrative services for the  
 1 4 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 1 5 the following amounts, or so much thereof as is necessary, to  
 1 6 be used for the purposes designated:  
 1 7 a. For salaries, support, maintenance, and miscellaneous  
 1 8 purposes, and for not more than the following full-time  
 1 9 equivalent positions:  
 1 10 ..... \$ 6,389,186  
 1 11 ..... FTEs 457.33  
 1 12 b. For the payment of utility costs:  
 1 13 ..... \$ 3,704,800  
 1 14 Notwithstanding section 8.33, any excess funds appropriated  
 1 15 for utility costs in this lettered paragraph shall not revert  
 1 16 to the general fund of the state at the end of the fiscal year  
 1 17 but shall remain available for expenditure for the purposes of  
 1 18 this lettered paragraph during the succeeding fiscal year.  
 1 19 It is the intent of the general assembly that the  
 1 20 department shall reduce utility costs through energy  
 1 21 conservation practices. The goal of the general assembly is  
 1 22 to reduce energy use by 10 percent to save money, conserve  
 1 23 energy resources, and reduce pollution.  
 1 24 2. Members of the general assembly serving as members of  
 1 25 the deferred compensation advisory board shall be entitled to  
 1 26 receive per diem and necessary travel and actual expenses  
 1 27 pursuant to section 2.10, subsection 5, while carrying out  
 1 28 their official duties as members of the board.  
 1 29 3. Any funds and premiums collected by the department for  
 1 30 workers' compensation shall be segregated into a separate  
 1 31 workers' compensation fund in the state treasury to be used  
 1 32 for payment of state employees' workers' compensation claims  
 1 33 and administrative costs. Notwithstanding section 8.33,  
 1 34 unencumbered or unobligated moneys remaining in this workers'  
 1 35 compensation fund at the end of the fiscal year shall not



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Senate File 2400 - Introduced continued

2 1 revert but shall be available for expenditure for purposes of  
2 2 the fund for subsequent fiscal years.

2 3     Sec. 2. REVOLVING FUNDS. There is appropriated to the  
2 4 department of administrative services for the fiscal year  
2 5 beginning July 1, 2008, and ending June 30, 2009, from the  
2 6 revolving funds designated in chapter 8A and from internal  
2 7 service funds created by the department such amounts as the  
2 8 department deems necessary for the operation of the department  
2 9 consistent with the requirements of chapter 8A.

2 10     Sec. 3. FUNDING FOR IOWACCESS.

2 11     1. Notwithstanding section 321A.3, subsection 1, for the  
2 12 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
2 13 the first \$1,000,000 collected and transferred by the  
2 14 department of transportation to the treasurer of state with  
2 15 respect to the fees for transactions involving the furnishing  
2 16 of a certified abstract of a vehicle operating record under  
2 17 section 321A.3, subsection 1, shall be transferred to the  
2 18 IowAccess revolving fund established by section 8A.224 and  
2 19 administered by the department of administrative services for  
2 20 the purposes of developing, implementing, maintaining, and  
2 21 expanding electronic access to government records as provided  
2 22 by law.

2 23     2. All fees collected with respect to transactions  
2 24 involving IowAccess shall be deposited in the IowAccess  
2 25 revolving fund and shall be used only for the support of  
2 26 IowAccess projects.

2 27     Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION  
2 28 CHARGE. For the fiscal year beginning July 1, 2008, and  
2 29 ending June 30, 2009, the monthly per contract administrative  
2 30 charge which may be assessed by the department of  
2 31 administrative services shall be \$2 per contract on all health  
2 32 insurance plans administered by the department.

2 33     Sec. 5. AUDITOR OF STATE. There is appropriated from the  
2 34 general fund of the state to the office of the auditor of  
2 35 state for the fiscal year beginning July 1, 2008, and ending



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Senate File 2400 - Introduced continued

3 1 June 30, 2009, the following amount, or so much thereof as is  
3 2 necessary, to be used for the purposes designated:  
3 3 For salaries, support, maintenance, and miscellaneous  
3 4 purposes, and for not more than the following full-time  
3 5 equivalent positions:

3 6 .....	\$ 1,249,178
3 7 .....	FTEs 103.00

3 8 The auditor of state may retain additional full-time  
3 9 equivalent positions as is reasonable and necessary to perform  
3 10 governmental subdivision audits which are reimbursable  
3 11 pursuant to section 11.20 or 11.21, to perform audits which  
3 12 are requested by and reimbursable from the federal government,  
3 13 and to perform work requested by and reimbursable from  
3 14 departments or agencies pursuant to section 11.5A or 11.5B.  
3 15 The auditor of state shall notify the department of  
3 16 management, the legislative fiscal committee, and the  
3 17 legislative services agency of the additional full-time  
3 18 equivalent positions retained.

3 19 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
3 20 is appropriated from the general fund of the state to the Iowa  
3 21 ethics and campaign disclosure board for the fiscal year  
3 22 beginning July 1, 2008, and ending June 30, 2009, the  
3 23 following amount, or so much thereof as is necessary, for the  
3 24 purposes designated:

3 25 For salaries, support, maintenance, and miscellaneous	
3 26 purposes, and for not more than the following full-time	
3 27 equivalent positions:	
3 28 .....	\$ 527,122
3 29 .....	FTEs 6.00

3 30 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated  
3 31 from the general fund of the state to the department of  
3 32 commerce for the fiscal year beginning July 1, 2008, and  
3 33 ending June 30, 2009, the following amounts, or so much  
3 34 thereof as is necessary, for the purposes designated:

3 35 1. ALCOHOLIC BEVERAGES DIVISION



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Senate File 2400 - Introduced continued

4 1 For salaries, support, maintenance, and miscellaneous  
 4 2 purposes, and for not more than the following full-time  
 4 3 equivalent positions:  
 4 4 ..... \$ 2,079,509  
 4 5 ..... FTEs 37.00  
 4 6 2. BANKING DIVISION  
 4 7 a. Banking. For salaries, support, maintenance, and  
 4 8 miscellaneous purposes, and for not more than the following  
 4 9 full-time equivalent positions:  
 4 10 ..... \$ 8,200,316  
 4 11 ..... FTEs 73.00  
 4 12 b. Professional licensing and regulation. For salaries,  
 4 13 support, maintenance, and miscellaneous purposes, and for not  
 4 14 more than the following full-time equivalent positions:  
 4 15 ..... \$ 945,982  
 4 16 ..... FTEs 16.00  
 4 17 3. CREDIT UNION DIVISION  
 4 18 For salaries, support, maintenance, and miscellaneous  
 4 19 purposes, and for not more than the following full-time  
 4 20 equivalent positions:  
 4 21 ..... \$ 1,631,740  
 4 22 ..... FTEs 19.00  
 4 23 4. INSURANCE DIVISION  
 4 24 a. For salaries, support, maintenance, and miscellaneous  
 4 25 purposes, and for not more than the following full-time  
 4 26 equivalent positions:  
 4 27 ..... \$ 4,857,123  
 4 28 ..... FTEs 100.50  
 4 29 b. The insurance division may reallocate authorized full=  
 4 30 time equivalent positions as necessary to respond to  
 4 31 accreditation recommendations or requirements. The insurance  
 4 32 division expenditures for examination purposes may exceed the  
 4 33 projected receipts, refunds, and reimbursements, estimated  
 4 34 pursuant to section 505.7, subsection 7, including the  
 4 35 expenditures for retention of additional personnel, if the



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5 1 expenditures are fully reimbursable and the division first  
5 2 does both of the following:  
5 3 (1) Notifies the department of management, the legislative  
5 4 services agency, and the legislative fiscal committee of the  
5 5 need for the expenditures.

5 6 (2) Files with each of the entities named in subparagraph  
5 7 (1) the legislative and regulatory justification for the  
5 8 expenditures, along with an estimate of the expenditures.

5 9 c. The insurance division shall allocate \$10,000 from the  
5 10 examination receipts for the payment of its fees to the  
5 11 national conference of insurance legislators.

5 12 5. UTILITIES DIVISION

5 13 a. For salaries, support, maintenance, and miscellaneous  
5 14 purposes, and for not more than the following full-time  
5 15 equivalent positions:

5 16 .....	\$ 7,573,402
5 17 .....	FTEs 79.00

5 18 b. The utilities division may expend additional funds,  
5 19 including funds for additional personnel, if those additional  
5 20 expenditures are actual expenses which exceed the funds  
5 21 budgeted for utility regulation and the expenditures are fully  
5 22 reimbursable. Before the division expends or encumbers an  
5 23 amount in excess of the funds budgeted for regulation, the  
5 24 division shall first do both of the following:

5 25 (1) Notify the department of management, the legislative  
5 26 services agency, and the legislative fiscal committee of the  
5 27 need for the expenditures.

5 28 (2) File with each of the entities named in subparagraph  
5 29 (1) the legislative and regulatory justification for the  
5 30 expenditures, along with an estimate of the expenditures.

5 31 c. Notwithstanding sections 8.33 and 476.10 or any other  
5 32 provision to the contrary, any balance of the appropriation  
5 33 made in this subsection for the utilities division or any  
5 34 other operational appropriation made for the fiscal year  
5 35 beginning July 1, 2008, and ending June 30, 2009, that remains



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6 1 unused, unencumbered, or unobligated at the close of the  
6 2 fiscal year shall not revert but shall remain available to be  
6 3 used for purposes of the energy=efficient building project  
6 4 authorized under section 476.10B, or for relocation costs in  
6 5 succeeding fiscal years.

6 6       6. CHARGES == TRAVEL

6 7       Each division and the office of consumer advocate shall  
6 8 include in its charges assessed or revenues generated an  
6 9 amount sufficient to cover the amount stated in its  
6 10 appropriation and any state=assessed indirect costs determined  
6 11 by the department of administrative services. The director of  
6 12 the department of commerce shall review on a quarterly basis  
6 13 all out=of=state travel for the previous quarter for officers  
6 14 and employees of each division of the department if the travel  
6 15 is not already authorized by the executive council.

6 16       Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING  
6 17 AND REGULATION BUREAU. There is appropriated from the housing  
6 18 improvement fund of the department of economic development to  
6 19 the bureau of professional licensing and regulation of the  
6 20 banking division of the department of commerce for the fiscal  
6 21 year beginning July 1, 2008, and ending June 30, 2009, the  
6 22 following amount, or so much thereof as is necessary, to be  
6 23 used for the purposes designated:

6 24       For salaries, support, maintenance, and miscellaneous  
6 25 purposes:

6 26 ..... \$           62,317

6 27       Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
6 28 appropriated from the general fund of the state to the offices  
6 29 of the governor and the lieutenant governor for the fiscal  
6 30 year beginning July 1, 2008, and ending June 30, 2009, the  
6 31 following amounts, or so much thereof as is necessary, to be  
6 32 used for the purposes designated:

6 33       1. GENERAL OFFICE

6 34       For salaries, support, maintenance, and miscellaneous  
6 35 purposes for the general office of the governor and the



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7 1 general office of the lieutenant governor, and for not more  
 7 2 than the following full-time equivalent positions:  
 7 3 ..... \$ 2,224,462  
 7 4 ..... FTEs 23.25  
 7 5 2. TERRACE HILL QUARTERS  
 7 6 For salaries, support, maintenance, and miscellaneous  
 7 7 purposes for the governor's quarters at Terrace Hill, and for  
 7 8 not more than the following full-time equivalent positions:  
 7 9 ..... \$ 452,593  
 7 10 ..... FTEs 10.00  
 7 11 3. ADMINISTRATIVE RULES COORDINATOR  
 7 12 For salaries, support, maintenance, and miscellaneous  
 7 13 purposes for the office of administrative rules coordinator,  
 7 14 and for not more than the following full-time equivalent  
 7 15 positions:  
 7 16 ..... \$ 158,873  
 7 17 ..... FTEs 3.00  
 7 18 4. NATIONAL GOVERNORS ASSOCIATION  
 7 19 For payment of Iowa's membership in the national governors  
 7 20 association:  
 7 21 ..... \$ 80,600  
 7 22 5. STATE=FEDERAL RELATIONS  
 7 23 For salaries, support, maintenance, and miscellaneous  
 7 24 purposes, and for not more than the following full-time  
 7 25 equivalent positions:  
 7 26 ..... \$ 131,222  
 7 27 ..... FTEs 2.00  
 7 28 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.  
 7 29 1. There is appropriated from the general fund of the  
 7 30 state to the governor's office of drug control policy for the  
 7 31 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 7 32 the following amount, or so much thereof as is necessary, to  
 7 33 be used for the purposes designated:  
 7 34 a. For salaries, support, maintenance, and miscellaneous  
 7 35 purposes, including statewide coordination of the drug abuse



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Senate File 2400 - Introduced continued

8 1 resistance education (D.A.R.E.) programs or similar programs,  
 8 2 and for not more than the following full-time equivalent  
 8 3 positions:  
 8 4 ..... \$ 346,731  
 8 5 ..... FTEs 8.00  
 8 6 b. For support of multijurisdictional drug enforcement  
 8 7 programs:  
 8 8 ..... \$ 1,760,000  
 8 9 If federal funding is received for multijurisdictional drug  
 8 10 enforcement programs during the fiscal year beginning July 1,  
 8 11 2008, and ending June 30, 2009, of the moneys appropriated in  
 8 12 this lettered paragraph, an amount equal to the federal  
 8 13 funding received shall revert to the general fund of the state  
 8 14 at the end of the fiscal year.  
 8 15 The programs shall provide for at least a 25 percent local  
 8 16 match.  
 8 17 2. The governor's office of drug control policy, in  
 8 18 consultation with the department of public health, and after  
 8 19 discussion and collaboration with all interested agencies,  
 8 20 shall coordinate substance abuse treatment and prevention  
 8 21 efforts in order to avoid duplication of services.  
 8 22 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is  
 8 23 appropriated from the general fund of the state to the  
 8 24 department of human rights for the fiscal year beginning July  
 8 25 1, 2008, and ending June 30, 2009, the following amounts, or  
 8 26 so much thereof as is necessary, to be used for the purposes  
 8 27 designated:  
 8 28 1. CENTRAL ADMINISTRATION DIVISION  
 8 29 For salaries, support, maintenance, and miscellaneous  
 8 30 purposes, and for not more than the following full-time  
 8 31 equivalent positions:  
 8 32 ..... \$ 341,535  
 8 33 ..... FTEs 7.00  
 8 34 2. DEAF SERVICES DIVISION  
 8 35 For salaries, support, maintenance, and miscellaneous



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9 1 purposes, and for not more than the following full-time  
 9 2 equivalent positions:  
 9 3 ..... \$ 413,700  
 9 4 ..... FTEs 6.00  
 9 5 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE  
 9 6 DIVISION  
 9 7 For salaries, support, maintenance, and miscellaneous  
 9 8 purposes, and for not more than the following full-time  
 9 9 equivalent positions:  
 9 10 ..... \$ 127,093  
 9 11 ..... FTEs 1.00  
 9 12 4. PERSONS WITH DISABILITIES DIVISION  
 9 13 For salaries, support, maintenance, and miscellaneous  
 9 14 purposes, and for not more than the following full-time  
 9 15 equivalent positions:  
 9 16 ..... \$ 206,221  
 9 17 ..... FTEs 3.20  
 9 18 5. LATINO AFFAIRS DIVISION  
 9 19 For salaries, support, maintenance, and miscellaneous  
 9 20 purposes, and for not more than the following full-time  
 9 21 equivalent positions:  
 9 22 ..... \$ 191,035  
 9 23 ..... FTEs 3.00  
 9 24 6. STATUS OF WOMEN DIVISION  
 9 25 For salaries, support, maintenance, and miscellaneous  
 9 26 purposes, including the Iowans in transition program and the  
 9 27 domestic violence and sexual assault-related grants, and for  
 9 28 not more than the following full-time equivalent positions:  
 9 29 ..... \$ 353,203  
 9 30 ..... FTEs 3.00  
 9 31 7. STATUS OF AFRICAN-AMERICANS DIVISION  
 9 32 For salaries, support, maintenance, and miscellaneous  
 9 33 purposes, and for not more than the following full-time  
 9 34 equivalent positions:  
 9 35 ..... \$ 187,066



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10 1 ..... FTEs 2.00  
 10 2 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION  
 10 3 For salaries, support, maintenance, and miscellaneous  
 10 4 purposes, and for not more than the following full-time  
 10 5 equivalent positions:  
 10 6 ..... \$ 1,587,333  
 10 7 ..... FTEs 11.18  
 10 8 The criminal and juvenile justice planning advisory council  
 10 9 and the juvenile justice advisory council shall coordinate  
 10 10 their efforts in carrying out their respective duties relative  
 10 11 to juvenile justice.  
 10 12 9. SHARED STAFF  
 10 13 The divisions of the department of human rights shall  
 10 14 retain their individual administrators, but shall share staff  
 10 15 to the greatest extent possible.  
 10 16 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
 10 17 appropriated from the general fund of the state to the  
 10 18 department of inspections and appeals for the fiscal year  
 10 19 beginning July 1, 2008, and ending June 30, 2009, the  
 10 20 following amounts, or so much thereof as is necessary, for the  
 10 21 purposes designated:  
 10 22 1. ADMINISTRATION DIVISION  
 10 23 For salaries, support, maintenance, and miscellaneous  
 10 24 purposes, and for not more than the following full-time  
 10 25 equivalent positions:  
 10 26 ..... \$ 2,209,075  
 10 27 ..... FTEs 39.25  
 10 28 As a condition of receiving funding appropriated in this  
 10 29 subsection, the department shall maintain the targeted small  
 10 30 business certification employee position within the division.  
 10 31 2. ADMINISTRATIVE HEARINGS DIVISION  
 10 32 For salaries, support, maintenance, and miscellaneous  
 10 33 purposes, and for not more than the following full-time  
 10 34 equivalent positions:  
 10 35 ..... \$ 708,962



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Senate File 2400 - Introduced continued

11	1	.....	FTEs	24.00
11	2	3. INVESTIGATIONS DIVISION		
11	3	For salaries, support, maintenance, and miscellaneous		
11	4	purposes, and for not more than the following full-time		
11	5	equivalent positions:		
11	6	.....	\$	1,599,591
11	7	.....	FTEs	49.00
11	8	4. HEALTH FACILITIES DIVISION		
11	9	For salaries, support, maintenance, and miscellaneous		
11	10	purposes, and for not more than the following full-time		
11	11	equivalent positions:		
11	12	.....	\$	2,498,437
11	13	.....	FTEs	140.75
11	14	5. EMPLOYMENT APPEAL BOARD		
11	15	For salaries, support, maintenance, and miscellaneous		
11	16	purposes, and for not more than the following full-time		
11	17	equivalent positions:		
11	18	.....	\$	58,117
11	19	.....	FTEs	15.00
11	20	The employment appeal board shall be reimbursed by the		
11	21	labor services division of the department of workforce		
11	22	development for all costs associated with hearings conducted		
11	23	under chapter 91C, related to contractor registration. The		
11	24	board may expend, in addition to the amount appropriated under		
11	25	this subsection, additional amounts as are directly billable		
11	26	to the labor services division under this subsection and to		
11	27	retain the additional full-time equivalent positions as needed		
11	28	to conduct hearings required pursuant to chapter 91C.		
11	29	6. CHILD ADVOCACY BOARD		
11	30	For foster care review and the court appointed special		
11	31	advocate program, including salaries, support, maintenance,		
11	32	and miscellaneous purposes, and for not more than the		
11	33	following full-time equivalent positions:		
11	34	.....	\$	2,751,058
11	35	.....	FTEs	45.12



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Senate File 2400 - Introduced continued

12 1 a. The department of human services, in coordination with  
12 2 the child advocacy board and the department of inspections and  
12 3 appeals, shall submit an application for funding available  
12 4 pursuant to Title IV=E of the federal Social Security Act for  
12 5 claims for child advocacy board administrative review costs.

12 6 b. The court appointed special advocate program shall  
12 7 investigate and develop opportunities for expanding fund=  
12 8 raising for the program.

12 9 c. Administrative costs charged by the department of  
12 10 inspections and appeals for items funded under this subsection  
12 11 shall not exceed 4 percent of the amount appropriated in this  
12 12 subsection.

12 13 d. Notwithstanding any provision of sections 237.18 and  
12 14 237.20 to the contrary, the child advocacy board may establish  
12 15 up to six pilot projects using alternative policies to guide  
12 16 the selection of cases and the procedures used by local  
12 17 citizen foster care review boards as they review cases of  
12 18 children who received or are receiving foster care or other  
12 19 out=of=home placement services while under the supervision of  
12 20 the department of human services. Policies to guide the pilot  
12 21 project case selection, review time frames and reporting  
12 22 formats shall be approved by the department of human services,  
12 23 state court administrator, and the chief judge of any judicial  
12 24 district in which a pilot project is to be implemented. The  
12 25 child advocacy board shall report to the governor and general  
12 26 assembly by February 1, 2009, on the progress of any new  
12 27 approaches and their impact on efficiencies and case outcomes.

12 28 Sec. 13. RACING AND GAMING COMMISSION.

12 29 1. RACETRACK REGULATION

12 30 There is appropriated from the general fund of the state to  
12 31 the racing and gaming commission of the department of  
12 32 inspections and appeals for the fiscal year beginning July 1,  
12 33 2008, and ending June 30, 2009, the following amount, or so  
12 34 much thereof as is necessary, to be used for the purposes  
12 35 designated:



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Senate File 2400 - Introduced continued

13 1 For salaries, support, maintenance, and miscellaneous  
 13 2 purposes for the regulation of pari-mutuel racetracks, and for  
 13 3 not more than the following full-time equivalent positions:  
 13 4 ..... \$ 2,827,266  
 13 5 ..... FTEs 28.53

13 6 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

13 7 There is appropriated from the general fund of the state to  
 13 8 the racing and gaming commission of the department of  
 13 9 inspections and appeals for the fiscal year beginning July 1,  
 13 10 2008, and ending June 30, 2009, the following amount, or so  
 13 11 much thereof as is necessary, to be used for the purposes  
 13 12 designated:

13 13 For salaries, support, maintenance, and miscellaneous  
 13 14 purposes for administration and enforcement of the excursion  
 13 15 boat gambling and gambling structure laws, and for not more  
 13 16 than the following full-time equivalent positions:  
 13 17 ..... \$ 3,171,229  
 13 18 ..... FTEs 42.22

13 19 Sec. 14. USE TAX APPROPRIATION. There is appropriated  
 13 20 from the use tax receipts collected pursuant to sections  
 13 21 423.26 and 423.27 prior to their deposit in the road use tax  
 13 22 fund pursuant to section 423.43 to the administrative hearings  
 13 23 division of the department of inspections and appeals for the  
 13 24 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
 13 25 the following amount, or so much thereof as is necessary, for  
 13 26 the purposes designated:

13 27 For salaries, support, maintenance, and miscellaneous  
 13 28 purposes:  
 13 29 ..... \$ 1,623,897

13 30 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated  
 13 31 from the general fund of the state to the department of  
 13 32 management for the fiscal year beginning July 1, 2008, and  
 13 33 ending June 30, 2009, the following amounts, or so much  
 13 34 thereof as is necessary, to be used for the purposes  
 13 35 designated:



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14 1 For salaries, support, maintenance, and miscellaneous  
 14 2 purposes, and for not more than the following full-time  
 14 3 equivalent positions:  
 14 4 ..... \$ 3,178,337  
 14 5 ..... FTEs 37.50

14 6 Of the moneys appropriated in this section, the department  
 14 7 shall use a portion for enterprise resource planning,  
 14 8 providing for a salary model administrator, conducting  
 14 9 performance audits, and for the department's LEAN process.  
 14 10 As a condition of receiving funding appropriated in this  
 14 11 section, the department of management shall report to the  
 14 12 members and staff of the joint appropriations subcommittee on  
 14 13 administration and regulation by January 1, 2009, concerning  
 14 14 the feasibility and costs of creating and publishing on the  
 14 15 internet a publicly available, single state database providing  
 14 16 detailed information on state funding that is subject to state  
 14 17 budgeting and expenditure.

14 18 Sec. 16. ROAD USE TAX APPROPRIATION. There is  
 14 19 appropriated from the road use tax fund to the department of  
 14 20 management for the fiscal year beginning July 1, 2008, and  
 14 21 ending June 30, 2009, the following amount, or so much thereof  
 14 22 as is necessary, to be used for the purposes designated:

14 23 For salaries, support, maintenance, and miscellaneous  
 14 24 purposes:  
 14 25 ..... \$ 56,000

14 26 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated  
 14 27 from the general fund of the state to the department of  
 14 28 revenue for the fiscal year beginning July 1, 2008, and ending  
 14 29 June 30, 2009, the following amounts, or so much thereof as is  
 14 30 necessary, to be used for the purposes designated:

14 31 For salaries, support, maintenance, and miscellaneous  
 14 32 purposes, and for not more than the following full-time  
 14 33 equivalent positions:  
 14 34 ..... \$ 26,472,699  
 14 35 ..... FTEs 399.01



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Senate File 2400 - Introduced continued

15 1 Of the funds appropriated pursuant to this section,  
15 2 \$400,000 shall be used to pay the direct costs of compliance  
15 3 related to the collection and distribution of local sales and  
15 4 services taxes imposed pursuant to chapters 423B and 423E.

15 5 The director of revenue shall prepare and issue a state  
15 6 appraisal manual and the revisions to the state appraisal  
15 7 manual as provided in section 421.17, subsection 17, without  
15 8 cost to a city or county.

15 9 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
15 10 appropriated from the motor fuel tax fund created by section  
15 11 452A.77 to the department of revenue for the fiscal year  
15 12 beginning July 1, 2008, and ending June 30, 2009, the  
15 13 following amount, or so much thereof as is necessary, to be  
15 14 used for the purposes designated:

15 15 For salaries, support, maintenance, and miscellaneous  
15 16 purposes for administration and enforcement of the provisions  
15 17 of chapter 452A and the motor vehicle use tax program:  
15 18 ..... \$ 1,305,775

15 19 Sec. 19. SECRETARY OF STATE. There is appropriated from  
15 20 the general fund of the state to the office of the secretary  
15 21 of state for the fiscal year beginning July 1, 2008, and  
15 22 ending June 30, 2009, the following amounts, or so much  
15 23 thereof as is necessary, to be used for the purposes  
15 24 designated:

15 25 1. ADMINISTRATION AND ELECTIONS

15 26 For salaries, support, maintenance, and miscellaneous  
15 27 purposes, and for not more than the following full-time  
15 28 equivalent positions:  
15 29 ..... \$ 1,370,063  
15 30 ..... FTEs 17.00

15 31 The state department or state agency which provides data  
15 32 processing services to support voter registration file  
15 33 maintenance and storage shall provide those services without  
15 34 charge.

15 35 2. BUSINESS SERVICES



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Senate File 2400 - Introduced continued

16 1 For salaries, support, maintenance, and miscellaneous  
 16 2 purposes, and for not more than the following full-time  
 16 3 equivalent positions:  
 16 4 ..... \$ 2,012,018  
 16 5 ..... FTEs 25.00

16 6 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.  
 16 7 Notwithstanding the obligation to collect fees pursuant to the  
 16 8 provisions of section 490.122, subsection 1, paragraphs "a"  
 16 9 and "s", and section 504.113, subsection 1, paragraphs "a",  
 16 10 "c", "d", "j", "k", "l", and "m", for the fiscal year  
 16 11 beginning July 1, 2008, and ending June 30, 2009, the  
 16 12 secretary of state may refund these fees to the filer pursuant  
 16 13 to rules established by the secretary of state. The decision  
 16 14 of the secretary of state not to issue a refund under rules  
 16 15 established by the secretary of state is final and not subject  
 16 16 to review pursuant to the provisions of the Iowa  
 16 17 administrative procedure Act, chapter 17A.

16 18 Sec. 21. TREASURER. There is appropriated from the  
 16 19 general fund of the state to the office of treasurer of state  
 16 20 for the fiscal year beginning July 1, 2008, and ending June  
 16 21 30, 2009, the following amount, or so much thereof as is  
 16 22 necessary, to be used for the purposes designated:

16 23 For salaries, support, maintenance, and miscellaneous  
 16 24 purposes, and for not more than the following full-time  
 16 25 equivalent positions:  
 16 26 ..... \$ 1,027,970  
 16 27 ..... FTEs 28.80

16 28 The office of treasurer of state shall supply clerical and  
 16 29 secretarial support for the executive council.

16 30 Sec. 22. ROAD USE TAX APPROPRIATION. There is  
 16 31 appropriated from the road use tax fund to the office of  
 16 32 treasurer of state for the fiscal year beginning July 1, 2008,  
 16 33 and ending June 30, 2009, the following amount, or so much  
 16 34 thereof as necessary, to be used for the purposes designated:

16 35 For enterprise resource management costs related to the



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Senate File 2400 - Introduced continued

17 1 distribution of road use tax funds:  
 17 2 ..... \$ 93,148  
 17 3 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated  
 17 4 from the Iowa public employees' retirement system fund to the  
 17 5 Iowa public employees' retirement system for the fiscal year  
 17 6 beginning July 1, 2008, and ending June 30, 2009, the  
 17 7 following amount, or so much thereof as is necessary, to be  
 17 8 used for the purposes designated:  
 17 9 For salaries, support, maintenance, and other operational  
 17 10 purposes to pay the costs of the Iowa public employees'  
 17 11 retirement system, and for not more than the following full=  
 17 12 time equivalent positions:  
 17 13 ..... \$ 17,313,766  
 17 14 ..... FTEs 95.13  
 17 15 Sec. 24. 2007 Iowa Acts, chapter 217, section 7,  
 17 16 subsection 5, is amended by adding the following new  
 17 17 paragraph:  
 17 18 NEW PARAGRAPH. c. Notwithstanding sections 8.33 and  
 17 19 476.10 or any other provision to the contrary, any balance of  
 17 20 the appropriation made in this subsection for the utilities  
 17 21 division or any other operational appropriation made for the  
 17 22 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 17 23 that remains unused, unencumbered, or unobligated at the close  
 17 24 of the fiscal year shall not revert but shall remain available  
 17 25 to be used for purposes of the energy=efficient building  
 17 26 project authorized under section 476.10B, or for relocation  
 17 27 costs in succeeding fiscal years.  
 17 28 Sec. 25. 2007 Iowa Acts, chapter 217, section 10,  
 17 29 subsection 1, paragraph b, is amended to read as follows:  
 17 30 b. For support of multijurisdictional drug enforcement  
 17 31 programs:  
 17 32 ..... \$ 1,400,000  
 17 33 ~~If federal funding is received for multijurisdictional drug~~  
 17 34 ~~enforcement programs during the fiscal year beginning July 1,~~  
 17 35 ~~2007, and ending June 30, 2008, of the moneys appropriated in~~



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~~Senate File 2400 — Introduced continued~~

~~18 1 this lettered paragraph an amount equal to the federal funding  
18 2 received less \$1,560,000 shall revert to the general fund of  
18 3 the state at the end of the fiscal year. The programs shall  
18 4 provide for at least a 25 percent local match.  
18 5 Notwithstanding section 8.33, moneys appropriated in this  
18 6 lettered paragraph that remain unencumbered or unobligated at  
18 7 the close of the fiscal year shall not revert but shall remain  
18 8 available for expenditure for the purpose designated until the  
18 9 close of the succeeding fiscal year.~~

18 10 Sec. 26. EFFECTIVE DATES.

18 11 1. The provision of this Act amending 2007 Iowa Acts,  
18 12 chapter 217, section 7, relating to the expenditure authority  
18 13 of the utilities board for the fiscal year beginning July 1,  
18 14 2007, and ending June 30, 2008, for purposes of a building  
18 15 project, being deemed of immediate importance, takes effect  
18 16 upon enactment.

18 17 2. The provision of this Act amending 2007 Iowa Acts,  
18 18 chapter 217, section 10, relating to appropriations to the  
18 19 governor's office of drug control policy, being deemed of  
18 20 immediate importance, takes effect upon enactment.

18 21 EXPLANATION

18 22 This bill relates to and appropriates moneys to various  
18 23 state departments, agencies, and funds for the fiscal year  
18 24 beginning July 1, 2008, and ending June 30, 2009. The  
18 25 division makes appropriations to state departments and  
18 26 agencies including the department of administrative services,  
18 27 auditor of state, Iowa ethics and campaign disclosure board,  
18 28 department of commerce, offices of governor and lieutenant  
18 29 governor, Terrace Hill quarters and drug control policy  
18 30 office, department of human rights, department of inspections  
18 31 and appeals, department of management, Iowa public employees'  
18 32 retirement system, secretary of state, treasurer of state, and  
18 33 department of revenue. The bill also appropriates funding for  
18 34 the state's membership in the national governors association.

18 35 The bill also provides that the utilities board has the



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19 1 authority, for the fiscal years beginning July 1, 2007, and  
19 2 July 1, 2008, to use the balance of any appropriations made to  
19 3 the board at the end of each fiscal year for purposes of an  
19 4 energy=efficient building project. The provision of the bill  
19 5 granting the utilities board this expenditure authority for  
19 6 the fiscal year beginning July 1, 2007, takes effect upon  
19 7 enactment.

19 8 The bill provides that moneys appropriated to the  
19 9 governor's office of drug control policy for the fiscal year  
19 10 beginning July 1, 2007, for support of multijurisdictional  
19 11 drug enforcement programs, shall not be reduced by any federal  
19 12 funding received and moneys appropriated but unexpended at the  
19 13 close of the fiscal year shall not revert but shall remain  
19 14 available until the close of the next fiscal year. This  
19 15 provision takes effect upon enactment.

19 16 LSB 5000SV 82  
19 17 ec/mg/5



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**Senate File 2401 - Introduced**

SENATE FILE  
BY COMMITTEE ON WAYS AND  
MEANS

(SUCCESSOR TO SSB 3276)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the carryforward of unused investment tax  
2 credits under the high quality job creation and enterprise  
3 zone programs and including effective and applicability date  
4 provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 6547SV 82  
7 mg/sc/5



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Senate File 2401 - Introduced continued

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1 1 Section 1. Section 15.333, subsection 1, unnumbered  
1 2 paragraph 1, Code Supplement 2007, is amended to read as  
1 3 follows:  
1 4 An eligible business may claim a tax credit equal to a  
1 5 percentage of the new investment directly related to new jobs  
1 6 created by the location or expansion of an eligible business  
1 7 under the program. The tax credit shall be amortized equally  
1 8 over five calendar years. The tax credit shall be allowed  
1 9 against taxes imposed under chapter 422, division II, III, or  
1 10 V, and against the moneys and credits tax imposed in section  
1 11 533.329. If the business is a partnership, S corporation,  
1 12 limited liability company, cooperative organized under chapter  
1 13 501 and filing as a partnership for federal tax purposes, or  
1 14 estate or trust electing to have the income taxed directly to  
1 15 the individual, an individual may claim the tax credit  
1 16 allowed. The amount claimed by the individual shall be based  
1 17 upon the pro rata share of the individual's earnings of the  
1 18 partnership, S corporation, limited liability company,  
1 19 cooperative organized under chapter 501 and filing as a  
1 20 partnership for federal tax purposes, or estate or trust. The  
1 21 percentage shall be determined as provided in section 15.335A.  
1 22 Any tax credit in excess of the tax liability for the tax year  
1 23 may be credited to the tax liability for the following ~~seven~~  
1 24 five years or until depleted, whichever occurs first.  
1 25 Sec. 2. Section 15.333A, subsection 1, Code 2007, is  
1 26 amended to read as follows:  
1 27 1. An eligible business may claim an insurance premium tax  
1 28 credit equal to a percentage of the new investment directly  
1 29 related to new jobs created by the location or expansion of an  
1 30 eligible business under the program. The tax credit shall be  
1 31 amortized equally over a five-year period. The tax credit  
1 32 shall be allowed against taxes imposed in chapter 432. A tax  
1 33 credit in excess of the tax liability for the tax year may be  
1 34 credited to the tax liability for the following ~~seven~~ five  
1 35 years or until depleted, whichever occurs first. The



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2 1 percentage shall be determined as provided in section 15.335A.

2 2 Sec. 3. Section 15E.193B, subsection 6, paragraph a, Code  
2 3 2007, is amended to read as follows:

2 4 a. An eligible housing business may claim a tax credit up  
2 5 to a maximum of ten percent of the new investment which is  
2 6 directly related to the building or rehabilitating of a  
2 7 minimum of four single-family homes located in that part of a  
2 8 city or county in which there is a designated enterprise zone  
2 9 or one multiple dwelling unit building containing three or  
2 10 more individual dwelling units located in that part of a city  
2 11 or county in which there is a designated enterprise zone. The  
2 12 new investment that may be used to compute the tax credit  
2 13 shall not exceed the new investment used for the first one  
2 14 hundred forty thousand dollars of value for each single-family  
2 15 home or for each unit of a multiple dwelling unit building  
2 16 containing three or more units. The tax credit may be used to  
2 17 reduce the tax liability imposed under chapter 422, division  
2 18 II, III, or V, or chapter 432. Any credit in excess of the  
2 19 tax liability for the tax year may be credited to the tax  
2 20 liability for the following ~~seven~~ five years or until  
2 21 depleted, whichever occurs earlier. If the business is a  
2 22 partnership, S corporation, limited liability company, or  
2 23 estate or trust electing to have the income taxed directly to  
2 24 the individual, an individual may claim the tax credit  
2 25 allowed. The amount claimed by the individual shall be based  
2 26 upon the pro rata share of the individual's earnings of the  
2 27 partnership, S corporation, limited liability company, or  
2 28 estate or trust except as allowed for under subsection 8 when  
2 29 low-income housing tax credits authorized under section 42 of  
2 30 the Internal Revenue Code are used to assist in the financing  
2 31 of the housing development.

2 32 Sec. 4. EFFECTIVE AND APPLICABILITY DATE. This Act takes  
2 33 effect January 1, 2009, for contracts entered into on or after  
2 34 that date.

2 35

EXPLANATION



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Senate File 2401 - Introduced continued

3 1 Under the high quality job creation program and the  
3 2 enterprise zone program, eligible businesses may receive an  
3 3 investment tax credit to offset their individual or corporate  
3 4 income tax, franchise tax, or insurance premiums tax. If the  
3 5 tax credit is in excess of the tax liability, the business may  
3 6 carry the excess forward for up to seven tax years. This bill  
3 7 limits the carryforward to up to five tax years.  
3 8 The bill takes effect January 1, 2009, for contracts  
3 9 entered into on or after that date.  
3 10 LSB 6547SV 82  
3 11 mg/sc/5



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Senate File 2402 - Introduced

SENATE FILE  
BY COMMITTEE ON WAYS AND  
MEANS

(SUCCESSOR TO SSB 3058)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

A BILL FOR

- 1 An Act relating to the technical administration of the tax and
- 2 related laws by the department of revenue, including
- 3 administration of income, sales and use, property, motor fuel,
- 4 and tobacco taxes.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TL5B 5494SV 82
- 7 mg/sc/5



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Senate File 2402 - Introduced continued

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1 1 Section 1. Section 422.16, subsection 1, paragraph a, Code  
1 2 Supplement 2007, is amended to read as follows:

1 3 a. Every withholding agent and every employer as defined  
1 4 in this chapter and further defined in the Internal Revenue  
1 5 Code, with respect to income tax collected at source, making  
1 6 payment of wages to a nonresident employee working in Iowa, or  
1 7 to a resident employee, shall deduct and withhold from the  
1 8 wages an amount which will approximate the employee's annual  
1 9 tax liability on a calendar year basis, calculated on the  
1 10 basis of tables to be prepared by the department and schedules  
1 11 or percentage rates, based on the wages, to be prescribed by  
1 12 the department. Every employee or other person shall declare  
1 13 to the employer or withholding agent the number of the  
1 14 employee's or other person's personal ~~exemptions and~~  
~~1 15 dependency exemptions or credits~~ allowances to be used in  
1 16 applying the tables and schedules or percentage rates.

1 17 However, no greater number of ~~personal or dependency~~  
~~1 18 exemptions or credits~~ allowances may be declared by the  
1 19 employee or other person than the number to which the employee  
1 20 or other person is entitled except as allowed under sections  
1 21 3402(m)(1) and 3402(m)(3) of the Internal Revenue Code and as  
1 22 allowed for the child and dependent care credit provided in  
1 23 section 422.12C. The claiming of ~~exemptions or credits~~  
1 24 allowances in excess of entitlement is a serious misdemeanor.

1 25 Sec. 2. Section 423.36, subsection 2, Code 2007, is  
1 26 amended to read as follows:

1 27 2. To collect sales or use tax, the applicant must have a  
1 28 permit for each place of business in the state of Iowa. The  
1 29 department may deny a permit to an applicant who is  
1 30 substantially delinquent in paying a tax due, or the interest  
1 31 or penalty on the tax, administered by the department at the  
1 32 time of application or if the applicant had a previous  
~~1 33 delinquent liability with the department.~~ If the applicant is  
1 34 a partnership, a permit may be denied if a partner is  
1 35 substantially delinquent in paying any delinquent tax,



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2 1 penalty, or interest or if a partner had a previous delinquent  
2 2 liability with the department. If the applicant is a  
2 3 corporation, a permit may be denied if any officer having a  
2 4 substantial legal or equitable interest in the ownership of  
2 5 the corporation owes any delinquent tax, penalty, or interest  
2 6 or if any officer having a substantial legal or equitable  
2 7 interest in the ownership of the corporation had a previous  
2 8 delinquent liability with the department.

2 9 Sec. 3. Section 423A.5, subsection 1, Code 2007, is  
2 10 amended by adding the following new paragraph:

2 11 NEW PARAGRAPH. c. The sales price from transactions  
2 12 exempt from state sales tax under section 423.3.

2 13 Sec. 4. Section 423A.5, subsection 2, Code 2007, is  
2 14 amended by adding the following new paragraph:

2 15 NEW PARAGRAPH. c. The sales price from transactions  
2 16 exempt from state sales tax under section 423.3.

2 17 Sec. 5. Section 423D.3, Code 2007, is amended to read as  
2 18 follows:

2 19 423D.3 EXEMPTION.

2 20 The sales price on the lease or rental of equipment to  
2 21 contractors for direct and primary use in construction is  
2 22 exempt from the tax imposed by this chapter. The sales price  
2 23 from transactions exempt from state sales tax under section  
2 24 423.3 is also exempt from the tax imposed by this chapter.

2 25 Sec. 6. Section 427.1, subsection 7, Code Supplement 2007,  
2 26 is amended to read as follows:

2 27 7. LIBRARIES AND ART GALLERIES. All grounds and buildings  
2 28 used for public libraries, public art galleries, and libraries  
2 29 and art galleries owned and kept by private individuals,  
2 30 associations, or corporations, for public use and not for  
2 31 private profit. Claims for exemption for libraries and art  
2 32 galleries owned and kept by private individuals, associations,  
2 33 or corporations for public use and not for private profit must  
2 34 be filed with the local assessor by February 1 of the first  
2 35 year the exemption is requested. Once the exemption is



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3 1 granted, the exemption shall continue to be granted for  
3 2 subsequent assessment years without further filing of claims  
3 3 as long as the property continues to be used as a library or  
3 4 art gallery for public use and not for private profit.

3 5 Sec. 7. Section 452A.2, subsection 35, Code 2007, is  
3 6 amended to read as follows:

3 7 35. "Supplier" means a person who acquires motor fuel or  
3 8 special fuel by pipeline or marine vessel from a state,  
3 9 territory, or possession of the United States, or from a  
3 10 foreign country for storage at and distribution from a  
3 11 terminal and who is registered under 26 U.S.C. } 4101 for  
3 12 tax-free transactions in gasoline, a person who produces in  
3 13 this state or acquires by truck, railcar, or barge for storage  
3 14 at and distribution from a terminal, biofuel, biodiesel,  
3 15 alcohol, or alcohol derivative substances, or a person who  
3 16 produces, manufactures, or refines motor fuel or special fuel  
3 17 in this state. "Supplier" includes a person who does not meet  
3 18 the jurisdictional connection to this state but voluntarily  
3 19 agrees to act as a supplier for purposes of collecting and  
3 20 reporting the motor fuel or special fuel tax. "Supplier" does  
3 21 not include a retail dealer or wholesaler who merely blends  
3 22 alcohol with gasoline or biofuel with diesel before the sale  
3 23 or distribution of the product or a terminal operator who  
3 24 merely handles, in a terminal, motor fuel or special fuel  
3 25 consigned to the terminal operator.

3 26 Sec. 8. Section 452A.33, subsection 2, unnumbered  
3 27 paragraph 1, Code 2007, is amended to read as follows:

3 28 On or before ~~February~~ April 1 the department shall deliver  
3 29 a report to the governor and the legislative services agency.  
3 30 The report shall compile information reported by retail  
3 31 dealers to the department as provided in this section and  
3 32 shall at least include all of the following:

3 33 Sec. 9. Section 452A.59, Code 2007, is amended to read as  
3 34 follows:

3 35 452A.59 ADMINISTRATIVE RULES.



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4 1 The department of revenue and the state department of  
4 2 transportation are authorized and empowered to adopt rules  
4 3 under chapter 17A, relating to the administration and  
4 4 enforcement of this chapter as deemed necessary by the  
4 5 departments. However, when in the opinion of the director it  
4 6 is necessary for the efficient administration of this chapter,  
4 7 the director may regard persons in possession of motor fuel,  
4 8 special fuel, biofuel, alcohol, or alcohol derivative  
4 9 substances as blenders, dealers, eligible purchasers,  
4 10 exporters, importers, restrictive suppliers, suppliers,  
4 11 terminal operators, or nonterminal storage facility operators.

4 12 Sec. 10. Section 453A.46, subsection 7, Code Supplement  
4 13 2007, is amended to read as follows:

4 14 7. The director may require by rule that ~~reports~~ returns  
4 15 be filed by electronic transmission.

4 16 EXPLANATION

4 17 This bill makes changes relating to the technical  
4 18 administration of the tax and related laws by the department  
4 19 of revenue.

4 20 Code section 422.16 is amended to specify that allowances  
4 21 are claimed by employees when determining the amount of Iowa  
4 22 withholding tax, not personal or dependency exemptions or  
4 23 credits.

4 24 Code section 423.36 is amended to allow the department to  
4 25 deny an application for a sales or use tax permit if the  
4 26 applicant had a previous delinquent liability with the  
4 27 department.

4 28 Code section 423A.5 is amended to exempt from the state and  
4 29 local hotel and motel tax transactions that are exempt from  
4 30 state sales tax.

4 31 Code section 423D.3 is amended to exempt from the equipment  
4 32 tax transactions that are exempt from the state sales tax.

4 33 Code section 427.1 is amended to require a claim for a  
4 34 property tax exemption to be filed by privately owned  
4 35 libraries and art galleries used for public purposes and not



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Senate File 2402 - Introduced continued

5 1 for private profit to receive the property tax exemption.  
5 2 Code section 452A.2 is amended to include in the definition  
5 3 of "supplier" a person that produces or acquires biofuel or  
5 4 biodiesel for storage and distribution from a terminal. The  
5 5 definition is also amended to specify that "supplier" does not  
5 6 include a retail dealer or wholesaler who merely blends  
5 7 biofuel with diesel fuel before sale or distribution of the  
5 8 product.  
5 9 Code section 452A.33 is amended to change the date from  
5 10 February 1 to April 1 when the department of revenue is  
5 11 required to submit its report on information compiled from  
5 12 motor fuel retailers to the governor and the legislative  
5 13 services agency.  
5 14 Code section 452A.59 is amended to authorize the director  
5 15 to regard persons dealing in various fuel products as defined  
5 16 persons contained in Code chapter 452A if the director  
5 17 determines it is necessary for the efficient administration of  
5 18 the motor fuel chapter.  
5 19 Code section 453A.46 is amended to make a technical  
5 20 correction to clarify that the director may require by rule  
5 21 that tobacco "returns" rather than "reports" be filed by  
5 22 electronic transmission.  
5 23 LSB 5494SV 82  
5 24 mg/sc/5



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**Senate Resolution 119 - Introduced**

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S.R. \_\_\_\_\_ H.R. \_\_\_\_\_

1 1 SENATE RESOLUTION NO.  
1 2 BY BEALL and GASKILL  
1 3 A Resolution designating September 2008 as Prostate  
1 4 Cancer Awareness Month.  
1 5 WHEREAS, countless families in Iowa live with  
1 6 prostate cancer; and  
1 7 WHEREAS, a significant number of men in Iowa live  
1 8 with prostate cancer; and  
1 9 WHEREAS, over the past decade, prostate cancer has  
1 10 been the most commonly diagnosed nonskin cancer and  
1 11 the second most common cause of cancer-related deaths  
1 12 among men in Iowa; and  
1 13 WHEREAS, the American Cancer Society estimates  
1 14 218,890 men in the United States will be diagnosed  
1 15 with prostate cancer and 27,050 men will die of  
1 16 prostate cancer in 2008; and  
1 17 WHEREAS, the American Cancer Society estimates  
1 18 2,140 men in Iowa will be diagnosed with prostate  
1 19 cancer and 350 men will die of prostate cancer in  
1 20 2008; and  
1 21 WHEREAS, African-American males suffer a prostate  
1 22 cancer incidence rate up to 60 percent higher than  
1 23 white males and more than double the mortality rate;  
1 24 and  
1 25 WHEREAS, age, ethnicity, and family history are  
1 26 significant predictors of the severity of prostate  
1 27 cancer and the probability that the disease will lead  
1 28 to death; NOW THEREFORE,  
1 29 BE IT RESOLVED BY THE SENATE, That the Senate  
1 30 designates September 2008 as Prostate Cancer Awareness



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
March 20, 2008**

Senate Resolution 119 - Introduced continued

2 1 month;

2 2 BE IT FURTHER RESOLVED, That the Senate declares  
2 3 that Iowa state government has a responsibility to  
2 4 raise awareness about the importance of screening  
2 5 methods for, and treatment of, prostate cancer; to  
2 6 encourage increased research in order to improve  
2 7 screening and treatment of prostate cancer, and to  
2 8 provide that the causes of, and a cure for, prostate  
2 9 cancer may be discovered; and to continue to consider  
2 10 ways for improving access to, and the quality of,  
2 11 health care services for detecting and treating  
2 12 prostate cancer.

2 13 BE IT FURTHER RESOLVED, That the Senate requests  
2 14 the Governor to issue a proclamation calling on the  
2 15 people of Iowa, interested groups, and affected  
2 16 persons to promote awareness of prostate cancer; to  
2 17 take an active role in the fight to end the  
2 18 devastating effects of prostate cancer on individuals  
2 19 and their families; to observe Prostate Cancer  
2 20 Awareness Month with appropriate ceremonies and  
2 21 activities; and to urge the United States Congress to  
2 22 prohibit the application of least costly alternative  
2 23 practices or similar policies for drugs and  
2 24 biologicals that unfairly target prostate cancer  
2 25 patients.

2 26 LSB 6612SS 82

2 27 rj/rj/24.1