House Amendment 1308

PAG LIN

1 1 Amend Senate File 3, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 11 the
1 4 following:
1 5 <Sec. ___. Section 462A.14, Code 2009, is amended
1 6 by adding the following new subsections:
1 7 NEW SUBSECTION. 14. A peace officer may stop or
1 8 intercept a motorboat or sailboat upon a reasonable
1 9 and specific belief that a violation has occurred
1 10 during the operation of a motorboat or sailboat. The
1 11 reasonable and specific belief that a violation has
1 12 occurred must be observed by the peace officer prior
1 13 to the time of the stop or interception of the
1 14 motorboat or sailboat and must be the reason for the
1 15 peace officer to stop or intercept the motorboat or
1 16 sailboat.
1 17 NEW SUBSECTION. 15. For the purposes of this
1 18 section, "operate" means to be in actual physical
1 19 control of a motorboat in motion which is powered by a
1 20 motor of ten horsepower or more or to be in actual
1 21 physical control of a sailboat in motion which is
1 22 under a sail speed great enough to cause a wake.>
1 23 #2. By renumbering as necessary.
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1 27 COMMITTEE ON PUBLIC SAFETY
1 28 LYKAM of Scott, Chairperson
1 29 SF 3.502 83
1 30 rh/nh/23031
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House Amendment 1309

PAG LIN

1 1 Amend Senate File 356, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking page 1, line 20, through page 5,
1 4 line 14, and inserting the following:
1 5 <Sec. ___. NEW SECTION. 321.200A CONVICTIONS
1 6 BASED UPON FRAUD.
1 7 1. If a person discovers a record of conviction
1 8 for a scheduled violation under this chapter was
1 9 entered by fraudulent use of the person's name or by
1 10 use of other fraudulent identification, the person
1 11 may, within one year of the date of the discovery of
1 12 the conviction, submit a written application to the
1 13 department to investigate the allegation. The
1 14 department may summarily reject the application as
1 15 submitted, or proceed to investigate the application.
1 16 If the department investigates the application, the
1 17 department may either deny the application or if the
1 18 department determines the allegation is warranted,
1 19 approve the application. If the department
1 20 investigates the application the department shall also
1 21 issue a report and findings with the decision of the
1 22 department. The rejection, approval, or denial of an
1 23 application is not subject to contested case
1 24 proceedings or further review as provided in chapter
1 25 17A. If the application is investigated, the
1 26 department shall provide the applicant with a
1 27 certified copy of the decision of the department. If
1 28 the department approves the application, the
1 29 department shall also provide the applicant with a
1 30 certified copy of the investigative report and
1 31 findings. The department shall also provide certified
1 32 copies of the department's decision approving or
1 33 denying the application together with the
1 34 investigative report and findings to the appropriate
1 35 prosecuting attorney in the city or county that
1 36 prosecuted the scheduled violation, and to the
1 37 district court in the county that prosecuted the
1 38 scheduled violation. The department may
1 39 electronically provide copies of any decision
1 40 approving or denying the application and the
1 41 investigative report and findings, to the district
1 42 court.
1 43 2. A person who discovers that a record of
1 44 conviction for a scheduled violation under this
1 45 chapter was entered by fraudulent use of the person's
1 46 name or by use of other fraudulent identification, may
1 47 bypass the application process in subsection 1, and
1 48 move in district court to set aside the judgment of
1 49 conviction within one year of discovery of the
1 50 conviction. An applicant with an approved application

House Amendment 1309 continued

2 1 under subsection 1, shall also move in district court
2 2 to set aside the judgment of conviction in order to
2 3 have the department expunge or alter the records of
2 4 the department or rescind or modify an administrative
2 5 sanction. If the district court grants the motion to
2 6 set aside the judgment, the district court shall order
2 7 the charging agency or official to modify the records
2 8 of the agency or official to reflect the order setting
2 9 aside the judgment. The clerk of the district court
2 10 shall provide the court order setting aside the
2 11 judgment, either by regular mail or electronic means,
2 12 to the charging agency or official, and the department
2 13 of transportation. The clerk of the district court
2 14 shall also provide the applicant with a certified copy
2 15 of the court order at no cost to the applicant.
2 16 3. Notwithstanding the department's approval of an
2 17 application pursuant to subsection 1, the department
2 18 shall not expunge or alter the records of the
2 19 department or rescind or modify an administrative
2 20 sanction unless the department receives an order from
2 21 the district court setting aside the previous judgment
2 22 of the court as provided in subsection 2. Upon
2 23 receiving a copy of an order from the district court
2 24 setting aside the previous judgment of the court, the
2 25 department shall expunge the record and shall rescind
2 26 any administrative sanction imposed upon the applicant
2 27 as a result of the judgment, unless the applicant is
2 28 subject to sanctions for other reasons. The
2 29 department may impose a new sanction if expunging the
2 30 judgment would result in a lesser or different
2 31 sanction.
2 32 4. The department shall adopt rules pursuant to
2 33 chapter 17A to implement this section.
2 34 Sec. ___. Section 811.9, Code 2009, is amended to
2 35 read as follows:
2 36 811.9 FORFEITURE OF APPEARANCE BOND.
2 37 Sections 811.6 through 811.8 shall not apply in a
2 38 case where a simple misdemeanor is charged upon a
2 39 uniform citation and complaint and where the defendant
2 40 has submitted an unsecured appearance bond or has
2 41 submitted bail in the form of cash, check, credit card
2 42 as provided in section 805.14, or guaranteed arrest
2 43 bond certificate as defined in section 321.1. When a
2 44 defendant fails to appear as required in such cases,
2 45 the court, or the clerk of the district court, shall
2 46 enter a judgment of forfeiture of the bond or bail.
2 47 The judgment shall be final upon entry and shall not
2 48 be set aside unless a conviction for a scheduled
2 49 violation under chapter 321 was set aside under the
2 50 procedures established in section 321.200A.>

House Amendment 1309 continued

3 1 #2. By renumbering as necessary.
3 2
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3 4
3 5 COMMITTEE ON TRANSPORTATION
3 6 QUIRK of Chickasaw, Chairperson
3 7 SF 356.701 83
3 8 jm/nh/12506

House Amendment 1310

PAG LIN

1 1 Amend Senate File 151, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, by striking lines 29 through 31 and
1 4 inserting the following: <expenditure under this
1 5 section.>
1 6 #2. Page 5, by striking lines 25 through 27 and
1 7 inserting the following:
1 8 <Sec. ___. Section 327J.2, subsections 1 and 2,
1 9 Code 2009, are amended to read as follows:>
1 10 #3. Page 6, by striking lines 8 through 12.
1 11 #4. By renumbering as necessary.
1 12
1 13
1 14
1 15 COMMITTEE ON TRANSPORTATION
1 16 QUIRK of Chickasaw, Chairperson
1 17 SF 151.201 83
1 18 dea/nh/12507
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House Amendment 1311

PAG LIN

1 1 Amend House File 783 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 314.13, Code 2009, is amended
1 5 to read as follows:
1 6 314.13 DEFINITIONS.
1 7 As used in this chapter, unless the context
1 8 otherwise requires:
1 9 1. "Agency" means any governmental body which
1 10 exercises jurisdiction over any road as provided by
1 11 law.
1 12 2. "Committee" means the integrated roadside
1 13 vegetation management technical advisory committee
1 14 created in section 314.22.
1 15 3. "Coordinator" means the integrated roadside
1 16 vegetation management coordinator.
1 17 4. "Department" means the state department of
1 18 transportation.
1 19 5. "Disadvantaged business enterprise" means a
1 20 small business which meets both of the following:
1 21 a. The business is at least fifty=one percent
1 22 owned by one or more socially and economically
1 23 disadvantaged individuals.
1 24 b. The management and daily business operations of
1 25 the business are controlled by one or more of the
1 26 socially and economically disadvantaged individuals
1 27 who own the business.
1 28 ~~5.~~ 6. "Highway" or "street" means the entire
1 29 width between property lines of every way or place of
1 30 whatever nature when any part thereof is open to the
1 31 use of the public, as a matter of right, for purposes
1 32 of vehicular traffic.
1 33 7. "Prequalified" means that a small business has
1 34 been approved by the department as a small business,
1 35 is a recognized contractor engaged in the class of
1 36 work provided for in the plans and specifications,
1 37 possesses sufficient resources to complete the work,
1 38 and is able to furnish a performance bond for one
1 39 hundred percent of the contract.
1 40 8. "Small business" means any enterprise, which is
1 41 operated for profit and under a single management, and
1 42 which has either fewer than twenty employees or an
1 43 annual gross income of less than four million dollars
1 44 computed as the average of the three preceding fiscal
1 45 years. This definition does not apply to any program
1 46 or activity for which a definition for small business
1 47 is provided for the program or activity by federal law
1 48 or regulation or other state law.
1 49 9. "Socially and economically disadvantaged
1 50 individual" means an individual who is a citizen of

House Amendment 1311 continued

2 1 the United States or who is a lawfully admitted
2 2 permanent resident of the United States and who is a
2 3 woman, Black American, Hispanic American, Native
2 4 American, Asian=Pacific American, Asian=Indian
2 5 American, or any other minority person or individual
2 6 found to be disadvantaged by the United States small
2 7 business administration. However, the department may
2 8 also determine, on a case=by=case basis, that an
2 9 individual who is not a member of one of the
2 10 enumerated groups is a socially and economically
2 11 disadvantaged individual. A rebuttable presumption
2 12 exists that individuals in the following groups are
2 13 socially and economically disadvantaged:
2 14 a. "Asian=Indian Americans", which includes
2 15 persons whose origins are from India, Pakistan,
2 16 Bangladesh, Bhutan, the Maldives Islands, Nepal, or
2 17 Sri Lanka.
2 18 b. "Asian=Pacific Americans", which includes
2 19 persons whose origins are from Japan, China, Taiwan,
2 20 Korea, Burma (Myanmar), Vietnam, Laos, Cambodia,
2 21 Thailand, Malaysia, Indonesia, the Philippines,
2 22 Brunei, Samoa, Guam, the United States trust
2 23 territories of the Pacific Islands, and the Northern
2 24 Marianas, Macao, Fiji, Tonga, Kirbati, Juvalu, Nauru,
2 25 Micronesia, or Hong Kong.
2 26 c. "Black Americans", which includes persons
2 27 having origins in any of the black racial groups of
2 28 Africa.
2 29 d. "Hispanic Americans", which includes persons of
2 30 Mexican, Puerto Rican, Cuban, Central or South
2 31 American, or other Spanish or Portuguese culture or
2 32 origin, regardless of race.
2 33 e. "Native Americans", which includes persons who
2 34 are American Indians, Eskimos, Aleuts, or Native
2 35 Hawaiians.
2 36 Sec. 2. NEW SECTION. 314.13A CONTRACT ASSESSMENT
2 37 == SOCIALLY AND ECONOMICALLY DISADVANTAGED
2 38 INDIVIDUALS.
2 39 1. The department, prior to awarding a federal or
2 40 nonfederal highway contract, shall assess the impact
2 41 of the contract on socially and economically
2 42 disadvantaged individuals, including women and persons
2 43 with a disability as defined in section 15.102, in the
2 44 state.
2 45 2. The assessment shall include the following:
2 46 a. Any disproportionate or unique impact the
2 47 contract may have on socially and economically
2 48 disadvantaged individuals in the state.
2 49 b. A rationale for the contract having an impact
2 50 on socially and economically disadvantaged individuals

House Amendment 1311 continued

3 1 in the state.
3 2 c. Consultation with representatives of socially
3 3 and economically disadvantaged individuals in cases
3 4 where the contract has an identifiable impact on
3 5 socially and economically disadvantaged individuals in
3 6 the state.
3 7 3. This section shall be carried out to the extent
3 8 consistent with federal law.
3 9 4. The assessment shall be used for informational
3 10 purposes.
3 11 Sec. 3. Section 314.14, Code 2009, is amended to
3 12 read as follows:
3 13 314.14 CONTRACTS SET ASIDE FOR ~~DISADVANTAGED~~
3 14 ~~BUSINESS ENTERPRISES~~ SMALL BUSINESSES.
3 15 ~~1. Definitions. As used in this section:~~
3 16 ~~a. "Disadvantaged business enterprise" means a~~
3 17 ~~small business concern which meets either of the~~
3 18 ~~following:~~
3 19 ~~(1) Is at least fifty=one percent owned by one or~~
3 20 ~~more socially and economically disadvantaged~~
3 21 ~~individuals.~~
3 22 ~~(2) Whose management and daily business operations~~
3 23 ~~are controlled by one or more of the socially and~~
3 24 ~~economically disadvantaged individuals who own it.~~
3 25 ~~b. "Small business concern" means a business which~~
3 26 ~~is independently owned and operated and which is not~~
3 27 ~~dominant in its field of operation.~~
3 28 ~~c. "Socially and economically disadvantaged~~
3 29 ~~individuals" means those individuals who are citizens~~
3 30 ~~of the United States or who are lawfully admitted~~
3 31 ~~permanent residents and who are Black Americans,~~
3 32 ~~Hispanic Americans, Native Americans, Asian=Pacific~~
3 33 ~~Americans, Asian=Indian Americans, or any other~~
3 34 ~~minority or individuals found to be disadvantaged by~~
3 35 ~~the United States small business administration.~~
3 36 ~~However, the department may also determine, on a~~
3 37 ~~case=by=case basis, that an individual who is not a~~
3 38 ~~member of one of the enumerated groups is socially and~~
3 39 ~~economically disadvantaged. A rebuttable presumption~~
3 40 ~~exists that individuals in the following groups are~~
3 41 ~~socially and economically disadvantaged:~~
3 42 ~~(1) "Black Americans" which includes persons~~
3 43 ~~having origins in any of the black racial groups of~~
3 44 ~~Africa.~~
3 45 ~~(2) "Hispanic Americans" which includes persons of~~
3 46 ~~Mexican, Puerto Rican, Cuban, Central or South~~
3 47 ~~American, or other Spanish culture or origin,~~
3 48 ~~regardless of race.~~
3 49 ~~(3) "Native Americans" which includes persons who~~
3 50 ~~are American Indians, Eskimos, Aleuts, or Native~~

~~House Amendment 1311 continued~~

~~4 1 Hawaiians.~~
4 2 ~~(4) "Asian=Pacific Americans" which includes~~
~~4 3 persons whose origins are from Japan, China, Taiwan,~~
~~4 4 Korea, Vietnam, Laos, Cambodia, the Philippines,~~
~~4 5 Samoa, Guam, the United States Trust Territories of~~
~~4 6 the Pacific, and the Northern Marianas.~~
4 7 ~~(5) "Asian=Indian Americans" which includes~~
~~4 8 persons whose origins are from India, Pakistan, and~~
~~4 9 Bangladesh.~~
4 10 ~~d. "Prequalified" means that the disadvantaged~~
~~4 11 business enterprise is currently approved by the~~
~~4 12 department as a disadvantaged business enterprise, is~~
~~4 13 a recognized contractor engaged in the class of work~~
~~4 14 provided for in the plans and specifications,~~
~~4 15 possesses sufficient resources to complete the work,~~
~~4 16 and is able to furnish a performance bond for one~~
~~4 17 hundred percent of the contract.~~
4 18 ~~2. Set=aside.~~ Notwithstanding section 314.1,
4 19 there may be set aside contracts for bidding by
4 20 prequalified ~~disadvantaged business enterprises~~ small
4 21 businesses a percentage of the total annual dollar
4 22 amount of public contracts let by the department. The
4 23 annual dollar amount set aside for bidding by
4 24 prequalified ~~disadvantaged business enterprises~~ small
4 25 businesses shall not exceed ten percent of the total
4 26 dollar amount of ~~federal aid~~ highway construction
4 27 contracts let by the department and ~~federal aid~~
4 28 transit dollars administered by the department. The
4 29 director may estimate the set=aside amount at the
4 30 beginning of each fiscal year and a suit shall not be
4 31 brought by any party as a result of this estimate.
4 32 Set=aside contracts will be awarded to the lowest
4 33 responsible prequalified ~~disadvantaged business~~
~~4 34 enterprise~~ small business. This section shall not be
4 35 construed as limiting the department's right to refuse
4 36 any or all ~~disadvantaged business enterprise~~ small
4 37 business bids.
4 38 Sec. 4. PARTICIPATIONS GOALS == SMALL BUSINESSES
4 39 AND DISADVANTAGED BUSINESS ENTERPRISES.
4 40 1. The department of transportation, in
4 41 cooperation with organizations that represent highway
4 42 contractors, shall submit recommendations to the
4 43 general assembly and the governor by November 1, 2009,
4 44 concerning methods to track and assess the
4 45 participation of small businesses and disadvantaged
4 46 business enterprises in receiving nonfederal highway
4 47 funding. The recommendations may include methods to
4 48 assess the effort on the part of contractors to
4 49 achieve participation by small businesses and
4 50 disadvantaged business enterprises and may involve the

House Amendment 1311 continued

5 1 establishment of participation goals. Following the
5 2 consideration and adoption of recommendations by the
5 3 general assembly, the department shall annually review
5 4 the small business and disadvantaged business
5 5 enterprise participation achievements of contractors
5 6 who were awarded contracts for nonfederal aid highway
5 7 projects with the department.
5 8 2. The department shall work in cooperation with
5 9 organizations that represent highway contractors,
5 10 small businesses, and disadvantaged business
5 11 enterprises to maintain communication among the
5 12 entities to further the dissemination of information
5 13 about contract and training resources that are
5 14 available from the department.>
5 15 #2. Title page, by striking lines 1 through 3 and
5 16 inserting the following: <An Act relating to small
5 17 business and disadvantaged business enterprise
5 18 contracts with the department of transportation.>
5 19 #3. By renumbering as necessary.
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5 22
5 23 COMMITTEE ON TRANSPORTATION
5 24 QUIRK of Chickasaw, Chairperson
5 25 HF 783.502 83
5 26 ak/nh/12508

House Amendment 1312

PAG LIN

1 1 Amend Senate File 403, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 4, by inserting after the words
1 4 <native wine permit> the following: <whose primary
1 5 purpose is manufacturing native wine>.
1 6
1 7
1 8
1 9 COMMITTEE ON ECONOMIC GROWTH
1 10 THOMAS of Clayton, Chairperson
1 11 SF 403.201 83
1 12 ec/nh/22591
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House Amendment 1313

PAG LIN

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     1  1    Amend Senate File 187, as amended, passed, and
     1  2 reprinted by the Senate, as follows:
     1  3 #1.  Page 1, line 5, by striking the words
     1  4 <muzzleloading shotgun> and inserting the following:
     1  5 <muzzleloading rifle>.
     1  6
     1  7
     1  8
     1  9 WHITAKER of Van Buren
     1 10 SF 187.502 83
     1 11 av/nh/23401
   1 12
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House Amendment 1314

PAG LIN

1 1 Amend House File 486 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 162.2, Code 2009, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 8A. "Department" means the
1 7 department of agriculture and land stewardship.
1 8 Sec. 2. Section 162.11, subsection 2, Code 2009,
1 9 is amended to read as follows:
1 10 2. The department may regulate a person who
1 11 applies for or has been issued a certificate of
1 12 registration ~~may be denied or revoked if the person no~~
~~1 13 longer possesses a current and valid federal license.~~
~~1 14 Other than obtaining the certificate of registration~~
~~1 15 from the secretary, any~~ as a dealer, ~~or~~ commercial
1 16 breeder, ~~and any person who operates a~~ commercial
1 17 kennel, or public auction ~~shall not be subject to~~
~~1 18 further regulation under the provisions of this~~
~~1 19 chapter~~ only as provided in section 162.12.
1 20 Sec. 3. Section 162.12, Code 2009, is amended to
1 21 read as follows:
1 22 162.12 DENIAL OR REVOCATION OF CERTIFICATE OF
1 23 REGISTRATION OR LICENSE ~~OR REGISTRATION~~.
1 24 1. ~~A~~ This subsection applies to a person who
1 25 applies to the department for a certificate of
1 26 registration ~~may be denied to any~~ or has been issued a
1 27 certificate of registration as a pound, ~~or~~ animal
1 28 shelter, or research facility, and to a person who
1 29 applies for a license or ~~certificate of registration~~
~~1 30 may be denied to any~~ has been issued a license as a
1 31 public auction, boarding kennel, commercial kennel,
1 32 ~~research facility,~~ pet shop, commercial breeder, or
1 33 dealer~~, or an existing certificate or license may be~~
~~1 34 revoked by the secretary if, after public hearing, it~~
~~1 35 is determined~~. The department may deny the person's
1 36 application or revoke the person's certificate of
1 37 registration or license, if the department determines
1 38 that the housing facilities or primary enclosures are
1 39 inadequate under this chapter or if the feeding,
1 40 watering, cleaning, and housing practices at the
1 41 pound, animal shelter, public auction, pet shop,
1 42 boarding kennel, commercial kennel, research facility,
1 43 or those practices by the commercial breeder or
1 44 dealer, are not in compliance with this chapter or
1 45 with the rules adopted pursuant to this chapter. The
1 46 premises of each ~~licensee or certificate holder~~ such
1 47 person shall be open for inspection during normal
1 48 business hours.
1 49 2. This subsection applies to a person who applies
1 50 to the department for a certificate of registration or

House Amendment 1314 continued

2 1 has been issued a certificate of registration by the
2 2 department as a commercial kennel, public auction,
2 3 dealer, or commercial breeder, because the person has
2 4 been issued a federal license. The department may
2 5 deny the person's application or revoke the person's
2 6 certificate of registration upon any of the following:
2 7 a. The person's violation of a requirement in
2 8 subsection 1 that directly relates to providing for
2 9 the health and welfare of an animal. A person does
2 10 not violate subsection 1, including a rule adopted
2 11 pursuant to this chapter, by failing to comply with an
2 12 administrative requirement including but not limited
2 13 to recordkeeping, that is imposed upon persons issued
2 14 a certificate of registration or license pursuant to
2 15 subsection 1.
2 16 b. The person's failure to retain the federal
2 17 license.
2 18 3. A person whose application for a certificate of
2 19 registration or license has been disapproved by the
2 20 department under this section or a person whose
2 21 certificate of registration or license has been
2 22 revoked under this section may contest the
2 23 department's action pursuant to an evidentiary hearing
2 24 as provided in chapter 17A.
2 25 Sec. 4. NEW SECTION. 162.17 CARE OF COMPANION
2 26 ANIMALS TRUST FUND.
2 27 A care of companion animals trust fund is created
2 28 in the state treasury under the authority of the
2 29 department.
2 30 1. The fund shall include moneys appropriated to
2 31 the fund from the general fund and any other moneys
2 32 available to and obtained or accepted by the
2 33 department from the federal government or private
2 34 sources for deposit in the fund.
2 35 2. Moneys in the fund are appropriated to the
2 36 department exclusively to pay the expenses of the
2 37 department in administering and enforcing this chapter
2 38 as necessary to ensure that persons who have been
2 39 issued certificates of registration or licenses by the
2 40 department comply with this chapter's requirements,
2 41 including rules adopted by the department.
2 42 3. The fund shall be separate from the general
2 43 fund of the state and shall not be considered part of
2 44 the general fund of the state. Notwithstanding
2 45 section 8.33, any unexpended balance in the fund at
2 46 the end of each fiscal year shall be retained in the
2 47 fund. Notwithstanding section 12C.7, any interest and
2 48 earnings on investments from money in the fund shall
2 49 be credited to the fund.
2 50 Sec. 5. CONTINGENT IMPLEMENTATION. The provisions

House Amendment 1314 continued

3 1 of this Act amending sections 162.11 and 162.12 shall
3 2 be implemented by the department of agriculture and
3 3 land stewardship only when the balance in the care of
3 4 companion animals trust fund created in section
3 5 162.17, as enacted in this Act, first has a balance of
3 6 one hundred fifty thousand dollars. Until that time
3 7 the provisions of sections 162.11 and 162.12 shall be
3 8 administered and enforced in the same manner as if
3 9 this Act had not been enacted. Within fifteen days
3 10 after the fund first has a balance of one hundred
3 11 fifty thousand dollars, the secretary of agriculture
3 12 shall publish a notice that sections 162.11 and
3 13 162.12, as amended by this Act, are being implemented
3 14 in the Iowa administrative bulletin. The secretary of
3 15 agriculture shall notify the Code editor of such
3 16 implementation during the same period.>
3 17 #2. Title page, line 3, by inserting after the
3 18 word <stewardship> the following: <, and providing
3 19 for contingent implementation>.
3 20 #3. By renumbering as necessary.
3 21
3 22
3 23
3 24 KUHN of Floyd
3 25
3 26
3 27
3 28 LYKAM of Scott
3 29 HF 486.1
3 30 da/cm/25

House Amendment 1315

PAG LIN

1 1 Amend Senate File 419, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 11, by inserting after line 26 the
1 4 following:
1 5 <Sec. ___. Section 321.166, subsection 2, Code
1 6 2009, is amended to read as follows:
1 7 2. Every registration plate or pair of plates
1 8 shall display a registration plate number which shall
1 9 consist of alphabetical or numerical characters or a
1 10 combination thereof and the name of this state, which
1 11 may be abbreviated. Every registration plate issued
1 12 by the county treasurer shall display the name of the
1 13 county, including any plate issued pursuant to section
1 14 321.34, except Pearl Harbor and purple heart
1 15 registration plates issued prior to January 1, 1997~~,~~;
1 16 registration plates issued pursuant to section 321.34,
1 17 subsection 13, paragraph "d"; and collegiate, fire
1 18 fighter, and medal of honor registration plates.
1 19 Special truck registration plates shall display the
1 20 word "special". The department may adopt rules to
1 21 implement this subsection.>
1 22 #2. By renumbering as necessary.
1 23
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1 25
1 26 LYKAM of Scott
1 27 SF 419.203 83
1 28 dea/dea/12515
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House Amendment 1316

PAG LIN

1 1 Amend Senate File 344, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 48, by inserting after line 32 the
1 4 following:
1 5 <DIVISION
1 6 EMINENT DOMAIN
1 7 Sec. ___. Section 6A.22, subsection 2, Code 2009,
1 8 is amended by adding the following new paragraph:
1 9 NEW PARAGRAPH. d. Notwithstanding paragraphs "a",
1 10 "b", and "c", "public use", "public purpose", or
1 11 "public improvement" does not include any project that
1 12 receives a state appropriation or that receives or is
1 13 awarded state funds or other funding by means of
1 14 incentives, as authorized pursuant to chapter 12, 15,
1 15 15A, 15E, 15F, 15G, or 16.
1 16 Sec. ___. EFFECTIVE DATE. This division of this
1 17 Act, being deemed of immediate importance, takes
1 18 effect upon enactment.>
1 19 #2. Title page, line 5, by inserting after the
1 20 word <program> the following: <and affecting the use
1 21 of eminent domain when state financial assistance is
1 22 involved and including an effective date provision>.
1 23 #3. By renumbering as necessary.
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1 27 KAUFMANN of Cedar
1 28 SF 344.711 83
1 29 tw/rj/23083
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House Amendment 1317

PAG LIN

1 1 Amend Senate File 344, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 19, line 33, by inserting after the word
1 4 <department.> the following: <In considering
1 5 applications for financial assistance under this
1 6 component, the board shall give priority to projects
1 7 that are ready to begin construction immediately.>
1 8 #2. By renumbering as necessary.
1 9
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1 12 KOESTER of Polk
1 13 SF 344.712 83
1 14 tw/rj/23084
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House Amendment 1318

PAG LIN

1 1 Amend Senate File 419, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 12, by inserting after line 4 the
1 4 following:
1 5 <Sec. ___. Section 321A.17, Code 2009, is amended
1 6 by adding the following new subsection:
1 7 NEW SUBSECTION. 9. The registration suspension
1 8 required under this section does not apply to a motor
1 9 vehicle awarded to an individual under an order
1 10 entered pursuant to section 598.21, if all of the
1 11 following apply:
1 12 a. The individual was the co=owner of the motor
1 13 vehicle with a spouse who is required to file and
1 14 maintain proof of financial responsibility.
1 15 b. The individual is not otherwise required to
1 16 file and maintain proof of financial responsibility.
1 17 c. The individual is not able to obtain title to
1 18 the motor vehicle in the individual's sole name due to
1 19 a lien against the motor vehicle that existed at the
1 20 time the order was entered pursuant to section
1 21 598.21.>
1 22 #2. Page 19, by inserting after line 3 the
1 23 following:
1 24 <Sec. ___. EFFECTIVE DATE. The section of this
1 25 division of this Act enacting section 321A.17,
1 26 subsection 9, being deemed of immediate importance,
1 27 takes effect upon enactment.>
1 28 #3. By renumbering as necessary.
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1 32 HUSER of Polk
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1 36 PETERSEN of Polk
1 37 SF 419.501 83
1 38 dea/nh/23429
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House Amendment 1319

PAG LIN

1 1 Amend Senate File 404, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 20, by inserting after the word
1 4 <governor> the following: <or secretary of
1 5 agriculture, as specified>.
1 6 #2. Page 1, line 23, by inserting after the word
1 7 <production.> the following: <Two individuals shall
1 8 be appointed by the governor and one individual shall
1 9 be appointed by the secretary of agriculture.>
1 10 #3. Page 1, line 27, by inserting after the word
1 11 <production.> the following: <One individual shall be
1 12 appointed by the governor and two individuals shall be
1 13 appointed by the secretary of agriculture.>
1 14 #4. Page 1, line 31, by inserting after the word
1 15 <food.> the following: <Both individuals shall be
1 16 appointed by the governor.>
1 17 #5. Page 1, line 33, by inserting after the word
1 18 <consumers.> the following: <The individual shall be
1 19 appointed by the governor.>
1 20 #6. Page 1, line 35, by inserting after the word
1 21 <union> the following: <and one member representing
1 22 the Iowa farm bureau federation. The two members
1 23 representing the Iowa farmers union and the Iowa farm
1 24 bureau federation shall be appointed by the governor
1 25 and the third individual representing a farm
1 26 organization shall be appointed by the secretary of
1 27 agriculture>.
1 28 #7. Page 2, line 2, by inserting after the word
1 29 <association.> the following: <The individual shall
1 30 be appointed by the secretary of agriculture.>
1 31 #8. Page 2, line 5, by inserting after the word
1 32 <stewardship.> the following: <The individual shall
1 33 be appointed by the secretary of agriculture.>
1 34 #9. Page 2, line 7, by inserting after the word
1 35 <food.> the following: <The individual shall be
1 36 appointed by the governor.>
1 37 #10. Page 2, line 9, by inserting after the word
1 38 <access.> the following: <Two individuals shall be
1 39 appointed by the governor and two individuals shall be
1 40 appointed by the secretary of agriculture.>
1 41 #11. By renumbering as necessary.
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1 45 DE BOEF of Keokuk
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1 49 SWEENEY of Hardin
1 50 SF 404.201 83

House Amendment 1319 continued

2 1 da/nh/23435

House Amendment 1320

PAG LIN

1 1 Amend the amendment, H=1293, to House File 420, as
1 2 follows:
1 3 #1. Page 1, by striking lines 5 and 6 and
1 4 inserting the following: <state ~~at the time~~ within
1 5 two years of such appointment ~~or~~, within two years of
1 6 the date employment begins, or within two years
1 7 following completion of any applicable probationary
1 8 period, whichever is latest, and shall remain a
1 9 resident of the state during the remainder of>.
1 10 #2. Page 1, by inserting after line 7 the
1 11 following:
1 12 <#___. Page 3, line 16, by inserting after the
1 13 word <employment.> the following: <Each employee
1 14 residing outside the state on the date of appointment
1 15 or on the date employment begins shall take reasonable
1 16 steps to become a resident of the state as soon as
1 17 practicable following appointment or beginning of
1 18 employment.>>
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1 22 STRUYK of Pottawattamie
1 23 HF 420.203 83
1 24 md/rj/23268
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House Amendment 1321

PAG LIN

1 1 Amend the amendment, H=1293, to House File 420, as
1 2 follows:
1 3 #1. Page 1, by striking lines 5 and 6 and
1 4 inserting the following: <state ~~at the time~~ within
1 5 two years of such appointment or the date employment
1 6 begins and shall remain a resident of the state during
1 7 the remainder of>.
1 8 #2. Page 1, by inserting after line 7 the
1 9 following:
1 10 <#___. Page 3, line 16, by inserting after the
1 11 word <employment.> the following: <Each employee
1 12 residing outside the state on the date of appointment
1 13 or on the date employment begins shall take reasonable
1 14 steps to become a resident of the state as soon as
1 15 practicable following appointment or beginning of
1 16 employment.>>
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1 20 STRUYK of Pottawattamie
1 21 HF 420.502 83
1 22 md/rj/23269
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House Amendment 1322

PAG LIN

1 1 Amend Senate File 152, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 5, by inserting after line 13 the
1 4 following:
1 5 <Sec. ___. Section 237A.3, subsection 2, Code
1 6 2009, is amended to read as follows:
1 7 2. a. A person shall not provide child care as a
1 8 child care home provider unless the person and any
1 9 person who resides or will reside in the child care
1 10 home have been subject to a fingerprint=based national
1 11 criminal history record check in accordance with
1 12 section 237A.5.
1 13 b. If a person or program does not comply with
1 14 paragraph "a" or has been prohibited by the department
1 15 from involvement with child care, the person or
1 16 program shall not provide child care as a child care
1 17 home provider and is subject to penalty under section
1 18 237A.19 or injunction under section 237A.20 for doing
1 19 so.
1 20 Sec. ___. Section 237A.5, subsection 2, paragraph
1 21 a, subparagraph (1), subparagraph subdivision (e),
1 22 Code 2009, is amended to read as follows:
1 23 (e) The person will provide or is providing child
1 24 care as a child care home provider or will reside or
1 25 resides in a child care home that is not registered
1 26 under this chapter ~~but that receives public funding~~
1 27 ~~for providing child care~~.
1 28 Sec. ___. Section 237A.5, subsection 2, paragraphs
1 29 b and c, Code 2009, are amended to read as follows:
1 30 b. If an individual person subject to a record
1 31 check is being considered for employment by a child
1 32 care facility or child care home, ~~in lieu of~~ prior to
1 33 requesting a fingerprint=based record check to be
1 34 conducted by the department under paragraph "c", the
1 35 child care facility or child care home may access the
1 36 single contact repository established pursuant to
1 37 section 135C.33 as necessary to conduct a criminal and
1 38 child abuse record check of the individual in this
1 39 state. A copy of the results of the record check
1 40 conducted through the single contact repository shall
1 41 also be provided to the department. If the record
1 42 check indicates the individual is a person subject to
1 43 an evaluation, the child care facility or child care
1 44 home may request that the department perform an
1 45 evaluation as provided in this subsection. Otherwise,
1 46 the individual shall not be employed by the child care
1 47 facility or child care home. The cost of accessing
1 48 the single contact repository is the responsibility of
1 49 the child care facility or home.
1 50 c. (1) ~~Unless a record check has already been~~

~~House Amendment 1322 continued~~

2 1 ~~conducted in accordance with paragraph "b",~~ For a
2 2 person subject to a record check, in addition to any
2 3 record check conducted pursuant to paragraph "b" and
2 4 the record checks conducted under subparagraph (2),
2 5 the person's fingerprints shall be provided to the
2 6 department of public safety for submission through the
2 7 state criminal history repository to the United States
2 8 department of justice, federal bureau of investigation
2 9 for a national criminal history record check. For a
2 10 child care home that is not registered under this
2 11 chapter, the cost of the national criminal history
2 12 record check for a person who will provide or is
2 13 providing child care or will reside or resides in that
2 14 child care home shall be paid by the person.
2 15 Otherwise, the cost of the national criminal history
2 16 record check and any other record checks conducted
2 17 under this lettered paragraph is the responsibility of
2 18 the department.
2 19 (2) In addition to the national criminal history
2 20 record check, the department shall conduct a criminal
2 21 and child abuse record check in this state for a
2 22 person who is subject to a record check and may
2 23 conduct ~~such~~ a child abuse record check in other
2 24 states. In addition, the department may conduct a
2 25 dependent adult abuse, sex offender registry, or other
2 26 public or civil offense record check in this state or
2 27 in other states for a person who is subject to a
2 28 record check. If record checks of a person who is
2 29 subject to a record check have been conducted through
2 30 the single contact repository as described in
2 31 paragraph "b", the department may forego the record
2 32 checks addressed by this subparagraph.
2 33 (3) If a record check performed pursuant to this
2 34 paragraph identifies an individual as a person subject
2 35 to an evaluation, an evaluation shall be performed to
2 36 determine whether prohibition of the person's
2 37 involvement with child care is warranted. The
2 38 evaluation shall be performed in accordance with
2 39 procedures adopted for this purpose by the department.
2 40 (4) Prior to performing an evaluation, the
2 41 department shall notify the affected person, licensee,
2 42 registrant, or child care home applying for or
2 43 receiving public funding for providing child care,
2 44 that an evaluation will be conducted to determine
2 45 whether prohibition of the person's involvement with
2 46 child care is warranted.>
2 47 #2. By renumbering as necessary.
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House Amendment 1322 continued

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3  1 HEATON of Henry
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3  5 TJEPKES of Webster
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3  9 SCHULTE of Linn
3 10 SF 152.503 83
3 11 jp/nh/11732
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House Amendment 1323

PAG LIN

1 1 Amend the amendment, H=1212, to House File 732, as
1 2 follows:
1 3 #1. Page 1, line 4, by striking the figure
1 4 <279.60> and inserting the following: <279.54>.
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1 8 BAUDLER of Adair
1 9 HF 732.207 83
1 10 kh/nh/23438
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House File 806 - Introduced

HOUSE FILE
BY MAY

Passed House, Date _____ Passed Senate, Date
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

An Act requiring the department of education to create two one=year pilot programs to fund special education support services, media services, and education services through individual school districts or school district consortiums instead of the respective area education agencies.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2526YH 83
ak/nh/14

House File 806 - Introduced continued

PAG LIN

1 1 Section 1. STUDENTS' SPECIAL SERVICES PILOT PROGRAM.
1 2 1. The department of education shall create two pilot
1 3 programs pursuant to which individual school districts served
1 4 by different area education agencies or school district
1 5 consortiums served by the same area education agency shall
1 6 test a funding model that pays each school district the
1 7 applicable amount of state aid funding for special education
1 8 support services, media services, and education services, as
1 9 calculated by the department of management, and the districts
1 10 shall then provide these services to their students directly.
1 11 2. a. Beginning with the school year beginning July 1,
1 12 2010, the department shall initiate the pilot programs in
1 13 school districts offering kindergarten through grade twelve to
1 14 evaluate the effectiveness of allowing a school district to
1 15 receive moneys as described in subsection 1 to test whether a
1 16 school district or a consortium of school districts can
1 17 provide equal or improved services to its students. A pilot
1 18 program may be conducted in one school district or in up to
1 19 three school districts that collaborate to form a consortium
1 20 to achieve the goals of the pilot program.
1 21 b. The department shall use the pilot programs to identify
1 22 the strengths and weaknesses in both the current area
1 23 education agency funding method and the pilot program method
1 24 of funding. The department shall compare and contrast the
1 25 cost=effectiveness of each funding system, analyze student
1 26 achievement and needs under each funding system, and identify
1 27 areas of improvement with each system.
1 28 3. The participating school districts shall provide data
1 29 and other information as necessary to the department which
1 30 shall report to the general assembly and the governor by
1 31 January 1, 2012, regarding its evaluation of the pilot
1 32 programs.
1 33 EXPLANATION
1 34 This bill requires the department of education to create
1 35 two one=year pilot programs to fund special education support

House File 806 - Introduced continued

2 1 services, media services, and education services through
2 2 school districts instead of the respective area education
2 3 agencies (AEAs).
2 4 The department shall create two pilot programs in either
2 5 individual school districts served by different AEAs or in
2 6 consortiums of up to three school districts served by the same
2 7 AEA in order to evaluate a funding model that pays each school
2 8 district the applicable amount of state aid funding for
2 9 special education support services, media services, and
2 10 education services, as calculated by the department of
2 11 management, and the districts shall then provide these
2 12 services to their students directly.
2 13 Beginning with the school year beginning July 1, 2010, the
2 14 department shall use the pilot programs to evaluate the
2 15 effectiveness of allowing a school district to receive moneys
2 16 as described in the bill to see if the school districts can
2 17 provide equal or improved services to their students.
2 18 The department shall identify the strengths and weaknesses
2 19 in both the current AEA funding method and the pilot program
2 20 method of funding, and compare and contrast the
2 21 cost=effectiveness of each funding system, analyze student
2 22 achievement and needs under each funding system, and identify
2 23 areas of improvement with each system.
2 24 The participating school districts shall provide all
2 25 information and data necessary to the department which shall
2 26 report to the general assembly and the governor by January 1,
2 27 2012, regarding its evaluation of the pilot programs.
2 28 LSB 2526YH 83
2 29 ak/nh/14.1

House Study Bill 277

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

An Act allowing the department of revenue to subpoena certain customer records of individuals owing taxes, penalties, or interest.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2511HC 83
tw/mg:sc/8

House Study Bill 277 continued

PAG LIN

1 1 Section 1. Section 421.17, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 31. a. Notwithstanding any provisions of
1 4 law making such information confidential, to subpoena certain
1 5 records held by public utilities, cable or other television
1 6 companies, cellular telephone companies, and internet service
1 7 providers with respect to an individual who owes taxes,
1 8 penalties, or interest imposed by the state and administered
1 9 by the department.
1 10 b. The records the department may subpoena include but are
1 11 not limited to the name and address of the individual and the
1 12 name and address of the employer of the individual, as such
1 13 information appears in customer records, and the cellular
1 14 telephone number of the individual appearing in the customer
1 15 records of a cellular telephone company.
1 16 c. If the records are maintained in automated systems or
1 17 databases, the department shall be provided access to the
1 18 automated systems or databases.
1 19 d. The burden of showing reasonable cause to believe that
1 20 the documents or records sought by the subpoena are necessary
1 21 to assist the department under this subsection shall be upon
1 22 the director.
1 23 EXPLANATION
1 24 This bill allows the department of revenue to subpoena
1 25 certain records held by public utilities, cable or other
1 26 television companies, cellular telephone companies, and
1 27 internet service providers. The records that may be
1 28 subpoenaed pertain to individuals who owe taxes, penalties, or
1 29 interest to the department.
1 30 The records the department may subpoena include the name
1 31 and address of the individual and the name and address of the
1 32 individual's employer, as that information appears in customer
1 33 records, and the cellular telephone number of the individual
1 34 appearing in the customer records of a cellular telephone
1 35 company.

House Study Bill 277 continued

2 1 The director has the burden of showing reasonable cause to
2 2 subpoena the records.
2 3 LSB 2511HC 83
2 4 tw/mg:sc/8

House Study Bill 278

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

An Act relating to local government revenues by modifying provisions related to city franchise fees and authorizing cities and counties to impose certain local taxes and fees and including effective date provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2477HC 83
md/sc/5

House Study Bill 278 continued

PAG LIN

1 1 DIVISION I
1 2 CITY FRANCHISE FEES
1 3 Section 1. Section 364.2, subsection 4, paragraph f, Code
1 4 2009, is amended to read as follows:
1 5 f. A franchise fee assessed by a city may be based upon a
1 6 percentage of gross revenues generated from sales of the
1 7 franchisee within the city not to exceed five percent, without
1 8 regard to the city's cost of inspecting, supervising, and
1 9 otherwise regulating the franchise. Franchise fees collected
1 10 may be credited to the city general fund and used for city
1 11 general fund purposes. However, at least twenty percent of
1 12 the fees collected shall be used for property tax relief. If
1 13 a city franchise fee is assessed to customers of a franchise,
1 14 the fee shall not be assessed to the city as a customer.
1 15 Before a city adopts or amends a franchise fee rate ordinance
1 16 or franchise ordinance to increase the percentage rate at
1 17 which franchise fees are assessed, a revenue purpose statement
1 18 shall be prepared specifying the purpose or purposes for which
1 19 the revenue collected from the increased rate will be
1 20 expended. If additional property tax relief is listed as a
1 21 purpose, the revenue purpose statement shall also include
1 22 information regarding the amount of the additional property
1 23 tax relief to be provided with revenue collected from the
1 24 increased rate. The revenue purpose statement shall be
1 25 published as provided in section 362.3.
1 26 Sec. 2. CERTAIN FRANCHISE FEES DECLARED LEGAL. To the
1 27 extent that any amount of franchise fees assessed by and paid
1 28 to a city prior to the effective date of this division of this
1 29 Act, pursuant to a franchise agreement between a city and any
1 30 person to erect, maintain, and operate plants and systems for
1 31 electric light and power, heating, telegraph, cable
1 32 television, district telegraph and alarm, motor bus, trolley
1 33 bus, street railway or other public transit, waterworks, or
1 34 gasworks, exceeds the city's reasonable costs of inspecting,
1 35 supervising, and otherwise regulating the franchise, such

House Study Bill 278 continued

2 1 amount is deemed and declared to be authorized and legally
2 2 assessed by and paid to the city.
2 3 Sec. 3. EFFECTIVE DATE. This division of this Act, being
2 4 deemed of immediate importance, takes effect upon enactment.
2 5 DIVISION II
2 6 LOCAL GOVERNMENT
2 7 ALTERNATIVE REVENUE SOURCES
2 8 SUBCHAPTER I
2 9 LOCAL GOVERNMENT AUTHORIZATION
2 10 Sec. 4. NEW SECTION. 420A.101 LOCAL GOVERNMENT
2 11 ALTERNATIVE REVENUE SOURCES.
2 12 Unless otherwise provided in this chapter, a city or county
2 13 that meets the requirements established in this subchapter is
2 14 authorized to impose the taxes and fees specified in this
2 15 chapter.
2 16 Sec. 5. NEW SECTION. 420A.102 AUTHORIZATION.
2 17 The following governmental entities are authorized to
2 18 impose the taxes and fees specified in this chapter:
2 19 1. A county. A county may only impose taxes and fees
2 20 under this chapter in the unincorporated area of the county.
2 21 2. A city. A city may only impose taxes and fees under
2 22 this chapter within the corporate boundaries of the city.
2 23 Sec. 6. NEW SECTION. 420A.103 ALTERNATIVE REVENUE ==
2 24 IMPOSITION == PUBLIC HEARING == REVENUE PURPOSE STATEMENT.
2 25 1. Each tax or fee imposed by a city or county under this
2 26 chapter shall be adopted by ordinance of the governing body of
2 27 the city or county. Each tax or fee imposed by a city under
2 28 this chapter shall be adopted in a separate ordinance. Each
2 29 tax or fee imposed by a county under this chapter shall be
2 30 adopted in a separate ordinance.
2 31 2. Except as otherwise provided in this chapter, an
2 32 ordinance to impose a tax or fee under this chapter may be
2 33 repealed by motion of the local governing body.
2 34 3. a. Before adoption or amendment of an ordinance that
2 35 imposes a tax or fee under this chapter, the governing body of

House Study Bill 278 continued

3 1 the city or county shall hold a public hearing on the proposed
3 2 ordinance. Notice of the public hearing shall be published as
3 3 provided in section 331.305 or 362.3, as appropriate.
3 4 b. Not less than four nor more than twenty days before the
3 5 public hearing required in paragraph "a", the governing body
3 6 of the city or county shall prepare and publish a revenue
3 7 purpose statement specifying the purpose or purposes for which
3 8 the revenue collected from the tax or fee will be expended.
3 9 The revenue purpose statement shall include information
3 10 regarding the amount of the property tax relief to be provided
3 11 with revenue collected from the tax or fee. Publication of
3 12 the revenue purpose statement shall be in a manner consistent
3 13 with section 331.305 or 362.3, as appropriate.
3 14 Sec. 7. NEW SECTION. 420A.104 ALTERNATIVE REVENUE FUND
3 15 == USE OF REVENUES.
3 16 1. Each city or county that imposes a tax or fee under
3 17 this chapter shall establish an alternative revenue fund. All
3 18 revenues collected as a result of the imposition of taxes or
3 19 fees specified in this chapter shall be deposited into the
3 20 alternative revenue fund of the city or county, as
3 21 appropriate, and shall be expended pursuant to this section.
3 22 Interest earned on revenues deposited in the fund shall remain
3 23 in the fund and shall be used for the purposes specified in
3 24 this section.
3 25 2. All revenues deposited in the alternative revenue fund
3 26 of a city or county shall be expended as follows:
3 27 a. Not less than seventy=five percent shall be used to
3 28 provide property tax relief for all taxable property within
3 29 the corporate boundaries of the city or in the unincorporated
3 30 area of the county, as applicable, pursuant to subsection 3.
3 31 b. Not more than twenty=five percent shall be used for
3 32 core government purposes.
3 33 3. At least seventy=five percent of the revenues in the
3 34 city alternative revenue fund or the county alternative
3 35 revenue fund as of June 1 of each year shall be used to

House Study Bill 278 continued

4 1 provide property tax credits for taxes due and payable in the
4 2 following fiscal year.
4 3 a. The county treasurer shall determine the tax credit for
4 4 taxable property within the corporate boundaries of the city
4 5 as follows:
4 6 (1) Determine the amount in the city's alternative revenue
4 7 fund as of June 1 that is to be used to provide property tax
4 8 credits.
4 9 (2) Divide the amount determined under subparagraph (1) by
4 10 the total of the taxable value of all taxable property in the
4 11 city.
4 12 (3) Calculate the amount of tax credit for each taxable
4 13 parcel of property by multiplying the amount calculated under
4 14 subparagraph (2) by the taxable value of that parcel.
4 15 b. The county treasurer shall determine the tax credit for
4 16 taxable property in the unincorporated area of the county as
4 17 follows:
4 18 (1) Determine the amount in the county's alternative
4 19 revenue fund as of June 1 that is to be used to provide
4 20 property tax credits.
4 21 (2) Divide the amount determined under subparagraph (1) by
4 22 the total of the taxable value of all taxable property in the
4 23 unincorporated area of the county.
4 24 (3) Calculate the amount of tax credit for each taxable
4 25 parcel of property by multiplying the amount calculated under
4 26 subparagraph (2) by the taxable value of that parcel.
4 27 c. The property tax credit shall be stated as a separate
4 28 and distinct credit on each property tax statement under
4 29 section 445.5.
4 30 4. For the purposes of this section "core government
4 31 purpose" means any of the following:
4 32 a. The repair, remediation, restoration, cleanup,
4 33 replacement, and improvement of existing publicly owned
4 34 property, buildings, equipment, and facilities that have been
4 35 damaged by a disaster as defined in section 29C.2.

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5 1 b. Projects designed to prevent or mitigate future
5 2 disasters as defined in section 29C.2.
5 3 c. Energy conservation measures as defined in section
5 4 7D.34 for existing publicly owned property, buildings, and
5 5 facilities.
5 6 d. The equipping of fire, police, emergency services,
5 7 sanitation, street, and civil defense departments.
5 8 e. The establishment, construction, reconstruction,
5 9 repair, equipping, remodeling, and extension of public works,
5 10 public utilities, and public transportation systems.
5 11 f. The construction, reconstruction, or repair of streets,
5 12 highways, bridges, sidewalks, pedestrian underpasses and
5 13 overpasses, street lighting fixtures, and public grounds, and
5 14 the acquisition of real estate needed for such purposes.
5 15 g. Projects or activities that involve the sharing of
5 16 local government services and that encourage efficient use of
5 17 public resources including but not limited to projects or
5 18 activities conducted pursuant to chapter 28E.
5 19 SUBCHAPTER II
5 20 CITY FRANCHISE FEES
5 21 Sec. 8. NEW SECTION. 420A.201 CITY FRANCHISE FEES.
5 22 1. A city may assess by ordinance a franchise fee based
5 23 upon a percentage of gross revenues generated from sales of
5 24 the franchisee within the city not to exceed three percent.
5 25 The franchise fees assessed under this subchapter shall be in
5 26 addition to any franchise fees assessed pursuant to section
5 27 364.2, subsection 4, paragraph "f".
5 28 2. Franchise fees collected by the city under this
5 29 subchapter shall be deposited in the city alternative revenue
5 30 fund and used as provided in section 420A.104.
5 31 3. a. If within thirty days after adoption of the
5 32 ordinance that imposes a franchise fee under this subchapter,
5 33 or if after the ordinance has been in effect for more than one
5 34 year, the city council receives a valid petition as provided
5 35 in section 362.4 requesting that the question of whether to

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6 1 repeal the ordinance be submitted to the registered voters of
6 2 the city, the city council shall direct the county
6 3 commissioner of elections to submit to the voters at an
6 4 election held on a date specified in section 39.2, subsection
6 5 4, paragraph "b", the question of whether the ordinance that
6 6 imposes the fee shall be repealed.
6 7 b. If a majority of the total votes cast for and against
6 8 the proposition favors repeal of the franchise fee, the
6 9 ordinance shall be repealed, and collection of the fee shall
6 10 terminate on either June 30 or December 31 following the
6 11 election, whichever is sooner.
6 12 SUBCHAPTER III
6 13 HOTEL AND MOTEL TAX
6 14 Sec. 9. NEW SECTION. 420A.301 DEFINITIONS.
6 15 1. For the purposes of this subchapter, unless the context
6 16 otherwise requires:
6 17 a. "Department" means the department of revenue.
6 18 b. "Lessor" means any person engaged in the business of
6 19 renting lodging to users.
6 20 c. "Lodging" means rooms, apartments, or sleeping quarters
6 21 in a hotel, motel, inn, public lodging house, rooming house,
6 22 or manufactured or mobile home which is tangible personal
6 23 property, or in a tourist court, or in any place where
6 24 sleeping accommodations are furnished to transient guests for
6 25 rent, whether with or without meals.
6 26 d. "Person" means the same as the term is defined in
6 27 section 423.1.
6 28 e. "Renting" or "rent" means a transfer of possession or
6 29 control of lodging for a fixed or indeterminate term for
6 30 consideration and includes any kind of direct or indirect
6 31 charge for such lodging or its use.
6 32 f. "Sales price" means the consideration for renting of
6 33 lodging and means the same as the term is defined in section
6 34 423.1.
6 35 g. "User" means a person to whom lodging is rented.

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7 1 2. All other words and phrases used in this subchapter and
7 2 defined in section 423.1 have the meaning given them by
7 3 section 423.1 for the purposes of this subchapter, unless the
7 4 context otherwise requires.
7 5 Sec. 10. NEW SECTION. 420A.302 LOCALLY IMPOSED HOTEL AND
7 6 MOTEL TAX.
7 7 1. A city or county may impose by ordinance a hotel and
7 8 motel tax, at a rate not to exceed six percent, which shall be
7 9 imposed in increments of one or more full percentage points
7 10 upon the sales price from the renting of lodging.
7 11 2. A local hotel and motel tax shall be imposed on January
7 12 1 or July 1, following the notification of the director of
7 13 revenue. A local hotel and motel tax shall terminate only on
7 14 June 30 or December 31. At least forty=five days prior to the
7 15 tax being effective or prior to a revision in the tax rate or
7 16 prior to the repeal of the tax, the city or county, as
7 17 applicable, shall provide notice by mail of such action to the
7 18 director of revenue.
7 19 3. Imposition of the local hotel and motel tax under this
7 20 subchapter is in addition to any state or local hotel and
7 21 motel tax imposed pursuant to chapter 423A.
7 22 Sec. 11. NEW SECTION. 420A.303 EXEMPTIONS.
7 23 There is exempted from the provisions of this subchapter
7 24 and from the computation of any amount of tax imposed by
7 25 section 420A.302 all of the following:
7 26 1. The sales price from the renting of lodging which is
7 27 rented by the same person for a period of more than thirty=one
7 28 consecutive days.
7 29 2. The sales price from the renting of sleeping rooms in
7 30 dormitories and in memorial unions at all universities and
7 31 colleges located in the state of Iowa.
7 32 3. The sales price of lodging furnished to the guests of a
7 33 religious institution if the property is exempt under section
7 34 427.1, subsection 8, and the purpose of renting is to provide
7 35 a place for a religious retreat or function and not a place

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8 1 for transient guests generally.
8 2 4. The sales price from transactions exempt from state
8 3 sales tax under section 423.3.
8 4 Sec. 12. NEW SECTION. 420A.304 ADMINISTRATION BY
8 5 DIRECTOR.
8 6 1. The director of revenue shall administer the local
8 7 hotel and motel tax as nearly as possible in conjunction with
8 8 the administration of the state sales tax law, except that
8 9 portion of the law which implements the streamlined sales and
8 10 use tax agreement. The director shall provide appropriate
8 11 forms, or provide space on the regular state tax forms, for
8 12 reporting local hotel and motel tax liability. All moneys
8 13 received or refunded one hundred eighty days after the date on
8 14 which a city or county terminates its local hotel and motel
8 15 tax shall be deposited in or withdrawn from the general fund
8 16 of the state.
8 17 2. The director, in consultation with local officials,
8 18 shall collect and account for a local hotel and motel tax and
8 19 shall credit all revenues to the local hotel and motel tax
8 20 fund created in section 420A.305. Local authorities shall not
8 21 require any tax permit not required by the director of
8 22 revenue.
8 23 3. Section 422.25, subsection 4, sections 422.30, 422.67,
8 24 and 422.68, section 422.69, subsection 1, sections 422.70,
8 25 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
8 26 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
8 27 423.35, 423.37 through 423.42, and 423.47, consistent with the
8 28 provisions of this subchapter, apply with respect to the taxes
8 29 authorized under this subchapter, in the same manner and with
8 30 the same effect as if the local hotel and motel taxes were
8 31 retail sales taxes within the meaning of those statutes.
8 32 Frequency of deposits and quarterly reports of the local tax
8 33 with the department of revenue are governed by the tax
8 34 provisions in section 423.31. Local tax collections shall not
8 35 be included in computation of the total tax to determine

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9 1 frequency of filing under section 423.31. The director may
9 2 require all persons who are engaged in the business of
9 3 deriving any sales price subject to tax under this subchapter
9 4 to register with the department. All taxes collected under
9 5 this subchapter by a retailer or any individual are deemed to
9 6 be held in trust for the state of Iowa and the local
9 7 jurisdiction imposing the tax.
9 8 4. The director shall apply a boundary change of a city
9 9 imposing or collecting the local tax to the imposition or
9 10 collection of that tax only on the first day of a calendar
9 11 quarter which occurs sixty days or more after the director has
9 12 given notice of the boundary change to sellers.
9 13 Sec. 13. NEW SECTION. 420A.305 PAYMENT TO CITY OR COUNTY
9 14 == USE OF RECEIPTS.
9 15 1. A local hotel and motel tax fund is created in the
9 16 office of the treasurer of state which shall consist of all
9 17 moneys credited to such fund under section 420A.304.
9 18 2. All moneys in the local hotel and motel tax fund shall
9 19 be remitted at least quarterly by the department, pursuant to
9 20 rules of the director of revenue, to each city or county
9 21 imposing the tax in the amount collected from businesses in
9 22 that city or county.
9 23 3. Local hotel and motel revenues received by the city or
9 24 county under this subchapter shall be deposited in the city
9 25 alternative revenue fund or the county alternative revenue
9 26 fund, as appropriate, and used as provided in section
9 27 420A.104.
9 28 SUBCHAPTER IV
9 29 LOCAL ENTERTAINMENT TAX
9 30 Sec. 14. NEW SECTION. 420A.401 DEFINITIONS.
9 31 For the purposes of this subchapter, unless the context
9 32 otherwise requires:
9 33 1. "Alcoholic liquor", "wine", or "beer" means the same as
9 34 those terms are defined in section 123.3.
9 35 2. "Entertainment tickets" means all tickets or admissions

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10 1 subject to taxation pursuant to section 423.2, subsection 3.
10 2 3. "Food" means the same as defined in section 137F.1.
10 3 4. "Food establishment" means a home food establishment
10 4 licensed pursuant to chapter 137D or a food establishment
10 5 licensed pursuant to chapter 137F, at which food is served or
10 6 sold at retail.
10 7 5. "Licensed premises" means the same as defined in
10 8 section 123.3.
10 9 6. "Liquor establishment" means a licensed premises in or
10 10 at which beer, wine, or alcoholic beverages are sold at
10 11 retail.
10 12 Sec. 15. NEW SECTION. 420A.402 LOCAL ENTERTAINMENT TAX.
10 13 1. A city or county may impose by ordinance a local
10 14 entertainment tax pursuant to this subchapter. The tax shall
10 15 be imposed at a rate not to exceed five percent, which shall
10 16 be imposed in increments of one or more full percentage
10 17 points, upon all of the following:
10 18 a. The sales price of food and alcoholic liquor, wine, or
10 19 beer sold at retail at food establishments and liquor
10 20 establishments located in the city or in the unincorporated
10 21 area of the county, as applicable.
10 22 b. The sales price of all sales of entertainment tickets
10 23 sold in the city or in the unincorporated area of the county,
10 24 as applicable.
10 25 2. The local entertainment tax shall be imposed on the
10 26 same basis as the state sales tax under chapter 423,
10 27 subchapter II, and shall not be imposed on the sale of any
10 28 food, alcoholic liquor, wine, beer, or entertainment tickets
10 29 not taxed by the state.
10 30 3. a. A local entertainment tax shall be imposed or the
10 31 rate changed either January 1 or July 1 following the
10 32 notification of the director of revenue but not sooner than
10 33 ninety days following the passage of the ordinance imposing or
10 34 changing the rate of the tax and not sooner than sixty days
10 35 following notice to sellers, as defined in section 423.1.

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11 1 b. A local entertainment tax shall be repealed only on
11 2 June 30 or December 31 but not sooner than ninety days
11 3 following repeal of the ordinance. At least forty days before
11 4 the imposition, change in rate, or repeal of the tax, a city
11 5 or county shall provide notice of the action by certified mail
11 6 to the director of revenue.
11 7 4. a. (1) If within thirty days after adoption of the
11 8 ordinance that imposes a local entertainment tax, or if after
11 9 the ordinance has been in effect for one year, the board of
11 10 supervisors receives a valid petition as provided in section
11 11 331.306 requesting that the question of whether to repeal the
11 12 ordinance be submitted to the registered voters of the
11 13 unincorporated area of the county, the board shall direct the
11 14 county commissioner of elections to submit to the voters at an
11 15 election held on a date specified in section 39.2, subsection
11 16 4, paragraph "a", the question of whether the ordinance that
11 17 imposes the tax shall be repealed.
11 18 (2) If within thirty days after adoption of the ordinance
11 19 that imposes a local entertainment tax, or if after the
11 20 ordinance has been in effect for one year, the city council
11 21 receives a valid petition as provided in section 362.4
11 22 requesting that the question of whether to repeal the
11 23 ordinance be submitted to the registered voters of the city,
11 24 the city council shall direct the county commissioner of
11 25 elections to submit to the voters at an election held on a
11 26 date specified in section 39.2, subsection 4, paragraph "b",
11 27 the question of whether the ordinance that imposes the tax
11 28 shall be repealed.
11 29 b. If a majority of the total votes cast for and against
11 30 the proposition favors repeal of the local entertainment tax,
11 31 the ordinance shall be repealed, and collection of the tax
11 32 shall terminate on either June 30 or December 31 following the
11 33 election, whichever is sooner.
11 34 5. The local entertainment tax shall be in addition to any
11 35 local sales and services tax that may be imposed pursuant to

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12 1 chapter 423B or state sales and use tax imposed pursuant to
12 2 chapter 423.
12 3 Sec. 16. NEW SECTION. 420A.403 ADMINISTRATION.
12 4 1. a. The director of revenue shall administer a local
12 5 entertainment tax as nearly as possible in conjunction with
12 6 the administration of state sales tax laws. The director
12 7 shall provide appropriate forms, or provide space on the
12 8 regular state tax forms, for reporting local entertainment tax
12 9 liability.
12 10 b. The ordinance of the city or county imposing the local
12 11 entertainment tax shall adopt by reference the applicable
12 12 provisions of the appropriate sections of chapter 423. All
12 13 powers and requirements of the director to administer the
12 14 state sales tax law are applicable to the administration of a
12 15 local entertainment tax law including but not limited to the
12 16 provisions of section 422.25, subsection 4, sections 422.30,
12 17 422.67, and 422.68, section 422.69, subsection 1, sections
12 18 422.70 to 422.75, section 423.14, subsection 1 and subsection
12 19 2, paragraphs "b" through "e", and sections 423.15, 423.23,
12 20 423.24, 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,
12 21 and 423.47. Local officials shall confer with the director of
12 22 revenue for assistance in drafting the ordinance imposing the
12 23 tax. A certified copy of the ordinance shall be filed with
12 24 the director as soon as possible after passage.
12 25 c. Frequency of deposits and quarterly reports of the
12 26 local tax with the department of revenue are governed by the
12 27 tax provisions in section 423.31. Local tax collections shall
12 28 not be included in computation of the total tax to determine
12 29 frequency of filing under section 423.31.
12 30 d. The director shall apply a boundary change of a city
12 31 imposing or collecting the local tax to the imposition or
12 32 collection of that tax only on the first day of a calendar
12 33 quarter which occurs sixty days or more after the director has
12 34 given notice of the boundary change to sellers.
12 35 2. a. The director, in consultation with local officials,

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13 1 shall collect and account for the local entertainment tax.
13 2 The director shall certify each quarter the amount of the
13 3 local entertainment tax receipts and any interest and
13 4 penalties to be credited to the city or county account in the
13 5 local entertainment tax fund established in the office of the
13 6 treasurer of state. All taxes collected under this subchapter
13 7 by a retailer or any individual are deemed to be held in trust
13 8 for the state of Iowa and the local jurisdiction imposing the
13 9 tax.
13 10 b. All local tax moneys and interest and penalties
13 11 received or refunded one hundred eighty days or more after the
13 12 date on which the city or county repeals its tax shall be
13 13 deposited in or withdrawn from the general fund of the state.
13 14 Sec. 17. NEW SECTION. 420A.404 PAYMENT TO CITY OR COUNTY
13 15 == USE OF RECEIPTS.
13 16 1. All moneys in the city or county account of the local
13 17 entertainment tax fund shall be remitted at least quarterly by
13 18 the department of revenue, pursuant to rules of the director
13 19 of revenue, to the city or county imposing the tax.
13 20 2. Local entertainment tax revenues received by the city
13 21 or county under this subchapter shall be deposited in the city
13 22 alternative revenue fund or the county alternative revenue
13 23 fund, as appropriate, and used as provided in section
13 24 420A.104.
13 25 SUBCHAPTER V
13 26 LOCAL CIGARETTE AND TOBACCO PRODUCTS TAX
13 27 Sec. 18. NEW SECTION. 420A.501 LOCAL CIGARETTE AND
13 28 TOBACCO PRODUCTS TAX.
13 29 1. A city or county may impose by ordinance a local
13 30 cigarette and tobacco products tax pursuant to this
13 31 subchapter. The tax shall be imposed at a rate specified in
13 32 increments of one or more full percentage points upon the
13 33 sales price of cigarettes and tobacco products sold at retail
13 34 locations in the city or in the unincorporated area of the
13 35 county, as applicable. The tax shall be imposed on the same

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14 1 basis as the state sales tax under chapter 423, subchapter II,
14 2 and shall not be imposed on the sale of any cigarettes or
14 3 tobacco products not taxed by the state.
14 4 2. a. A local cigarette and tobacco products tax shall be
14 5 imposed or the rate changed either January 1 or July 1
14 6 following the notification of the director of revenue but not
14 7 sooner than ninety days following the passage of the ordinance
14 8 imposing or changing the rate of the tax and not sooner than
14 9 sixty days following notice to sellers, as defined in section
14 10 423.1.
14 11 b. A local cigarette and tobacco products tax shall be
14 12 repealed only on June 30 or December 31 but not sooner than
14 13 ninety days following repeal of the ordinance. At least forty
14 14 days before the imposition or repeal of the tax, a city or
14 15 county shall provide notice of the action by certified mail to
14 16 the director of revenue.
14 17 3. a. (1) If within thirty days after adoption of the
14 18 ordinance that imposes a local cigarette and tobacco products
14 19 tax, or if after the ordinance has been in effect for one
14 20 year, the board of supervisors receives a valid petition as
14 21 provided in section 331.306 requesting that the question of
14 22 whether to repeal the ordinance be submitted to the registered
14 23 voters of the unincorporated area of the county, the board
14 24 shall direct the county commissioner of elections to submit to
14 25 the voters at an election held on a date specified in section
14 26 39.2, subsection 4, paragraph "a", the question of whether the
14 27 ordinance that imposes the tax shall be repealed.
14 28 (2) If within thirty days after adoption of the ordinance
14 29 that imposes a local cigarette and tobacco products tax, or if
14 30 after the ordinance has been in effect for one year, the city
14 31 council receives a valid petition as provided in section 362.4
14 32 requesting that the question of whether to repeal the
14 33 ordinance be submitted to the registered voters of the city,
14 34 the city council shall direct the county commissioner of
14 35 elections to submit to the voters at an election held on a

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15 1 date specified in section 39.2, subsection 4, paragraph "b",
15 2 the question of whether the ordinance that imposes the tax
15 3 shall be repealed.
15 4 b. If a majority of the total votes cast for and against
15 5 the proposition favors repeal of the local cigarette and
15 6 tobacco products tax, the ordinance shall be repealed, and
15 7 collection of the tax shall terminate on either June 30 or
15 8 December 31 following the election, whichever is sooner.
15 9 4. The local cigarette and tobacco products tax shall be
15 10 in addition to any local sales and services tax that may be
15 11 imposed pursuant to chapter 423B or state sales and use tax
15 12 imposed pursuant to chapter 423.
15 13 5. For purposes of this subchapter:
15 14 a. "Cigarette" means the same as defined in section
15 15 453A.1.
15 16 b. "Tobacco products" means the same as defined in section
15 17 453A.42.
15 18 Sec. 19. NEW SECTION. 420A.502 ADMINISTRATION.
15 19 1. a. The director of revenue shall administer a local
15 20 cigarette and tobacco products tax as nearly as possible in
15 21 conjunction with the administration of state sales tax laws.
15 22 The director shall provide appropriate forms or provide space
15 23 on the regular state tax forms for reporting local cigarette
15 24 and tobacco products tax liability.
15 25 b. The ordinance of a city or county imposing a local
15 26 cigarette and tobacco products tax shall adopt by reference
15 27 the applicable provisions of the appropriate sections of
15 28 chapter 423. All powers and requirements of the director to
15 29 administer the state sales tax law are applicable to the
15 30 administration of a local cigarette and tobacco products tax
15 31 law including but not limited to the provisions of section
15 32 422.25, subsection 4, sections 422.30, 422.67, and 422.68,
15 33 section 422.69, subsection 1, sections 422.70 to 422.75,
15 34 section 423.14, subsection 1 and subsection 2, paragraphs "b"
15 35 through "e", and sections 423.15, 423.23, 423.24, 423.25,

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16 1 423.31 to 423.35, 423.37 to 423.42, 423.46, and 423.47. Local
16 2 officials shall confer with the director of revenue for
16 3 assistance in drafting the ordinance imposing the tax. A
16 4 certified copy of the ordinance shall be filed with the
16 5 director as soon as possible after passage.
16 6 c. Frequency of deposits and quarterly reports of the
16 7 local tax with the department of revenue are governed by the
16 8 tax provisions in section 423.31. Local tax collections shall
16 9 not be included in computation of the total tax to determine
16 10 frequency of filing under section 423.31.
16 11 d.
16 12 2. a. The director, in consultation with local officials,
16 13 shall collect and account for the local cigarette and tobacco
16 14 products tax. The director shall certify each quarter the
16 15 amount of local cigarette and tobacco products tax receipts
16 16 and any interest and penalties to be credited to the city or
16 17 county account in the cigarette and tobacco products tax fund
16 18 established in the office of the treasurer of state. All
16 19 taxes collected under this subchapter by a retailer or any
16 20 individual are deemed to be held in trust for the state of
16 21 Iowa and the local jurisdiction imposing the tax.
16 22 b. All local tax moneys and interest and penalties
16 23 received or refunded one hundred eighty days or more after the
16 24 date on which the city or county repeals its local cigarette
16 25 and tobacco products tax shall be deposited in or withdrawn
16 26 from the general fund of the state.
16 27 Sec. 20. NEW SECTION. 420A.503 PAYMENT TO THE CITY OR
16 28 COUNTY == USE OF RECEIPTS.
16 29 1. All moneys in the city or county account of the local
16 30 cigarette and tobacco products tax fund shall be remitted at
16 31 least quarterly by the department of revenue, pursuant to
16 32 rules of the director of revenue, to the city or county
16 33 imposing the tax.
16 34 2. Local cigarette and tobacco products tax revenues
16 35 received by the city or county under this subchapter shall be

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17 1 deposited in the city alternative revenue fund or the county
17 2 alternative revenue fund, as appropriate, and used as provided
17 3 in section 420A.104.
17 4 Sec. 21. EFFECTIVE DATE. This division of this Act, being
17 5 deemed of immediate importance, takes effect upon enactment.
17 6 EXPLANATION
17 7 This bill relates to local government finances by amending
17 8 provisions relating to city franchise fees and authorizing
17 9 local governments to collect certain taxes and fees.
17 10 Division I of the bill amends provisions relating to city
17 11 franchise fees by authorizing a maximum percentage rate that
17 12 may be assessed as a franchise fee and requiring the use of a
17 13 portion of the franchise fees collected to provide property
17 14 tax relief.
17 15 The division provides that the amount of a city franchise
17 16 fee may be based upon a percentage of gross revenues generated
17 17 from sales of the franchisee within the city not to exceed 5
17 18 percent without regard to the city's cost of regulating the
17 19 franchise. The bill allows franchise fees collected by the
17 20 city to be credited to the city general fund and used for city
17 21 general fund purposes. However, at least 20 percent of the
17 22 fees collected are to be used for property tax relief.
17 23 The division requires a city to prepare a revenue purpose
17 24 statement before the city adopts or amends a franchise fee
17 25 rate ordinance or a franchise ordinance to increase the
17 26 percentage rate of franchise fees assessed. The division
17 27 requires the revenue purpose statement to specify how the
17 28 increase in franchise fees will be expended, including
17 29 information on the amount of additional property tax relief
17 30 that will be provided if property tax relief is listed as a
17 31 purpose. The division also requires each revenue purpose
17 32 statement to be published in a newspaper of general
17 33 circulation in the city before official action is taken on the
17 34 fee rate increase.
17 35 Division I of the bill takes effect upon enactment.

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18 1 Division II of the bill enacts new Code chapter 420A which
18 2 authorizes cities and counties to impose certain taxes and
18 3 fees to fund certain specified activities and to provide
18 4 property tax relief.
18 5 Subchapter I of new Code chapter 420A provides that each
18 6 tax or fee imposed by a city or county under subchapters II
18 7 through V shall be enacted by a separate ordinance of the
18 8 governing body of the city or county. Subchapter I provides
18 9 that a tax or fee may be repealed by motion of the local
18 10 governing body. Division II also provides that each tax or
18 11 fee authorized in subchapters II, IV, and V and imposed by
18 12 ordinance may be repealed by petition and election of the
18 13 voters of the city or unincorporated areas of the county, as
18 14 applicable, within 30 days after adoption of the ordinance, or
18 15 after the ordinance has been in effect for one year.
18 16 Subchapter I also provides that each authorized city or
18 17 county that imposes a tax or fee shall establish an
18 18 alternative revenue fund. All revenues collected as a result
18 19 of the imposition of taxes or fees specified in subchapters II
18 20 through V shall be deposited into the alternative revenue fund
18 21 of the city or county, as appropriate. Subchapter I further
18 22 provides that all moneys deposited in the alternative revenue
18 23 fund shall be expended for "core government purposes", as
18 24 defined in the bill, or for property tax relief.
18 25 Subchapter I requires that before approval or amendment of
18 26 an ordinance that imposes a tax or fee under subchapters II
18 27 through V, the governing body of the city or county shall hold
18 28 a public hearing on the proposed ordinance or amendment.
18 29 Subchapter I also requires that not less four nor more than 20
18 30 days before the public hearing on an ordinance authorizing or
18 31 amending a tax or fee, the governing body of the city or
18 32 county shall prepare and publish a revenue purpose statement
18 33 specifying the purpose or purposes for which the revenue
18 34 collected from the tax or fee will be expended. The revenue
18 35 purpose statement is also required to include information

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19 1 regarding the amount of property tax relief to be provided as
19 2 a property tax credit with revenue collected from the tax or
19 3 fee.
19 4 Subchapter II of new Code chapter 420A authorizes a city to
19 5 assess an additional franchise fee of up to 3 percent of the
19 6 gross revenues generated from sales of the franchisee.
19 7 Subchapter III of new Code chapter 420A authorizes the
19 8 imposition of a local hotel and motel tax at a maximum rate of
19 9 6 percent on the renting of rooms, apartments, or sleeping
19 10 quarters in a hotel, motel, inn, public lodging house, rooming
19 11 house, or manufactured or mobile home or in any other place
19 12 where sleeping accommodations are furnished to transient
19 13 guests for a period of 31 days or less. The tax is not
19 14 imposed on renting of sleeping rooms in dorms or memorial
19 15 unions at universities or colleges in the state or to guests
19 16 of a religious institution whose property is exempt from
19 17 property tax or on the sales price of transactions that are
19 18 exempt from the state sales tax. The tax is collected in the
19 19 same manner as the state sales tax. The tax is in addition to
19 20 any other local hotel and motel tax.
19 21 Subchapter IV of new Code chapter 420A authorizes the city
19 22 or county to impose a local entertainment tax at the rate of
19 23 up to 5 percent. The tax is similar to the state sales tax in
19 24 that it is imposed on the sale of entertainment tickets, and
19 25 the sale of food, alcoholic liquor, wine, and beer sold at
19 26 retail at food establishments and liquor establishments. A
19 27 "food establishment" is a home food establishment licensed by
19 28 the department of inspections and appeals under Code chapter
19 29 137D or a food establishment licensed by the department of
19 30 inspections and appeals under Code chapter 137F, where food is
19 31 served or sold at retail. A liquor establishment is a
19 32 premises licensed by the department of inspections and appeals
19 33 under Code chapter 123 at which beer, wine, or alcoholic
19 34 beverages are sold at retail. The tax is in addition to any
19 35 local option sales and services tax imposed by the city or

House Study Bill 278 continued

20 1 county and state sales tax.
20 2 Subchapter V authorizes a city or county to impose a local
20 3 cigarette and tobacco products tax on the sale of cigarettes
20 4 and tobacco products sold at retail locations in the city or
20 5 in the unincorporated area of a county, as applicable. The
20 6 rate of the tax is not limited and shall be specified in
20 7 increments of one or more full percentage points. The tax is
20 8 to be imposed on the same basis as the state sales tax and
20 9 shall be administered by the director of revenue. Revenues
20 10 collected are to be remitted at least quarterly to the city or
20 11 county imposing the tax.
20 12 Division II of the bill takes effect upon enactment.
20 13 LSB 2477HC 83
20 14 md/sc/5

House Study Bill 279

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

An Act directing the director of revenue to negotiate reciprocal income tax agreements with other states.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2687HC 83
tw/mg:sc/24

House Study Bill 279 continued

PAG LIN

1 1 Section 1. Section 422.8, subsection 5, Code 2009, is
1 2 amended to read as follows:
1 3 5. a. The director may, in accordance with the provisions
1 4 of this subsection, and when cost=efficient, administratively
1 5 feasible, and of mutual benefit to both states, enter into
1 6 reciprocal agreements with tax administration agencies of
1 7 other states to further tax administration and eliminate
1 8 duplicate withholding by exempting from Iowa taxation income
1 9 earned from personal services in Iowa by residents of another
1 10 state, if the other state provides a tax exemption for the
1 11 same type of income earned from personal services by Iowa
1 12 residents in the other state. For purposes of this
1 13 subsection, "income earned from personal services" means
1 14 wages, salaries, commissions, and tips, and earned income from
1 15 other sources. This subsection does not authorize the
1 16 department to withhold taxes on deferred compensation
1 17 payments, pension distributions, and annuity payments when
1 18 paid to a nonresident of the state of Iowa. All the terms of
1 19 the agreements shall be described in the rules adopted by the
1 20 department.
1 21 b. The director shall enter into negotiations with other
1 22 states to establish reciprocal agreements with the tax
1 23 administration agencies of these states to further tax
1 24 administration and eliminate duplicate withholding by
1 25 exempting from Iowa taxation income earned from personal
1 26 services in Iowa by residents of another state, if the other
1 27 state provides a tax exemption for the same type of income
1 28 earned from personal services by Iowa residents in the other
1 29 state. The director shall annually report to the general
1 30 assembly on the states with which negotiations are being
1 31 carried out and the possibility of agreements being reached.
1 32 c. A reciprocal agreement entered into on or after April
1 33 4, 2002, with a tax administration agency of another state
1 34 shall not take effect until such agreement has been authorized
1 35 by a constitutional majority of each house of the general

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2 1 assembly and approved by the governor. A reciprocal agreement
2 2 in effect on or after January 1, 2002, shall not be terminated
2 3 by the state of Iowa unless the termination has been
2 4 authorized by a constitutional majority of each house of the
2 5 general assembly and approved by the governor. An amendment
2 6 to an existing reciprocal agreement does not constitute a new
2 7 agreement.
2 8 EXPLANATION
2 9 This bill directs the director of revenue to enter into
2 10 negotiations with other states for the purpose of establishing
2 11 reciprocal agreements that would assist in tax administration
2 12 and exempt from taxation income earned from wages, salaries,
2 13 commissions, and tips in Iowa by residents of the other state
2 14 if a like kind exemption is provided to Iowa residents by that
2 15 state. At present, Illinois is the only state with which Iowa
2 16 has such an agreement.
2 17 The director is to report annually to the general assembly
2 18 on the negotiations that are taking place and the possibility
2 19 of agreements being entered into.
2 20 LSB 2687HC 83
2 21 tw/mg:sc/24

House Study Bill 280

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

An Act modifying provisions relating to the regulation of delayed deposit service businesses, making penalties applicable, and providing an effective date.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2690YC 83
rn/sc/8

House Study Bill 280 continued

PAG LIN

1 1 Section 1. Section 533D.3, subsection 3, paragraph a, Code
1 2 2009, is amended to read as follows:
1 3 a. An application fee of one hundred twenty=five dollars.
1 4 Sec. 2. Section 533D.9, subsection 2, Code 2009, is
1 5 amended by adding the following new paragraph:
1 6 NEW PARAGRAPH. e. That the licensee cannot initiate debt
1 7 collection procedures, civil court proceedings, or arbitration
1 8 to collect an unpaid check unless the licensee has provided
1 9 the maker of the check the opportunity to repay the obligation
1 10 without any additional charges, other than the penalty
1 11 provided in paragraph "d" of this subsection, in biweekly
1 12 payments of not more than ten percent of the face of the check
1 13 until the debt is paid in full. Additionally, that during
1 14 this repayment period the licensee may not transfer or sell
1 15 the debt owing on the unpaid check and may not report the
1 16 account or the maker of the check to any credit reporting
1 17 agency. Further, that the maker of the check's failure to
1 18 make a biweekly payment under this paragraph shall place the
1 19 loan in default and the licensee may, after proper notice,
1 20 exercise rights against the maker under the law.
1 21 Sec. 3. Section 533D.10, subsection 1, Code 2009, is
1 22 amended to read as follows:
1 23 1. A licensee shall not do any of the following:
1 24 a. Hold from any one maker more than two checks at any one
1 25 time.
1 26 b. Hold from any one maker a check or checks in an
1 27 aggregate face amount of more than five hundred dollars at any
1 28 one time.
1 29 c. Hold or agree to hold a check for ~~more~~ less than
1 30 ~~thirty=one~~ fourteen days.
1 31 d. Require the maker to receive payment by a method which
1 32 causes the maker to pay additional or further fees and charges
1 33 to the licensee or another person.
1 34 e. Repay, refinance, or otherwise consolidate a postdated
1 35 check transaction with the proceeds of another postdated check

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2 1 transaction made by the same licensee. A licensee may not
2 2 enter into another transaction with the maker of a check if
2 3 the licensee presently has a transaction outstanding with the
2 4 maker or if the maker had a previous transaction with the
2 5 licensee within two days of the new transaction, unless the
2 6 licensee has provided the following notice both verbally and
2 7 in writing, and the maker has acknowledged receipt of the
2 8 notice with a signature and date:
2 9 Notice to Borrower
2 10 1. The licensee may not repay, refinance, or otherwise
2 11 consolidate a postdated check transaction with the proceeds of
2 12 another postdated check transaction made by the same licensee.
2 13 2. While a licensee may charge a penalty if a check is not
2 14 negotiable on the date agreed upon, the penalty shall not
2 15 exceed fifteen dollars. This penalty shall only be collected
2 16 by the licensee once on a check no matter how long that check
2 17 remains unpaid. This penalty is the only additional charge a
2 18 lender may charge you (the borrower) when a check is not
2 19 negotiable on the date agreed upon.
2 20 3. If your check is not negotiable on the date agreed
2 21 upon, the licensee must provide you (the borrower) the
2 22 opportunity to repay the obligation without any additional
2 23 charges, other than the penalty described above, in biweekly
2 24 payments of not more than ten percent of the face of the check
2 25 until the debt is paid in full.
2 26 By signing and dating this notice, you acknowledge the
2 27 statements above, but yet still desire to obtain another loan
2 28 with the licensee.
2 29 Borrower(s) signature: Date:
2 30 Borrower(s) signature: Date:
2 31 f. Receive any other charges or fees in addition to the
2 32 fees listed in section 533D.9, subsections 1 and 2.
2 33 g. Initiate debt collection procedures, civil court
2 34 proceedings, or civil or private arbitration proceedings to
2 35 collect an unpaid check unless the licensee has provided the

House Study Bill 280 continued

3 1 maker the opportunity to repay the obligation without any
3 2 additional charges, other than the penalty provided in section
3 3 533D.9, paragraph "d", in biweekly payments of not more than
3 4 ten percent of the face of the check until the debt is paid in
3 5 full. During this repayment period the licensee may not
3 6 transfer or sell the debt owing on the unpaid check and may
3 7 not report the account or the maker of the check to any credit
3 8 reporting agency. The failure of the maker of the check to
3 9 make a biweekly payment as required shall place the loan in
3 10 default and the licensee may, after proper notice, exercise
3 11 rights against the maker under the law.
3 12 Sec. 4. Section 533D.10, subsection 1, Code 2009, is
3 13 amended by adding the following new paragraph:
3 14 NEW PARAGRAPH. h. Enter into a delayed deposit service
3 15 transaction which will cause the maker of the check, when all
3 16 other delayed deposit service transactions entered into with
3 17 any licensee involving the maker of the check are accounted
3 18 for, and when the term of the transaction is aggregated with
3 19 the other transactions, to be indebted for a period exceeding
3 20 ninety days during the preceding twelve=month period. For
3 21 purposes of this paragraph, if the maker of the check has
3 22 entered into more than one delayed deposit service transaction
3 23 with the same or another licensee, and the periods during
3 24 which the transactions are outstanding overlap, each day of
3 25 each respective transaction shall be counted in satisfying the
3 26 ninety=day restriction. For purposes of this paragraph, if a
3 27 maker of a check is making biweekly payments during a
3 28 repayment period as provided in section 533D.9, subsection 2,
3 29 paragraph "e", the repayment period shall not be counted in
3 30 satisfying the ninety=day restriction.
3 31 Sec. 5. NEW SECTION. 533D.10A ELECTRONIC DATABASE.
3 32 1. Each licensee shall, by October 1, 2009, subscribe to,
3 33 report to, and utilize an electronic database tracking
3 34 service, to be developed or selected pursuant to rules adopted
3 35 by the banking division of the department of commerce, that

House Study Bill 280 continued

4 1 permits the licensee to determine whether a maker of a check
4 2 has an outstanding unpaid check or debit authorization that
4 3 is, or reasonably appears to be, connected to a delayed
4 4 deposit service transaction. Each licensee shall require a
4 5 maker of a check to sign a written declaration confirming
4 6 that, pursuant to section 533D.10, subsection 1, paragraph
4 7 "h", the maker of the check is eligible to enter into a
4 8 delayed deposit service transaction.
4 9 2. a. Records of a licensee and the electronic database
4 10 tracking service shall be subject to review and examination by
4 11 the division to determine whether the licensee is in
4 12 compliance with this section and other applicable provisions
4 13 of this chapter.
4 14 b. Information, records, and documents obtained in the
4 15 performance of the review and examination, including the
4 16 amount of any outstanding unpaid check or debit authorization
4 17 and the identity of the maker of the check, are confidential
4 18 and shall not be disclosed by the division and are not subject
4 19 to subpoena. Such information, records, and documents do not
4 20 constitute a public record under chapter 22. The
4 21 superintendent may disclose such information to
4 22 representatives of other state or federal regulatory
4 23 authorities and may release summary complaint information so
4 24 long as the information does not specifically identify the
4 25 complainant. The superintendent may also provide this
4 26 information to the attorney general for purposes of enforcing
4 27 this chapter.
4 28 Sec. 6. EFFECTIVE DATE. The section of this Act enacting
4 29 section 533D.10, subsection 1, paragraph "h", takes effect
4 30 October 1, 2009.
4 31 EXPLANATION
4 32 This bill relates to specified aspects of the regulation of
4 33 delayed deposit service businesses.
4 34 The bill increases the amount which is required to be
4 35 submitted by a person applying to operate a delayed deposit

House Study Bill 280 continued

5 1 service business from $100 to $125.
5 2 The bill provides that a licensee must disclose to the
5 3 maker of a check that the licensee cannot initiate debt
5 4 collection procedures, civil court proceedings, or arbitration
5 5 to collect an unpaid check unless the licensee has provided
5 6 the maker of a check the opportunity to repay the obligation
5 7 without any charges, other than the current $15 penalty, in
5 8 biweekly payments of not more than 10 percent of the face of
5 9 the check until the debt is paid in full. The bill adds that
5 10 during this repayment period the licensee cannot sell or
5 11 transfer the debt owing on the unpaid check or report the
5 12 account or the maker of the check to a credit reporting
5 13 agency. If the maker of the check fails to honor the
5 14 repayment obligation, the bill provides that the loan shall be
5 15 placed in default. The bill makes the failure to conform with
5 16 these provisions a prohibited act on the part of the licensee,
5 17 which could subject the licensee to disciplinary action as
5 18 specified in Code section 533D.12.
5 19 Additionally, the bill changes a current provision that
5 20 prohibits a licensee from holding or agreeing to hold a check
5 21 for more than 31 days to a modified provision that the
5 22 licensee cannot hold or agree to hold a check for less than 14
5 23 days. The bill also prohibits a licensee from entering into
5 24 another transaction with the maker of a check who already has
5 25 a transaction outstanding with the licensee or from entering
5 26 into a new transaction within two days of the conclusion of
5 27 the previous transaction, unless the maker acknowledges in
5 28 writing specified restrictions relating to successive
5 29 transactions, applicable penalties, and the opportunity to
5 30 repay the obligation in installments in the event the check is
5 31 not negotiable.
5 32 The bill also prohibits a licensee from entering into a
5 33 transaction that results in the maker of the check being
5 34 indebted to the licensee, or when aggregated with other
5 35 delayed deposit service business licensees, for longer than a

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6 1 90=day period during the preceding 12 months. This section of
6 2 the bill takes effect October 1, 2009.
6 3 The bill requires a licensee, by October 1, 2009, to
6 4 subscribe to, report to, and utilize an electronic database
6 5 tracking service developed or selected by the banking division
6 6 of the department of commerce to monitor the number of
6 7 transactions entered into by a maker of a check for purposes
6 8 of complying with this provision. The bill states that
6 9 licensee records and the database shall be subject to review
6 10 and examination by the division, and provides that
6 11 information, records, and documents obtained by the division
6 12 in the performance of such a review or examination shall be
6 13 considered confidential.
6 14 LSB 2690YC 83
6 15 rn/sc/8

House Study Bill 281

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

An Act relating to renewable energy by establishing an energy independence renewable energy transmission franchise process which may be used under specified circumstances, providing for an annual transmission line surcharge, and providing for renewable energy job training grants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2693HC 83
rn/nh/5

House Study Bill 281 continued

PAG LIN

1 1 Section 1. NEW SECTION. 469.11 RENEWABLE ENERGY JOB
1 2 TRAINING GRANT FUND.
1 3 1. A renewable energy job training grant fund is created
1 4 within the state treasury under the control of the office.
1 5 The fund shall be used exclusively for purposes of making
1 6 grants to community colleges established under chapter 260C
1 7 for job training programs in the renewable energy field.
1 8 Eligibility and approval criteria for the grants shall be
1 9 established by the director by rule.
1 10 2. The renewable energy job training grant fund shall
1 11 consist of amounts remitted to the office and deposited into
1 12 the fund pursuant to the surcharge imposed upon the granting
1 13 of an energy independence renewable energy transmission
1 14 franchise under section 478.34.
1 15 3. Moneys in the fund are not subject to section 8.33.
1 16 Notwithstanding section 12C.7, interest or earnings on moneys
1 17 in the fund shall be credited to the fund. Moneys in the fund
1 18 may be used directly to provide grants pursuant to subsection
1 19 1, or may be used to leverage federal dollars allocated for
1 20 job training programs in the renewable energy field.
1 21 Sec. 2. Section 478.18, subsection 2, Code 2009, is
1 22 amended to read as follows:
1 23 2. A transmission line shall be constructed near and
1 24 parallel to roads, to the right=of=way of the railways of the
1 25 state, to existing utility routes, or along the division lines
1 26 of the lands, according to the government survey, wherever the
1 27 same is practicable and reasonable, and so as not to interfere
1 28 with the use by the public of the highways or streams of the
1 29 state, nor unnecessarily interfere with the use of any lands
1 30 by the occupant.
1 31 Sec. 3. Section 478.20, Code 2009, is amended to read as
1 32 follows:
1 33 478.20 DISTANCE FROM BUILDINGS.
1 34 No transmission line shall be constructed, except by
1 35 agreement, within one hundred feet of any dwelling house or

House Study Bill 281 continued

2 1 other building, except where said line crosses or passes along
2 2 a public highway or is located alongside or parallel with the
2 3 ~~right of way~~ right=of=way of any railway company or existing
2 4 utility route. In addition to the foregoing, each person,
2 5 company, or corporation shall conform to any other rules,
2 6 regulations, or specifications established by the utilities
2 7 board, in the construction, operation, or maintenance of such
2 8 lines.
2 9 Sec. 4. NEW SECTION. 478.34 ENERGY INDEPENDENCE
2 10 RENEWABLE ENERGY TRANSMISSION FRANCHISE == OPTIONAL PROCESS.
2 11 1. LEGISLATIVE FINDINGS AND INTENT. The general assembly
2 12 finds that as a matter of public policy and in an effort to
2 13 achieve and sustain economic growth this state must assume a
2 14 leadership role within the broader marketplace of other states
2 15 with regard to energy independence efforts. The general
2 16 assembly also recognizes that the renewable energy resources
2 17 which exist in this state are shared with neighboring states
2 18 and that economic well=being can be enhanced through energy
2 19 resource interconnection and transmission throughout the
2 20 region. The general assembly accordingly declares the
2 21 intention to become a regional leader in renewable energy
2 22 electric transmission corridor development and seeks to
2 23 promote this development through implementation of the
2 24 optional renewable energy franchise procurement process
2 25 established pursuant to this section.
2 26 2. PROCESS ESTABLISHED. An optional energy independence
2 27 renewable energy transmission franchise process is established
2 28 for persons qualifying pursuant to subsection 3 with the
2 29 objective of streamlining and consolidating franchise
2 30 procurement requirements and provisions otherwise applicable
2 31 pursuant to this chapter.
2 32 3. PROCEDURAL REQUEST FOR DETERMINATION OF ELIGIBILITY.
2 33 a. A person seeking an energy independence renewable
2 34 energy transmission franchise shall submit a procedural
2 35 request on a form to be established by the board for

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3 1 consideration for an energy independence renewable energy
3 2 transmission franchise pursuant to this section. The board
3 3 shall make a preliminary determination of eligibility to a
3 4 person demonstrating that the proposed electric line
3 5 construction satisfies all of the following requirements:
3 6 (1) Furthers three or more components or recommendations
3 7 contained within the most recent Iowa energy independence plan
3 8 developed and submitted on an annual basis pursuant to section
3 9 469.4.
3 10 (2) Enhances either directly or indirectly the creation
3 11 and retention of high=quality jobs supporting or emanating
3 12 from renewable energy development in this state.
3 13 (3) Facilitates the transmission of electricity from
3 14 renewable energy sources from, across, or through the midwest.
3 15 (4) Allows nondiscriminatory open access for renewable
3 16 energy resources generated in this state on the line for which
3 17 a franchise is sought in a manner set forth by the franchise
3 18 applicant and consistent with currently applicable federal and
3 19 regional regulatory authorities and transmission requirements.
3 20 b. The board shall notify the person seeking the franchise
3 21 of a determination of eligibility or ineligibility within
3 22 thirty days after the filing of the procedural request.
3 23 4. MODIFIED PROCESS. A person determined eligible
3 24 pursuant to subsection 3 may file a petition for an energy
3 25 independence renewable energy transmission franchise pursuant
3 26 to a streamlined process adopted by the board by rule which
3 27 modifies provisions otherwise applicable to obtaining a
3 28 franchise under this chapter, as follows:
3 29 a. The provisions requiring informational meetings and
3 30 notices thereof to be conducted in each impacted county prior
3 31 to the filing of a petition, as specified in section 478.2,
3 32 shall be waived. Informational meetings shall still be
3 33 required, however, in the event of a proposed multicounty
3 34 electric transmission line, with at least one informational
3 35 meeting conducted in a centrally located area within each one

House Study Bill 281 continued

4 1 hundred mile segment of a proposed transmission line. Notice
4 2 of the meetings shall be provided as specified in section
4 3 478.2.
4 4 b. Upon completion of informational meetings as provided
4 5 in paragraph "a", if required, a petition for an energy
4 6 independence renewable energy transmission franchise may be
4 7 filed with the utilities board. A single franchise petition
4 8 may be filed for the entire proposed transmission line rather
4 9 than a separate filing in each county the proposed
4 10 transmission line traverses.
4 11 c. Written notice of the filing of the petition and the
4 12 right to object shall be provided to each landowner who might
4 13 have otherwise received notice of an informational meeting.
4 14 An affidavit stating that such notice has been provided shall
4 15 be included in the petition.
4 16 d. Negotiations for easements and rights=of=way may occur
4 17 with an impacted landowner prior to the filing of the petition
4 18 if an informational meeting as specified in paragraph "a" is
4 19 held within the one hundred mile segment involving that
4 20 impacted landowner's land.
4 21 e. A hearing on the petition, including one in which
4 22 eminent domain is requested, shall be conducted by the board
4 23 as a contested case proceeding pursuant to the provisions of
4 24 chapter 17A. The hearing shall be conducted at the board's
4 25 primary place of business rather than in each county the
4 26 proposed transmission line traverses. The board shall serve
4 27 notice of the hearing in the manner provided in section
4 28 476A.4, subsection 3, upon interested property owners and
4 29 entities, regulatory agencies, and city and county zoning
4 30 authorities, as determined by the board, from the areas which
4 31 the proposed transmission line shall traverse.
4 32 f. If a property owner, entity, regulatory agency, or
4 33 zoning authority which received notice pursuant to paragraph
4 34 "e" fails to appear of record in the contested case
4 35 proceeding, the board shall conclusively presume that the

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5 1 party does not object to the petition. A city or county
5 2 zoning authority may appear on record at the hearing and state
5 3 whether the petition meets city, county, or airport zoning
5 4 requirements, as applicable. The failure of a petition to
5 5 meet zoning requirements established pursuant to chapters 329,
5 6 335, and 414 shall not preclude the board from issuance of an
5 7 energy independence renewable energy transmission franchise
5 8 and to that extent the provisions of this subsection shall
5 9 supersede the provisions of chapters 329, 335, and 414.
5 10 g. The hearing on the franchise petition shall be
5 11 conducted no later than one hundred days following the filing
5 12 of the petition pursuant to this subsection. A decision
5 13 regarding issuance of the franchise shall be rendered by the
5 14 board no later than one hundred eighty days following the
5 15 filing of the petition. In the event that eminent domain is
5 16 not requested, these time frames shall be shortened to
5 17 seventy=five days and one hundred twenty days, respectively.
5 18 h. In rendering a decision on a franchise petition under
5 19 this section, the provisions of section 478.4 shall be
5 20 applicable. For purposes of an energy independence renewable
5 21 energy transmission franchise, however, the criteria that a
5 22 proposed transmission line is necessary to serve a public use
5 23 and represents a reasonable relationship to an overall plan of
5 24 transmitting electricity in the public interest shall be
5 25 supported by development of the factors set forth by the
5 26 applicant in the eligibility provisions of subsection 3.
5 27 5. SURCHARGE. Within thirty days of a transmission line
5 28 becoming operational after the granting of a franchise
5 29 petition pursuant to this section, and annually thereafter,
5 30 the person or entity owning or leasing the transmission line
5 31 shall remit a one thousand dollar surcharge per pole mile of
5 32 transmission line operating under the franchise. The
5 33 surcharge shall be remitted to the office of energy
5 34 independence for deposit in the renewable energy job training
5 35 grant fund established in section 469.11.

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6 1 6. PROVISIONS OTHERWISE APPLICABLE. To the extent not
6 2 inconsistent with the modified provisions established in this
6 3 section, all other provisions of this chapter relating to
6 4 electric transmission line franchise issuance shall apply to
6 5 an energy independence renewable energy transmission
6 6 franchise.
6 7 7. RULES. The board shall by rule establish additional
6 8 procedures and requirements as necessary to administer this
6 9 section.
6 10 8. UTILITY REPLACEMENT TAX TASK FORCE. The replacement
6 11 tax task force established pursuant to section 437A.15,
6 12 subsection 7, shall, by January 1, 2010, make a recommendation
6 13 to the general assembly, after consulting with the board and
6 14 the office of energy independence, regarding the appropriate
6 15 taxing rate to be applied to an energy independence
6 16 transmission renewable energy franchise.
6 17 EXPLANATION
6 18 This bill establishes an energy independence renewable
6 19 energy transmission franchise with an optional and streamlined
6 20 franchise approval process for eligible applicants.
6 21 The bill provides that a person seeking an energy
6 22 independence renewable energy transmission franchise shall
6 23 submit a procedural request on a form to be established by the
6 24 utilities board of the utilities division of the department of
6 25 commerce for consideration for the franchise. The utilities
6 26 board shall make a preliminary determination of eligibility
6 27 upon a demonstration that the proposed electric line
6 28 construction furthers three or more components or
6 29 recommendations contained within the most recent Iowa energy
6 30 independence plan developed and submitted by the office of
6 31 energy independence, enhances the creation and retention of
6 32 high=quality renewable energy=related jobs in Iowa,
6 33 facilitates the transmission of electricity from renewable
6 34 energy sources, and allows open access for renewable energy
6 35 resources generated in this state. The board shall notify the

House Study Bill 281 continued

7 1 person seeking the franchise of a determination of eligibility
7 2 or ineligibility within 30 days of receiving the procedural
7 3 request.
7 4 The bill provides that an eligible person may file a
7 5 petition for an energy independence renewable energy
7 6 transmission franchise pursuant to streamlined provisions
7 7 modifying those otherwise applicable to obtaining a franchise
7 8 under Code chapter 478. Modifications contained within the
7 9 bill include waiving the requirement of informational meetings
7 10 unless the proposal is for a multicounty transmission line, in
7 11 which case at least one informational meeting shall be
7 12 conducted in a centrally located area within each 100 mile
7 13 segment of proposed transmission line; permitting a single
7 14 franchise petition to be filed for the entire proposed
7 15 transmission line rather than a separate filing in each county
7 16 the proposed transmission line traverses; provision of written
7 17 notice of the filing of the petition and the right to object
7 18 has been provided to each landowner who might have otherwise
7 19 received notice of an informational meeting; and allowing
7 20 easement and rights=of=way negotiations prior to the filing of
7 21 the petition if an informational meeting is held within the
7 22 100 mile segment involving the impacted landowner's land.
7 23 The bill states that a hearing on the petition shall be
7 24 conducted by the board as a contested case proceeding under
7 25 Code chapter 17A at the board's primary place of business, and
7 26 provides notice requirements to property owners, entities,
7 27 regulatory agencies, and city and county zoning authorities
7 28 which parallel current Code provisions relating to utility
7 29 construction franchises. The bill provides that a hearing on
7 30 the franchise petition shall be conducted no later than 100
7 31 days following filing of the petition, to be followed by a
7 32 decision regarding issuance of the franchise no later than 180
7 33 days following filing. In the event that eminent domain is
7 34 not requested, these time frames are shortened to 75 days and
7 35 120 days, respectively.

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8 1 The bill provides that current criteria utilized by the
8 2 board in rendering a decision on a franchise petition
8 3 regarding a proposed transmission line or lines being
8 4 necessary to serve a public use and representing a reasonable
8 5 relationship to an overall plan of transmitting electricity in
8 6 the public interest shall be supported by development of the
8 7 factors set forth in establishing eligibility for the optional
8 8 process.
8 9 The bill imposes a $1,000 annual surcharge payable within
8 10 30 days of the granting of a franchise pursuant to the
8 11 expedited process by the owner or lessee of the transmission
8 12 line, and establishes a renewable energy job training grant
8 13 fund under the control of the office of energy independence
8 14 into which the surcharges shall be deposited. The fund shall
8 15 be utilized by the office for grants to community colleges for
8 16 job training programs in the renewable energy field.
8 17 The bill states that current franchise provisions in Code
8 18 chapter 478 shall continue to apply to an energy independence
8 19 renewable energy transmission franchise to the extent not
8 20 inconsistent with the modified provisions contained in the
8 21 bill, and provides that the board shall by rule establish
8 22 additional procedures and requirements as necessary to
8 23 administer the bill's provisions.
8 24 Additionally, the bill directs the utility replacement tax
8 25 task force to make a recommendation to the general assembly,
8 26 after consulting with the board and the office of energy
8 27 independence, regarding the appropriate taxing rate to be
8 28 applied to an energy independence transmission renewable
8 29 energy franchise. The recommendation is to be made by January
8 30 1, 2010.
8 31 The bill also modifies provisions contained in Code chapter
8 32 478 relating to the location of constructed transmission
8 33 lines, and their distance from buildings, to include existing
8 34 utility routes in the location criteria.
8 35 LSB 2693HC 83

House Study Bill 281 continued

9 1 rn/nh/5

House Study Bill 282

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

An Act creating a new construction housing assistance program and fund.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2691HC 83
tm/rj/8

House Study Bill 282 continued

PAG LIN

1 1 Section 1. NEW SECTION. 16.55 NEW CONSTRUCTION HOUSING
1 2 ASSISTANCE PROGRAM == FUND.
1 3 1. The authority shall establish and administer a new
1 4 construction housing assistance program for purposes of
1 5 providing a six thousand dollar grant to certain homeowners
1 6 upon the purchase of a home. The authority shall establish an
1 7 application process and criteria for homeowners to receive a
1 8 grant under the program including but not limited to all of
1 9 the following:
1 10 a. The grant recipient must purchase a single=family home
1 11 that has never been occupied.
1 12 b. The grant recipient must purchase the home using a
1 13 thirty=year fixed interest rate note and mortgage.
1 14 c. The annual income, as determined by the authority by
1 15 rule, of the grant recipient shall not exceed seventy=five
1 16 thousand dollars for a single person and shall not exceed one
1 17 hundred fifty thousand dollars for a married couple.
1 18 2. A new construction housing assistance fund is created
1 19 in the state treasury under the control of the authority and
1 20 consisting of any moneys appropriated by the general assembly
1 21 and any other moneys available to and obtained or accepted by
1 22 the authority for placement in the fund, including moneys
1 23 received as a result of the federal American Recovery and
1 24 Reinvestment Act of 2009, Pub. L. No. 111=5. The fund shall
1 25 be used to provide grants under the new construction housing
1 26 assistance program established in subsection 1. Moneys in the
1 27 fund are not subject to section 8.33. Notwithstanding section
1 28 12C.7, interest or earnings on moneys in the fund shall be
1 29 credited to the fund.
1 30 EXPLANATION
1 31 This bill creates a new construction housing assistance
1 32 program and fund.
1 33 The bill requires the Iowa finance authority to establish
1 34 and administer a new construction housing assistance program
1 35 to provide $6,000 grants to certain homeowners upon the

House Study Bill 282 continued

2 1 purchase of a home. The authority is required to establish an
2 2 application process and criteria for homeowners to receive a
2 3 grant under the program including but not limited to all of
2 4 the following:
2 5 1. The grant recipient must purchase a single=family home
2 6 that has never been occupied.
2 7 2. The grant recipient must purchase the home using a
2 8 30=year fixed interest rate note and mortgage.
2 9 3. The annual income of the grant recipient shall not
2 10 exceed $75,000 for a single person and shall not exceed
2 11 $150,000 for a married couple.
2 12 The bill creates a new construction housing assistance fund
2 13 in the state treasury under the control of the authority,
2 14 consisting of any moneys appropriated by the general assembly
2 15 and any other moneys available to and obtained or accepted by
2 16 the authority for placement in the fund, including moneys
2 17 received as a result of the federal American Recovery and
2 18 Reinvestment Act of 2009. The bill provides that the fund
2 19 shall be used to provide grants under the new construction
2 20 housing assistance program.
2 21 LSB 2691HC 83
2 22 tm/rj/8

House Study Bill 283

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

An Act relating to residential property and property taxation within a self=supported municipal improvement district, providing a property tax exemption, and providing for mail delivery of notices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2675HC 83
md/rj/14

House Study Bill 283 continued

PAG LIN

1 1 Section 1. Section 386.1, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 4A. "Neighborhood" means an area zoned,
1 4 in whole or at least in part, for residential use that may
1 5 include an area zoned for commercial or industrial use.
1 6 Sec. 2. Section 386.3, subsection 1, paragraph a, Code
1 7 2009, is amended to read as follows:
1 8 a. Be comprised of contiguous property wholly located
1 9 within the boundaries of the city~~. A self=supported municipal~~
~~1 10 improvement district shall be comprised only of property in~~
~~1 11 districts which are~~ and one of the following:
1 12 (1) An area zoned for commercial or industrial ~~uses and~~
~~1 13 properties within a~~ use.
1 14 (2) A duly designated historic district.
1 15 (3) A neighborhood.
1 16 Sec. 3. Section 386.3, subsection 4, Code 2009, is amended
1 17 to read as follows:
1 18 4. Upon the receipt of the commission's final report the
1 19 council shall set a time and place for a meeting at which the
1 20 council proposes to take action for the establishment of the
1 21 district, and shall publish notice of the meeting as provided
1 22 in section 362.3, and the clerk shall send a copy of the
1 23 notice by ~~certified~~ first class mail not less than fifteen
1 24 days before the meeting to each owner of property within the
1 25 proposed district at the owner's address as shown by the
1 26 records of the county auditor. If a property is shown to be in
1 27 the name of more than one owner at the same mailing address, a
1 28 single notice may be mailed addressed to all owners at that
1 29 address. Failure to receive a mailed notice is not grounds for
1 30 objection to the council's taking any action authorized in
1 31 this chapter.
1 32 Sec. 4. Section 386.8, Code 2009, is amended to read as
1 33 follows:
1 34 386.8 OPERATION TAX.
1 35 A city may establish a self=supported improvement district

House Study Bill 283 continued

2 1 operation fund, and may certify taxes not to exceed the rate
2 2 limitation as established in the ordinance creating the
2 3 district, or any amendment thereto, each year to be levied for
2 4 the fund against all of the property in the district, for the
2 5 purpose of paying the administrative expenses of the district,
2 6 which may include but are not limited to administrative
2 7 personnel salaries, a separate administrative office, planning
2 8 costs including consultation fees, engineering fees,
2 9 architectural fees, and legal fees and all other expenses
2 10 reasonably associated with the administration of the district
2 11 and the fulfilling of the purposes of the district. The taxes
2 12 levied for this fund may also be used for the purpose of
2 13 paying maintenance expenses of improvements or
2 14 self=liquidating improvements for a specified length of time
2 15 with one or more options to renew if such is clearly stated in
2 16 the petition which requests the council to authorize
2 17 construction of the improvement or self=liquidating
2 18 improvement, whether or not such petition is combined with the
2 19 petition requesting creation of a district. ~~Parcels~~ Except
2 20 for residential property within a duly designated historic
2 21 district, parcels of property which are assessed as
2 22 residential property for property tax purposes and are located
2 23 within a district created prior to July 1, 2009, are exempt
2 24 from the tax levied under this section ~~except residential~~
2 25 ~~properties within a duly designated historic district~~.
2 26 However, the ordinance creating a district may be amended
2 27 pursuant to section 386.4 to specifically identify and add
2 28 such residential property to the existing district and make
2 29 such property subject to the tax. A tax levied under this
2 30 section is not subject to the levy limitation in section
2 31 384.1.
2 32 Sec. 5. Section 386.9, Code 2009, is amended to read as
2 33 follows:
2 34 386.9 CAPITAL IMPROVEMENT TAX.
2 35 A city may establish a capital improvement fund for a

House Study Bill 283 continued

3 1 district and may certify taxes, not to exceed the rate
3 2 established by the ordinance creating the district, or any
3 3 subsequent amendment thereto, each year to be levied for the
3 4 fund against all of the property in the district, for the
3 5 purpose of accumulating moneys for the financing or payment of
3 6 a part or all of the costs of any improvement or self=
3 7 liquidating improvement. ~~However~~ Except for residential
3 8 property within a duly designated historic district, parcels
3 9 of property which are assessed as residential property for
3 10 property tax purposes and are located within a district
3 11 created prior to July 1, 2009, are exempt from the tax levied
3 12 under this section ~~except residential properties within a duly~~
~~3 13 designated historic district~~. However, the ordinance creating
3 14 a district may be amended pursuant to section 386.4 to
3 15 specifically identify and add such residential property to the
3 16 existing district and make such property subject to the tax.
3 17 A tax levied under this section is not subject to the levy
3 18 limitations in section 384.1 or 384.7.
3 19 Sec. 6. Section 386.10, Code 2009, is amended to read as
3 20 follows:
3 21 386.10 DEBT SERVICE TAX.
3 22 A city shall establish a self=supported municipal
3 23 improvement district debt service fund whenever any
3 24 self=supported municipal improvement district bonds are issued
3 25 and outstanding, other than revenue bonds, and shall certify
3 26 taxes to be levied against all of the property in the district
3 27 for the debt service fund in the amount necessary to pay
3 28 interest as it becomes due and the amount necessary to pay, or
3 29 to create a sinking fund to pay, the principal at maturity of
3 30 all self=supported municipal improvement district bonds as
3 31 authorized in section 386.11, issued by the city. ~~However~~
3 32 Except for residential property within a duly designated
3 33 historic district, parcels of property which are assessed as
3 34 residential property for property tax purposes at the time of
3 35 the issuance of the bonds and are located within a district

House Study Bill 283 continued

4 1 created prior to July 1, 2009, are exempt from the tax levied
4 2 under this section until the parcels are no longer assessed as
4 3 residential property ~~or until the residential properties are~~
~~4 4 designated as a part of an historic district~~. However, the
4 5 ordinance creating a district may be amended pursuant to
4 6 section 386.4 to specifically identify and add such
4 7 residential property to the existing district and make such
4 8 property subject to the tax.
4 9 Sec. 7. NEW SECTION. 386.15 TAXES NOT IMPOSED AGAINST
4 10 CERTAIN RESIDENTIAL PROPERTY.
4 11 The property taxes authorized pursuant to sections 386.8,
4 12 386.9, and 386.10 shall not be imposed against residential
4 13 property in a neighborhood district if the owner of the
4 14 residential property occupies the property and, for the fiscal
4 15 year in which the property taxes are due, has a claim for the
4 16 low=income elderly and disabled property tax credit certified
4 17 for payment to the department of revenue under chapter 425,
4 18 division II.
4 19 Sec. 8. IMPLEMENTATION OF ACT. Section 25B.7 shall not
4 20 apply to the property tax exemption created under this Act.
4 21 EXPLANATION
4 22 Code chapter 386 currently allows a city to create a self=
4 23 supported municipal improvement district comprised of areas
4 24 zoned for commercial or industrial use and property within a
4 25 duly designated historic district. This bill allows the city
4 26 to create a district comprised of an area zoned, in whole or
4 27 at least in part, for residential use, known as a
4 28 neighborhood. Any combination of residential, commercial, or
4 29 industrial properties may comprise a district.
4 30 Currently, residential properties located within a district
4 31 comprised of commercial or industrial properties are exempt
4 32 from taxes levied under this Code chapter. This exemption
4 33 will continue for districts created prior to July 1, 2009.
4 34 However, the ordinance creating the district may be amended
4 35 pursuant to Code section 386.4 to specifically identify and

House Study Bill 283 continued

5 1 add such residential property to the existing district and
5 2 make such property subject to the tax.
5 3 The bill exempts certain residential property within a
5 4 neighborhood district from the property tax authorized
5 5 pursuant to Code sections 386.8, 386.9, and 386.10 if the
5 6 owner of the residential property occupies the property and,
5 7 for the fiscal year in which property taxes are due, has a
5 8 claim for the low=income elderly and disabled property tax
5 9 credit.
5 10 The requirement under Code section 25B.7 that the cost of a
5 11 property tax exemption be fully funded by the state does not
5 12 apply to the exemption under new Code section 386.15.
5 13 Code chapter 386 currently requires the city to send
5 14 notices of meetings, to establish or amend a district, for
5 15 example, to each affected property owner by certified mail.
5 16 The bill provides that the notice be sent by first class mail.
5 17 LSB 2675HC 83
5 18 md/rj/14

Senate Amendment 3154

PAG LIN

1 1 Amend Senate File 432 as follows:
1 2 #1. Page 2, line 17, by inserting after the word
1 3 <application.> the following: <The department's
1 4 telephone number shall be the same telephone number
1 5 available on a twenty=four=hour=per=day,
1 6 seven=days=per=week basis for notifying the department
1 7 of other types of emergency conditions.>
1 8 #2. Page 2, by striking lines 27 and 28 and
1 9 inserting the following:
1 10 <___. The liquid manure must be applied on a field
1 11 with a phosphorus index rating of two or less.>
1 12 #3. Page 2, line 33, by striking the words <one
1 13 week> and inserting the following: <two weeks>.
1 14 #4. Page 5, line 1, by striking the word
1 15 <building> and inserting the following: <building,>.
1 16 #5. Page 8, by striking lines 1 and 2 and
1 17 inserting the following:
1 18 <___. The person must construct the dry bedded
1 19 confinement feeding operation structure with a floor
1 20 consisting of reinforced concrete at least>.
1 21 #6. Page 11, by inserting after line 31 the
1 22 following:
1 23 <Sec. ___. EFFECTIVE DATE. This division of this
1 24 Act, being deemed of immediate importance, takes
1 25 effect upon enactment.>
1 26 #7. Page 17, by inserting after line 2 the
1 27 following:
1 28 <Sec. ___. Section 459.102, subsections 5 and 35,
1 29 Code 2009, are amended to read as follows:
1 30 5. "Animal feeding operation structure" means a
1 31 confinement building, manure storage structure, dry
1 32 bedded confinement feeding operation structure as
1 33 defined in section 459B.102, or egg washwater storage
1 34 structure.
1 35 35. "Manure storage structure" means a formed
1 36 manure storage structure or an unformed manure storage
1 37 structure.
1 38 a. A manure storage structure includes a dry
1 39 bedded manure storage structure as defined in section
1 40 459B.102.
1 41 b. A manure storage structure does not include an
1 42 egg washwater storage structure.>
1 43 #8. Page 17, by inserting after line 8 the
1 44 following:
1 45 <Sec. __. EFFECTIVE DATE. This division of this
1 46 Act, being deemed of immediate importance, takes
1 47 effect upon enactment.>
1 48 #9. Title page, line 2, by inserting after the
1 49 word <penalties> the following: <and effective
1 50 dates>.

Senate Amendment 3154 continued

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2  1 #10.  By renumbering as necessary.
2  2
2  3
2  4
2  5 RICH OLIVE
2  6 SF 432.201 83
2  7 da/rj/23102
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Senate Amendment 3155

PAG LIN

1 1 Amend the amendment, S=3151, to House File 758, as
1 2 passed by the House, as follows:
1 3 #1. Page 1, line 7, by inserting after the word
1 4 <itself> the following: <including the life of an
1 5 unborn child,>.
1 6 #2. Page 1, line 10, by striking the word
1 7 <section> and inserting the following: <sections>.
1 8
1 9
1 10
1 11 DAVID JOHNSON
1 12 HF 758.702 83
1 13 rh/rj/10763
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Senate File 461 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1211)

Passed Senate, Date _____ Passed House, Date
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

An Act repealing the authorization to use local sales and services tax revenue to fund urban renewal projects and including an effective date provision.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1087SV 83
md/sc:mg/14

Senate File 461 - Introduced continued

PAG LIN

1 1 Section 1. Section 423B.1, subsection 6, paragraph c, Code
1 2 2009, is amended by striking the paragraph.
1 3 Sec. 2. Section 423B.7, subsection 1, Code 2009, is
1 4 amended to read as follows:
1 5 1. ~~a. Except as provided in paragraph "b", the~~ The
1 6 director shall credit the local sales and services tax
1 7 receipts and interest and penalties from a county=imposed tax
1 8 to the county's account in the local sales and services tax
1 9 fund and from a city=imposed tax under section 423B.1,
1 10 subsection 2, to the city's account in the local sales and
1 11 services tax fund. If the director is unable to determine
1 12 from which county any of the receipts were collected, those
1 13 receipts shall be allocated among the possible counties based
1 14 on allocation rules adopted by the director.
1 15 ~~b. Notwithstanding paragraph "a", the director shall~~
~~1 16 credit the designated amount of the increase in local sales~~
~~1 17 and services tax receipts, as computed in section 423B.10,~~
~~1 18 collected in an urban renewal area of an eligible city that~~
~~1 19 has adopted an ordinance pursuant to section 423B.10,~~
~~1 20 subsection 2, into a special city account in the local sales~~
~~1 21 and services tax fund.~~
1 22 Sec. 3. Section 423B.7, subsection 6, Code 2009, is
1 23 amended by striking the subsection.
1 24 Sec. 4. Section 423B.10, Code 2009, is repealed.
1 25 Sec. 5. TAXES RECEIVED PRIOR TO EFFECTIVE DATE. All local
1 26 sales and services taxes received by a city under chapter 423B
1 27 prior to the effective date of this Act that have been
1 28 designated by a city by ordinance to fund urban renewal
1 29 projects pursuant to section 423B.10, as repealed under this
1 30 Act, shall be deposited in the city's general fund.
1 31 Sec. 6. EFFECTIVE DATE. This Act, being deemed of
1 32 immediate importance, takes effect upon enactment.
1 33 EXPLANATION
1 34 This bill repeals Code section 423B.10, which provides that
1 35 a city with a local sales and services tax imposed by the

Senate File 461 - Introduced continued

2 1 county may designate an amount of the increased tax revenues
2 2 attributable to retail establishments in an urban renewal area
2 3 to fund urban renewal projects in the area. The bill provides
2 4 that all local sales and services taxes received by a city
2 5 under Code chapter 423B prior to the effective date of the
2 6 bill that have been designated by a city by ordinance to fund
2 7 urban renewal projects pursuant to Code section 423B.10 shall
2 8 be deposited in the city's general fund.
2 9 This bill takes effect upon enactment.
2 10 LSB 1087SV 83
2 11 md/sc:mg/14

Senate File 462 - Introduced

SENATE FILE
BY McKINLEY

Passed Senate, Date _____ Passed House, Date
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

1 An Act restricting certain expenditures by the general assembly.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2585SS 83
4 jp/rj/5

Senate File 462 - Introduced continued

PAG LIN

1 1 Section 1. CERTAIN LEGISLATIVE EXPENDITURES RESTRICTED ==
1 2 FY 2009=2010. Notwithstanding contrary provisions of sections
1 3 2.10 and 2.12 and any other provision of law, for the fiscal
1 4 year beginning July 1, 2009, the salary, per diem, and travel
1 5 expense rates payable to members and staff of the general
1 6 assembly, the total amount expended by each political caucus
1 7 and staff unit relating to out=of=state travel by members and
1 8 staff of the general assembly, and the total amount expended
1 9 by the general assembly for dues to associations and other
1 10 organizations, shall not exceed such rates paid and the total
1 11 amounts expended for such purposes for the preceding fiscal
1 12 year.
1 13 EXPLANATION
1 14 This bill restricts certain expenditures by the general
1 15 assembly for FY 2009=2010 by making inapplicable contrary
1 16 provisions in Code section 2.10, relating to salaries and
1 17 expenses of members of the general assembly, and Code section
1 18 2.12, relating to expenses of the general assembly and
1 19 budgets, and any other law.
1 20 The restriction provides that for the designated fiscal
1 21 year, the salary, per diem, and travel expense rates payable
1 22 to members and staff of the general assembly, the total amount
1 23 expended by each political caucus and staff unit relating to
1 24 out=of=state travel by members and staff of the general
1 25 assembly, and the total amount expended by the general
1 26 assembly for dues to associations and other organizations
1 27 cannot exceed the rates paid and total amounts expended for
1 28 such purposes in the preceding fiscal year.
1 29 LSB 2585SS 83
1 30 jp/rj/5

Senate File 463 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1307)

Passed Senate, Date _____ Passed House, Date
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays
Approved

A BILL FOR

An Act modifying provisions relating to the regulation of delayed deposit service businesses, making penalties applicable, and providing an effective date.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 2690SV 83
rn/sc/8

Senate File 463 - Introduced continued

PAG LIN

1 1 Section 1. Section 533D.3, subsection 3, paragraph a, Code
1 2 2009, is amended to read as follows:
1 3 a. An application fee of one hundred twenty=five dollars.
1 4 Sec. 2. Section 533D.9, subsection 2, Code 2009, is
1 5 amended by adding the following new paragraph:
1 6 NEW PARAGRAPH. e. That the licensee cannot initiate debt
1 7 collection procedures, civil court proceedings, or arbitration
1 8 to collect an unpaid check unless the licensee has provided
1 9 the maker of the check the opportunity to repay the obligation
1 10 without any additional charges, other than the penalty
1 11 provided in paragraph "d" of this subsection, in biweekly
1 12 payments of not more than ten percent of the face of the check
1 13 until the debt is paid in full. Additionally, that during
1 14 this repayment period the licensee may not transfer or sell
1 15 the debt owing on the unpaid check, and the loan shall not be
1 16 considered to be in default. Further that the maker of the
1 17 check's failure to make a biweekly payment under this
1 18 paragraph shall place the loan in default and the licensee
1 19 may, after proper notice, exercise rights against the maker
1 20 under the law.
1 21 Sec. 3. Section 533D.10, subsection 1, Code 2009, is
1 22 amended to read as follows:
1 23 1. A licensee shall not do any of the following:
1 24 a. Hold from any one maker more than two checks at any one
1 25 time.
1 26 b. Hold from any one maker a check or checks in an
1 27 aggregate face amount of more than five hundred dollars at any
1 28 one time.
1 29 c. Hold or agree to hold a check for ~~more~~ less than
1 30 ~~thirty=one~~ fourteen days.
1 31 d. Require the maker to receive payment by a method which
1 32 causes the maker to pay additional or further fees and charges
1 33 to the licensee or another person.
1 34 e. Repay, refinance, or otherwise consolidate a postdated
1 35 check transaction with the proceeds of another postdated check

Senate File 463 - Introduced continued

2 1 transaction made by the same licensee. A licensee may not
2 2 enter into another transaction with the maker of a check if
2 3 the licensee presently has a transaction outstanding with the
2 4 maker or if the maker had a previous transaction with the
2 5 licensee within two days of the new transaction, unless the
2 6 licensee has provided the following notice both verbally and
2 7 in writing, and the maker has acknowledged receipt of the
2 8 notice with a signature and date:
2 9 Notice to Borrower
2 10 1. The licensee may not repay, refinance, or otherwise
2 11 consolidate a postdated check transaction with the proceeds of
2 12 another postdated check transaction made by the same licensee.
2 13 2. While a licensee may charge a penalty if a check is not
2 14 negotiable on the date agreed upon, the penalty shall not
2 15 exceed fifteen dollars. This penalty shall only be collected
2 16 by the licensee once on a check no matter how long that check
2 17 remains unpaid. This penalty is the only additional charge a
2 18 lender may charge you (the borrower) when a check is not
2 19 negotiable on the date agreed upon.
2 20 3. If your check is not negotiable on the date agreed
2 21 upon, the licensee must provide you (the borrower) the
2 22 opportunity to repay the obligation without any additional
2 23 charges, other than the penalty described above, in biweekly
2 24 payments of not more than ten percent of the face of the check
2 25 until the debt is paid in full.
2 26 By signing and dating this notice, you acknowledge the
2 27 statements above, but yet still desire to obtain another loan
2 28 with the licensee.
2 29 Borrower(s) signature: Date:
2 30 Borrower(s) signature: Date:
2 31 f. Receive any other charges or fees in addition to the
2 32 fees listed in section 533D.9, subsections 1 and 2.
2 33 g. Initiate debt collection procedures, civil court
2 34 proceedings, or civil or private arbitration proceedings to
2 35 collect an unpaid check unless the licensee has provided the

Senate File 463 - Introduced continued

3 1 maker the opportunity to repay the obligation without any
3 2 additional charges, other than the penalty provided in section
3 3 533D.9, subsection 2, paragraph "d", in biweekly payments of
3 4 not more than ten percent of the face of the check until the
3 5 debt is paid in full. During this repayment period the
3 6 licensee may not transfer or sell the debt owing on the unpaid
3 7 check, and the loan shall not be considered to be in default.
3 8 The failure of the maker of the check to make a biweekly
3 9 payment as required shall place the loan in default and the
3 10 licensee may, after proper notice, exercise rights against the
3 11 maker under the law.
3 12 Sec. 4. Section 533D.10, subsection 1, Code 2009, is
3 13 amended by adding the following new paragraph:
3 14 NEW PARAGRAPH. h. Enter into a delayed deposit service
3 15 transaction which will cause the maker of the check, when all
3 16 other delayed deposit service transactions entered into with
3 17 any licensee involving the maker of the check are accounted
3 18 for, and when the term of the transaction is aggregated with
3 19 the other transactions, to be indebted for a period exceeding
3 20 ninety days during the preceding twelve=month period. For
3 21 purposes of this paragraph, if the maker of the check has
3 22 entered into more than one delayed deposit service transaction
3 23 with the same or another licensee, and the periods during
3 24 which the transactions are outstanding overlap, each day of
3 25 each respective transaction shall be counted in satisfying the
3 26 ninety=day restriction. For purposes of this paragraph, if a
3 27 maker of a check is making biweekly payments during a
3 28 repayment period as provided in section 533D.9, subsection 2,
3 29 paragraph "e", the repayment period shall not be counted in
3 30 satisfying the ninety=day restriction.
3 31 Sec. 5. NEW SECTION. 533D.10A ELECTRONIC DATABASE.
3 32 1. Each licensee shall, by October 1, 2009, subscribe to,
3 33 report to, and utilize an electronic database tracking
3 34 service, to be developed or selected pursuant to rules adopted
3 35 by the banking division of the department of commerce, that

Senate File 463 - Introduced continued

4 1 permits the licensee to determine whether a maker of a check
4 2 has an outstanding unpaid check or debit authorization that
4 3 is, or reasonably appears to be, connected to a delayed
4 4 deposit service transaction. Each licensee shall require a
4 5 maker of a check to sign a written declaration confirming
4 6 that, pursuant to section 533D.10, subsection 1, paragraph
4 7 "h", the maker of the check is eligible to enter into a
4 8 delayed deposit service transaction.
4 9 2. a. Records of a licensee and the electronic database
4 10 tracking service shall be subject to review and examination by
4 11 the division to determine whether the licensee is in
4 12 compliance with this section and other applicable provisions
4 13 of this chapter.
4 14 b. Information, records, and documents obtained in the
4 15 performance of the review and examination, including the
4 16 amount of any outstanding unpaid check or debit authorization
4 17 and the identity of the maker of the check, are confidential
4 18 and shall not be disclosed by the division and are not subject
4 19 to subpoena. Such information, records, and documents do not
4 20 constitute a public record under chapter 22. The
4 21 superintendent may disclose such information to
4 22 representatives of other state or federal regulatory
4 23 authorities and may release summary complaint information so
4 24 long as the information does not specifically identify the
4 25 complainant. The superintendent may also provide this
4 26 information to the attorney general for purposes of enforcing
4 27 this chapter.
4 28 Sec. 6. EFFECTIVE DATE. The section of this Act enacting
4 29 section 533D.10, subsection 1, paragraph "h", takes effect
4 30 October 1, 2009.
4 31 EXPLANATION
4 32 This bill relates to specified aspects of the regulation of
4 33 delayed deposit service businesses.
4 34 The bill increases the amount which is required to be
4 35 submitted by a person applying to operate a delayed deposit

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5 1 service business from $100 to $125.
5 2 The bill provides that a licensee must disclose to the
5 3 maker of a check that the licensee cannot initiate debt
5 4 collection procedures, civil court proceedings, or arbitration
5 5 to collect an unpaid check unless the licensee has provided
5 6 the maker of a check the opportunity to repay the obligation
5 7 without any charges, other than the current $15 penalty, in
5 8 biweekly payments of not more than 10 percent of the face of
5 9 the check until the debt is paid in full. The bill adds that
5 10 during this repayment period the licensee cannot sell or
5 11 transfer the debt owing on the unpaid check and the loan shall
5 12 not be considered to be in default. However, if the maker of
5 13 the check fails to honor the repayment obligation, the bill
5 14 provides that the loan shall be placed in default. The bill
5 15 makes the failure to conform with these provisions a
5 16 prohibited act on the part of the licensee, which could
5 17 subject the licensee to disciplinary action as specified in
5 18 Code section 533D.12.
5 19 Additionally, the bill changes a current provision that
5 20 prohibits a licensee from holding or agreeing to hold a check
5 21 for more than 31 days to a modified provision that the
5 22 licensee cannot hold or agree to hold a check for less than 14
5 23 days. The bill also prohibits a licensee from entering into
5 24 another transaction with the maker of a check who already has
5 25 a transaction outstanding with the licensee or from entering
5 26 into a new transaction within two days of the conclusion of
5 27 the previous transaction, unless the maker acknowledges in
5 28 writing specified restrictions relating to successive
5 29 transactions, applicable penalties, and the opportunity to
5 30 repay the obligation in installments in the event the check is
5 31 not negotiable.
5 32 The bill also prohibits a licensee from entering into a
5 33 transaction that results in the maker of the check being
5 34 indebted to the licensee, or when aggregated with other
5 35 delayed deposit service business licensees, for longer than a

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6 1 90=day period during the preceding 12 months. This section of
6 2 the bill takes effect October 1, 2009.
6 3 The bill requires a licensee, by October 1, 2009, to
6 4 subscribe to, report to, and utilize an electronic database
6 5 tracking service developed or selected by the banking division
6 6 of the department of commerce to monitor the number of
6 7 transactions entered into by a maker of a check for purposes
6 8 of complying with this provision. The bill states that
6 9 licensee records and the database shall be subject to review
6 10 and examination by the division, and provides that
6 11 information, records, and documents obtained by the division
6 12 in the performance of such a review or examination shall be
6 13 considered confidential.
6 14 LSB 2690SV 83
6 15 rn/sc/8

Senate Resolution 19 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY KIBBIE, GRONSTAL, and McKINLEY
1 3 A Resolution to protect and preserve the battleship
1 4 USS Iowa.
1 5 WHEREAS, in the late 1930s grave threats emerged to
1 6 America's seapower, as the Nazis began construction of
1 7 the 50,000=ton Bismarck and the Empire of Japan began
1 8 construction of a 71,000=ton leviathan, the Yamato;
1 9 and
1 10 WHEREAS, America countered those threats with the
1 11 45,000=ton "Iowa" class of fast battleships, the
1 12 ultimate in the evolution of the capital ship and also
1 13 its last hurrah; and
1 14 WHEREAS, BB=61, the USS Iowa, was built when a
1 15 generation of Americans, including many Iowans, united
1 16 in an enormous mission == to stop the forces of
1 17 tyranny in World War II; and
1 18 WHEREAS, the battleship was completed in 1943,
1 19 serving our nation for over five decades in almost
1 20 every major deployment of our armed services, and was
1 21 President Franklin D. Roosevelt's personal battleship,
1 22 outfitted with a Presidential cabin; and
1 23 WHEREAS, the USS Iowa completed her World War II
1 24 service in the Pacific theater anchored in Tokyo Bay
1 25 as part of the Japanese surrender ceremonies in 1945,
1 26 and later served in the Korean War; and
1 27 WHEREAS, the USS Iowa earned nine battle stars for
1 28 World War II service and two for Korean War service;
1 29 and
1 30 WHEREAS, the venerable ship was decommissioned for

Senate Resolution 19 - Introduced continued

2 1 the last time in 1990 and is currently berthed with
2 2 the National Defense Reserve Fleet at Suisun Bay, near
2 3 San Francisco, California; and
2 4 WHEREAS, the State of Iowa has formally expressed
2 5 its support for the preservation of the USS Iowa, and
2 6 the Iowa and California congressional delegations have
2 7 worked to assure that the USS Iowa is placed at a
2 8 location that is in the best interest of our nation;
2 9 and
2 10 WHEREAS, the U.S. Department of the Navy has
2 11 declared the proposal of Historic Ships Memorial at
2 12 Pacific Square, a nonprofit corporation, to berth the
2 13 USS Iowa in the San Francisco Bay Area at historic
2 14 Mare Island, Vallejo, California, to be the sole
2 15 remaining viable bid for preserving the USS Iowa as a
2 16 museum and memorial; and
2 17 WHEREAS, former Governors Robert D. Ray and Terry
2 18 E. Branstad and former Governor and current United
2 19 States Secretary of Agriculture Thomas J. Vilsack
2 20 serve as honorary chairpersons of efforts to preserve
2 21 the USS Iowa as a national museum and memorial, truly
2 22 a source of pride for all Iowans; and
2 23 WHEREAS, those efforts include restoration of the
2 24 USS Iowa and future service as an educational museum
2 25 and tourist attraction, and perhaps, with her many
2 26 facilities still intact, service as an emergency
2 27 response center; and
2 28 WHEREAS, the restoration and preservation of the
2 29 USS Iowa will honor all veterans of the State of Iowa,
2 30 inspire youth, and educate the public; NOW THEREFORE

Senate Resolution 19 - Introduced continued

3 1 BE IT RESOLVED BY THE SENATE, That the Senate
3 2 supports current efforts to restore and preserve the
3 3 USS Iowa as a museum ship and a living memorial to all
3 4 those who served on her, and urges all Iowans to join
3 5 in these efforts.
3 6 LSB 2697SS 83
3 7 jr/rj/5.1

Senate Resolution 20 - Introduced

PAG LIN

S.R. _____ H.R. _____

1 1 SENATE RESOLUTION NO.
1 2 BY SCHMITZ, HATCH, RAGAN, SEYMOUR, and HARTSUCH
1 3 A Resolution expressing support for improved adolescent
1 4 health.
1 5 WHEREAS, adolescence is a critical time to develop
1 6 positive habits and skills that can lead to healthy
1 7 lifestyles and behavior over an individual's lifetime;
1 8 and
1 9 WHEREAS, many adolescents and young adults struggle
1 10 to adopt behaviors that could decrease their risk of
1 11 sustaining serious injuries or developing chronic
1 12 diseases in adulthood == behaviors such as avoiding
1 13 dangerous situations and taking appropriate safety
1 14 precautions, eating nutritiously, engaging in physical
1 15 activity, avoiding tobacco and drugs, and choosing not
1 16 to abuse alcohol; and
1 17 WHEREAS, environmental factors such as family, peer
1 18 group, school, and community characteristics also
1 19 contribute to the challenges that adolescents face;
1 20 and
1 21 WHEREAS, the Institute of Medicine and the National
1 22 Research Council have concluded that "[p]revention,
1 23 early intervention and timely treatment improve health
1 24 status for adolescents and prepare them for healthy
1 25 adulthood; such services also decrease the incidence
1 26 of many chronic diseases in adulthood"; and
1 27 WHEREAS, 1.4 million Iowans are already overweight
1 28 or obese, a sample of Iowa children found that nearly
1 29 20 percent were at risk for being overweight and more
1 30 than 18 percent are already overweight, only 16.6

Senate Resolution 20 - Introduced continued

2 1 percent of 9th through 12th grade students reported
2 2 eating five or more servings of fruits and vegetables
2 3 daily, and total annual health care costs attributable
2 4 to adult obesity in Iowa are estimated at $783
2 5 million; and
2 6 WHEREAS, type 2 diabetes, which is linked to
2 7 obesity and physical inactivity and most often appears
2 8 in people older than 40, is now being found in younger
2 9 people and even in children and teenagers; and
2 10 WHEREAS, the leading causes of death for Iowans
2 11 ages 15=24 are motor vehicle crashes and suicide, and
2 12 this age group also has the highest rate of
2 13 hospitalizations and emergency department visits for
2 14 these injuries; and
2 15 WHEREAS, the United States Department of Health and
2 16 Human Services' Substance Abuse and Mental Health
2 17 Services Administration recommends that adolescents be
2 18 screened for alcohol use and depression at regular
2 19 health screenings so they can be referred for
2 20 appropriate services; and
2 21 WHEREAS, the national Advisory Committee on
2 22 Immunization Practices, American Academy of
2 23 Pediatrics, American Academy of Family Physicians, and
2 24 the American Medical Association recommend a routine
2 25 health care visit for adolescents aged 11=12 to
2 26 receive recommended immunizations and other
2 27 evidence=based preventive health care services; and
2 28 WHEREAS, the Center for Disease Control's National
2 29 Immunization Survey found that immunization coverage
2 30 levels among adolescents in 2006 did not meet the

Senate Resolution 20 - Introduced continued

3 1 Healthy People 2010 objective of 90 percent coverage
3 2 for 13=15 year olds for any of the vaccines measured;
3 3 and
3 4 WHEREAS, the Society for Adolescent Medicine has
3 5 found that adolescent well visits are one of the best
3 6 tools of preventive care to ensure continued health
3 7 and safety from childhood to adulthood and that
3 8 children and adolescents who regularly visit a primary
3 9 care physician are less likely to have emergency room
3 10 visits and preventable injuries or hospitalizations;
3 11 and
3 12 WHEREAS, the United States Department of Health and
3 13 Human Services' Health Resources and Services
3 14 Administration has developed, in conjunction with the
3 15 American Academy of Pediatrics, the Bright Futures
3 16 Initiative, which provides a set of guidelines
3 17 including recommendations on immunizations and routine
3 18 health screenings for adolescents; and
3 19 WHEREAS, because adolescents remain under the
3 20 guardianship of their parents, parental awareness of
3 21 the need for an adolescent well visit plays an
3 22 enormous role in the incidence of adolescent well
3 23 visits; NOW THEREFORE,
3 24 BE IT RESOLVED BY THE SENATE, That the Senate
3 25 encourages the Department of Public Health to educate
3 26 parents on the importance of an adolescent well
3 27 physical to prevent chronic diseases, avoid injury,
3 28 appropriately intervene to better treat chronic
3 29 disease, and update immunizations.
3 30 LSB 2702SS 83

Senate Resolution 20 - Introduced continued

4 1 jr/nh/14.1