



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1329

PAG LIN

1 1 Amend Senate File 419, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 5, by inserting after line 2 the
1 4 following:
1 5 <Sec. _____. Section 321.211A, Code 2009, is amended
1 6 to read as follows:
1 7 321.211A APPEAL OF EXTENDED SUSPENSION OR
1 8 REVOCATION.
1 9 Notwithstanding any provision of law to the
1 10 contrary, if a person was not served with notice of a
1 11 suspension or revocation under section 321.16, or
1 12 section 321J.9, subsection 4, or section 321J.12,
1 13 subsection 3, the person may appeal to the department
1 14 an extension of the period of suspension or revocation
1 15 based upon a conviction under section ~~321.218 or~~
1 16 321J.21. At the hearing on the appeal, the sole issue
1 17 shall be whether the department failed to send notice
1 18 of the underlying suspension or revocation to the
1 19 person at the address contained in the department's
1 20 records. If the department determines it failed to
1 21 send such notice, the department shall rescind the
1 22 extended suspension or revocation resulting from the
1 23 conviction and send notice of the department's
1 24 determination to the court that rendered the
1 25 conviction. Upon receipt of the notice, the court
1 26 shall enter an order exonerating the person of the
1 27 conviction and ordering that the record of the
1 28 conviction be expunged by the clerk of the district
1 29 court.
1 30 Sec. _____. Section 321.218, subsection 3, Code
1 31 2009, is amended by striking the subsection.>
1 32 #2. Page 6, by inserting after line 1 the
1 33 following:
1 34 <Sec. _____. Section 805.6, subsection 1, paragraph
1 35 d, Code 2009, is amended to read as follows:
1 36 d. The written appearance defined in paragraph "b"
1 37 shall not be used for any offense other than a simple
1 38 misdemeanor ~~and shall not be used for any offense~~
~~1 39 under section 321.218 or 321A.32.>~~
1 40 #3. Page 6, by inserting after line 2 the
1 41 following:
1 42 <Sec. _____. EFFECTIVE DATE AND RETROACTIVE
1 43 APPLICABILITY. The section of this division of this
1 44 Act amending section 321J.13, being deemed of
1 45 immediate importance, takes effect upon enactment and
1 46 applies retroactively to January 1, 2009, for
1 47 disqualifications in effect on or after that date.>
1 48 #4. By renumbering as necessary.
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Amendment 1329 continued

- 2 1
- 2 2 LYKAM of Scott
- 2 3 SF 419.204 83
- 2 4 dea/nh/12517



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1330

PAG LIN

1 1 Amend House File 779 as follows:
1 2 #1. Page 5, by striking lines 3 through 25.
1 3 #2. Page 6, by striking lines 25 through 30.
1 4 #3. Page 6, by striking lines 32 through 35.
1 5 #4. By striking page 21, line 35, through page 22,
1 6 line 12, and inserting the following:
1 7 <NEW SUBSECTION. 8. a. In the course of
1 8 enforcing the motor carrier safety rules adopted by
1 9 the department under chapter 17A, the department's
1 10 peace officers are authorized, at reasonable times and
1 11 places and under reasonable circumstances, to enter
1 12 upon, to inspect, and to examine any and all vehicles
1 13 and loads carried, land, buildings, and equipment of
1 14 any person subject to the federal motor carrier safety
1 15 regulations in 49 C.F.R. pts. 105=185, 382, 383, 385,
1 16 and 390=399, and to inspect and copy any and all
1 17 accounts, records, memoranda, correspondence, and
1 18 other documents including those maintained in an
1 19 electronic format.
1 20 b. Upon request of a department peace officer
1 21 acting within the scope of official duties and
1 22 authority with respect to the federal motor carrier
1 23 safety regulations in 49 C.F.R. pts. 105=185, 382,
1 24 383, 385, and 390=399, at reasonable times and places
1 25 and under reasonable circumstances, and after being
1 26 furnished appropriate identification by that officer,
1 27 a person subject to the federal motor carrier safety
1 28 regulations in 49 C.F.R. pts. 105=185, 382, 383, 385,
1 29 and 390=399 shall submit to the peace officer the
1 30 person's accounts, books, records, memoranda,
1 31 correspondence, and other documents, including those
1 32 maintained in an electronic format, for inspection and
1 33 copying and shall submit the person's vehicles, loads,
1 34 land, buildings, and equipment for examination.>
1 35 #5. By renumbering as necessary.
1 36
1 37
1 38
1 39 LYKAM of Scott
1 40 HF 779.701 83
1 41 dea/nh/23437
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1331

PAG LIN

1 1 Amend Senate File 389, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 40, line 7, by striking the word
1 4 <portion> and inserting the following: <portions>.
1 5 #2. Page 40, line 10, by inserting after the word
1 6 <program> the following: <and the physician assistant
1 7 mental health fellowship program>.
1 8 #3. Page 43, by inserting after line 25, the
1 9 following:
1 10 <(5) The physician assistant mental health
1 11 fellowship account. The physician assistant mental
1 12 health fellowship account shall be under the control
1 13 of the department of public health and the moneys in
1 14 the account shall be used for the purposes of the
1 15 physician assistant mental health fellowship program
1 16 as specified in this section. Moneys in the account
1 17 shall consist of moneys received by the fund or the
1 18 account and specifically dedicated to the physician
1 19 assistant mental health fellowship account."
1 20 #4. Page 43, line 34, by inserting after the word
1 21 <program,> the following: <the physician assistant
1 22 mental health fellowship program,>.
1 23 #5. Page 52, by inserting after line 28, the
1 24 following:
1 25 <___ . PHYSICIAN ASSISTANT MENTAL HEALTH FELLOWSHIP
1 26 PROGRAM.
1 27 a. The department of public health, in cooperation
1 28 with the commission, shall establish a physician
1 29 assistant mental health fellowship program to provide
1 30 fellowships to physician assistants to determine the
1 31 effect of making available specialized training and
1 32 support to physician assistants in providing mental
1 33 health services on efforts to address Iowa's shortage
1 34 of mental health professionals.
1 35 b. The program shall provide for all of the
1 36 following:
1 37 (1) Collaboration with a two=hundred=twenty=bed
1 38 hospital serving a thirteen=county area in central
1 39 Iowa that provides a clinic at the Iowa veterans home,
1 40 a private nonprofit agency headquartered in a city
1 41 with a population of more than one hundred ninety
1 42 thousand that operates a freestanding psychiatric
1 43 medical institution for children, a private university
1 44 with a medical school educating osteopathic physicians
1 45 located in a city with a population of more than one
1 46 hundred ninety thousand, the Iowa veterans home, and
1 47 any other clinical partner designated for the program.
1 48 Population figures used in this subparagraph refer to
1 49 the most recent certified federal census. The
1 50 clinical partners shall provide supervision, clinical



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1331 continued

2 1 experience, training, and other support for the
2 2 program and physician assistant students participating
2 3 in the program.
2 4 (2) Elderly, youth, and general population
2 5 clinical experiences.
2 6 (3) A fellowship of twelve months for three
2 7 physician assistant students for each year of the
2 8 program.
2 9 (4) Supervision of students participating in the
2 10 program shall be provided by the university and the
2 11 other clinical partners participating in the program.
2 12 (5) A student participating in the program shall
2 13 be eligible for a stipend of not more than fifty
2 14 thousand dollars for the twelve months of the
2 15 fellowship plus related fringe benefits. In addition,
2 16 the students who complete the program and practice in
2 17 Iowa in mental health professional shortage areas, as
2 18 defined in section 135.80, shall be eligible for up to
2 19 twenty thousand dollars in loan forgiveness. The
2 20 stipend and loan forgiveness provisions shall be
2 21 determined by the department and the commission, in
2 22 consultation with the clinical partners.
2 23 (6) The public and private entity clinical
2 24 partners shall regularly evaluate and document the
2 25 experiences with the approaches utilized and outcomes
2 26 achieved by the program to identify an optimal model
2 27 for operating such a program on an ongoing basis. The
2 28 evaluation process shall include but is not limited to
2 29 identifying ways the program's clinical and training
2 30 components could be modified to facilitate other
2 31 student and practicing physician assistants
2 32 specializing as mental health professionals.>
2 33 #6. By renumbering as necessary.
2 34
2 35
2 36
2 37 WESSEL-KROESCHELL of Story
2 38 SF 389.305 83
2 39 pf/rj/22906



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Amendment 1332

PAG LIN

1 1 Amend Senate File 445, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, line 6, by inserting after the word
 1 4 <schedule> the following: <and health benefits
 1 5 schedule>.
 1 6 #2. Page 4, line 15, by inserting after the word
 1 7 <funds> the following: <and health benefits>.
 1 8 #3. Page 4, line 21, by inserting after the word
 1 9 <funds> the following: <and health benefits>.
 1 10 #4. Page 5, line 10, by inserting after the word
 1 11 and figure <section 20.9.> the following: <The school
 1 12 district or area education agency shall create a
 1 13 health benefits schedule, subject to the scope of
 1 14 negotiations specified in section 20.9, which details
 1 15 the dollar amounts spent on health benefits costs by
 1 16 the school district or area education agency on behalf
 1 17 of the licensed employees.>
 1 18 #5. Page 5, line 16, by inserting after the word
 1 19 <amount.> the following: <The board of directors
 1 20 shall create a health benefits schedule which details
 1 21 the dollar amounts spent on health benefits costs by
 1 22 the school district or area education agency on behalf
 1 23 of the licensed employees.>
 1 24 #6. Title page, line 3, by inserting after the
 1 25 word <schedules> the following: <and creating health
 1 26 benefit schedules>.
 1 27
 1 28
 1 29
 1 30 DOLECHECK of Ringgold
 1 31 SF 445.501 83
 1 32 ak/sc/23457
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1333

PAG LIN

1 1 Amend Senate File 285, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, by striking lines 9 through 23.
1 4 #2. Page 4, by striking lines 2 through 7.
1 5
1 6
1 7
1 8 COMMITTEE ON JUDICIARY
1 9 SWAIM of Davis, Chairperson
1 10 SF 285.702 83
1 11 jm/jm/22594
1 12
1 13
1 14
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Amendment 1334

PAG LIN

1 1 Amend Senate File 119, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 1, by striking lines 11 and 12 and
 1 4 inserting the following: <apply to livestock as
 1 5 defined in section 717.1.>
 1 6 #2. Page 1, by striking lines 31 through 33 and
 1 7 inserting the following: <disposing of the animal.
 1 8 This paragraph shall not require a peace officer to
 1 9 transport or otherwise assume responsibility for an
 1 10 individual animal included in the temporary order.
 1 11 This paragraph shall not apply to livestock as defined
 1 12 in section 717.1.>
 1 13 #3. Page 2, by striking lines 12 through 14 and
 1 14 inserting the following: <disposing of the animal.
 1 15 This paragraph shall not require a peace officer to
 1 16 transport or otherwise assume responsibility for an
 1 17 individual animal included in the order. This
 1 18 paragraph shall not apply to livestock as defined in
 1 19 section 717.1.>
 1 20
 1 21
 1 22
 1 23 COMMITTEE ON JUDICIARY
 1 24 SWAIM of Davis, Chairperson
 1 25 SF 119.202 83
 1 26 rh/rj/23277

1 27
 1 28
 1 29
 1 30
 1 31
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1335

PAG LIN

1 1 Amend Senate File 283, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking page 1, line 1, through page 3,
1 4 line 34, and inserting the following:
1 5 <Section 1. Section 46.12, unnumbered paragraph 1,
1 6 Code 2009, is amended to read as follows:
1 7 When a vacancy occurs or will occur within one
1 8 hundred twenty days in the supreme court, the court of
1 9 appeals, or district court, the state commissioner of
1 10 elections shall forthwith so notify the chairperson of
1 11 the proper judicial nominating commission unless the
1 12 chief justice has ordered the state commissioner of
1 13 elections to delay sending the notification for up to
1 14 one hundred eighty days for budgetary reasons. The
1 15 chairperson shall call a meeting of the commission
1 16 within ten days after such notice; if the chairperson
1 17 fails to do so, the chief justice shall call such
1 18 meeting.>
1 19 #2. By striking page 4, line 17, through page 6,
1 20 line 17, and inserting the following:
1 21 <Sec. ____ . Section 602.6304, subsections 2 and 3,
1 22 Code 2009, are amended to read as follows:
1 23 2. In November of any year in which an impending
1 24 vacancy is created because a district associate judge
1 25 is not retained in office pursuant to a judicial
1 26 election, the county magistrate appointing commission
1 27 shall publicize notice of the vacancy in at least two
1 28 publications in the official county newspaper. The
1 29 commission shall accept applications for consideration
1 30 for nomination as district associate judge for a
1 31 minimum of fifteen days prior to certifying
1 32 nominations. The commission shall consider the
1 33 applications and shall, by majority vote, certify to
1 34 the chief judge of the judicial district not later
1 35 than December 15 of that year the names of three
1 36 applicants who are nominated by the commission for the
1 37 vacancy, unless the chief justice has ordered the
1 38 commission to delay the certification of the nominees
1 39 for up to one hundred eighty days for budgetary
1 40 reasons. If there are three or fewer applicants the
1 41 commission shall certify all applicants who meet the
1 42 statutory qualifications. Nominees shall be chosen
1 43 solely on the basis of the qualifications of the
1 44 applicants, and political affiliation shall not be
1 45 considered.
1 46 3. Within thirty days after a county magistrate
1 47 appointing commission receives notification of an
1 48 actual or impending vacancy in the office of district
1 49 associate judge, other than a vacancy referred to in
1 50 subsection 2, the commission shall certify to the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1335 continued

2 1 chief judge of the judicial district the names of
2 2 three applicants who are nominated by the commission
2 3 for the vacancy, unless the chief justice has ordered
2 4 the commission to delay the certification of the
2 5 nominees for up to one hundred eighty days for
2 6 budgetary reasons. The commission shall publicize
2 7 notice of the vacancy in at least two publications in
2 8 the official county newspaper. The commission shall
2 9 accept applications for consideration for nomination
2 10 as district associate judge for a minimum of fifteen
2 11 days prior to certifying nominations. The commission
2 12 shall consider the applications and shall, by majority
2 13 vote, certify to the chief judge of the judicial
2 14 district the names of three applicants who are
2 15 nominated by the commission for the vacancy. If there
2 16 are three or fewer applicants the commission shall
2 17 certify all applicants who meet the statutory
2 18 qualifications. Nominees shall be chosen solely on
2 19 the basis of the qualifications of the applicants, and
2 20 political affiliation shall not be considered. As
2 21 used in this subsection, a vacancy is created by the
2 22 death, retirement, resignation, or removal of a
2 23 district associate judge, or by an increase in the
2 24 number of positions authorized.>
2 25 #3. By striking page 6, line 26, through page 12,
2 26 line 30, and inserting the following:
2 27 <Sec. _____. Section 602.7103B, subsections 2 and 3,
2 28 Code 2009, are amended to read as follows:
2 29 2. In November of any year in which an impending
2 30 vacancy is created because a full-time associate
2 31 juvenile judge is not retained in office pursuant to a
2 32 judicial election, the county magistrate appointing
2 33 commission shall publicize notice of the vacancy in at
2 34 least two publications in the official county
2 35 newspaper. The commission shall accept applications
2 36 for consideration for nomination as full-time
2 37 associate juvenile judge for a minimum of fifteen days
2 38 prior to certifying nominations. The commission shall
2 39 consider the applications and shall, by majority vote,
2 40 certify to the chief judge of the judicial district
2 41 not later than December 15 of that year the names of
2 42 three applicants who are nominated by the commission
2 43 for the vacancy, unless the chief justice has ordered
2 44 the commission to delay the certification of the
2 45 nominees for up to one hundred eighty days for
2 46 budgetary reasons. If there are three or fewer
2 47 applicants, the commission shall certify all
2 48 applicants who meet the statutory qualifications.
2 49 Nominees shall be chosen solely on the basis of the
2 50 qualifications of the applicants, and political



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1335 continued

3 1 affiliation shall not be considered.
3 2 3. Within thirty days after a county magistrate
3 3 appointing commission receives notification of an
3 4 actual or impending vacancy in the office of full-time
3 5 associate juvenile judge, other than a vacancy
3 6 referred to in subsection 2, the commission shall
3 7 certify to the chief judge of the judicial district
3 8 the names of three applicants who are nominated by the
3 9 commission for the vacancy, unless the chief justice
3 10 has ordered the commission to delay the certification
3 11 of the nominees for up to one hundred eighty days for
3 12 budgetary reasons. The commission shall publicize
3 13 notice of the vacancy in at least two publications in
3 14 the official county newspaper. The commission shall
3 15 accept applications for consideration for nomination
3 16 as full-time associate juvenile judge for a minimum of
3 17 fifteen days prior to certifying nominations. The
3 18 commission shall consider the applications and shall,
3 19 by majority vote, certify to the chief judge of the
3 20 judicial district the names of three applicants who
3 21 are nominated by the commission for the vacancy. If
3 22 there are three or fewer applicants, the commission
3 23 shall certify all applicants who meet the statutory
3 24 qualifications. Nominees shall be chosen solely on
3 25 the basis of the qualifications of the applicants, and
3 26 political affiliation shall not be considered. As
3 27 used in this subsection, a vacancy is created by the
3 28 death, retirement, resignation, or removal of a
3 29 full-time associate juvenile judge, or by an increase
3 30 in the number of positions authorized.
3 31 Sec. _____. Section 633.20B, subsections 2 and 3,
3 32 Code 2009, are amended to read as follows:
3 33 2. In November of any year in which an impending
3 34 vacancy is created because a full-time associate
3 35 probate judge is not retained in office pursuant to a
3 36 judicial election, the county magistrate appointing
3 37 commission shall publicize notice of the vacancy in at
3 38 least two publications in the official county
3 39 newspaper. The commission shall accept applications
3 40 for consideration for nomination as full-time
3 41 associate probate judge for a minimum of fifteen days
3 42 prior to certifying nominations. The commission shall
3 43 consider the applications and shall, by majority vote,
3 44 certify to the chief judge of the judicial district
3 45 not later than December 15 of that year the names of
3 46 three applicants who are nominated by the commission
3 47 for the vacancy, unless the chief justice has ordered
3 48 the commission to delay the certification of the
3 49 nominees for up to one hundred eighty days for
3 50 budgetary reasons. If there are three or fewer



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1335 continued

4 1 applicants, the commission shall certify all
4 2 applicants who meet the statutory qualifications.
4 3 Nominees shall be chosen solely on the basis of the
4 4 qualifications of the applicants, and political
4 5 affiliation shall not be considered.
4 6 3. Within thirty days after a county magistrate
4 7 appointing commission receives notification of an
4 8 actual or impending vacancy in the office of full-time
4 9 associate probate judge, other than a vacancy referred
4 10 to in subsection 2, the commission shall certify to
4 11 the chief judge of the judicial district the names of
4 12 three applicants who are nominated by the commission
4 13 for the vacancy, unless the chief justice has ordered
4 14 the commission to delay the certification of the
4 15 nominees for up to one hundred eighty days for
4 16 budgetary reasons. The commission shall publicize
4 17 notice of the vacancy in at least two publications in
4 18 the official county newspaper. The commission shall
4 19 accept applications for consideration for nomination
4 20 as full-time associate probate judge for a minimum of
4 21 fifteen days prior to certifying nominations. The
4 22 commission shall consider the applications and shall,
4 23 by majority vote, certify to the chief judge of the
4 24 judicial district the names of three applicants who
4 25 are nominated by the commission for the vacancy. If
4 26 there are three or fewer applicants, the commission
4 27 shall certify all applicants who meet the statutory
4 28 qualifications. Nominees shall be chosen solely on
4 29 the basis of the qualifications of the applicants, and
4 30 political affiliation shall not be considered. As
4 31 used in this subsection, a vacancy is created by the
4 32 death, retirement, resignation, or removal of a
4 33 full-time associate probate judge, or by an increase
4 34 in the number of positions authorized.
4 35 Sec. ____ . JUDICIAL OFFICER == VOLUNTARY FURLOUGHS.
4 36 Notwithstanding the annual salary rates for judicial
4 37 officers established by 2008 Iowa Acts, chapter 1191,
4 38 section 11, for the fiscal period beginning July 1,
4 39 2008, and ending June 30, 2010, a judicial officer may
4 40 voluntarily agree to be furloughed on any day
4 41 employees of the judicial branch are furloughed. If a
4 42 judicial officer voluntarily agrees to be furloughed
4 43 on a specific date, the judicial officer shall notify
4 44 the state court administrator of the furlough date.
4 45 If a judicial officer voluntarily agrees to be
4 46 furloughed, the salary of the judicial officer shall
4 47 be reduced accordingly for the pay period in which the
4 48 furlough date occurred in the same manner as for
4 49 noncontract employees of the judicial branch. Through
4 50 the course of the fiscal period, the judicial branch



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1335 continued

5 1 may use an amount equal to the aggregate amount of
5 2 salary reductions due to voluntary judicial officer
5 3 furloughs for any purpose other than for judicial
5 4 salaries.
5 5 Sec. ____ . EFFECTIVE DATE. The section of this Act
5 6 permitting voluntary judicial officer furloughs, being
5 7 deemed of immediate importance, takes effect upon
5 8 enactment.>
5 9 #4. Title page, by striking lines 1 and 2 and
5 10 inserting the following: <An Act relating to the
5 11 appointment of judicial officers, providing an
5 12 effective date, and providing for>.
5 13
5 14
5 15
5 16 COMMITTEE ON JUDICIARY
5 17 SWAIM of Davis, Chairperson
5 18 SF 283.501 83
5 19 jm/jm/23278



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1336

PAG LIN

1 1 Amend the amendment, H=1329, to Senate File 419, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, line 46, by striking the figure <2009>
1 4 and inserting the following: <2005>.
1 5
1 6
1 7
1 8 MAY of Dickinson
1 9
1 10
1 11
1 12 QUIRK of Chickasaw
1 13 SF 419.701 83
1 14 dea/nh/23456
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1337

PAG LIN

1 1 Amend House File 777 as follows:
1 2 #1. Page 2, line 34, by striking the word <four>
1 3 and inserting the following: <twenty=four>.
1 4 #2. Page 3, line 8, by striking the word <four>
1 5 and inserting the following: <twenty=four>.
1 6 #3. By striking page 4, line 34, through page 5,
1 7 line 15, and inserting the following:
1 8 <(3) Reasonably relied upon a decision of a court,
1 9 ~~or~~ a formal opinion of the attorney general, or the
1 10 attorney for the governmental body, given in writing,
1 11 or as memorialized in the minutes of the meeting at
1 12 which an oral opinion was given, or an advisory
1 13 opinion of the attorney general or the attorney for
1 14 the governmental body, given in writing.
1 15 Sec. _____. Section 21.8, subsection 1, unnumbered
1 16 paragraph 1, Code 2009, is amended to read as follows:
1 17 A governmental body may conduct a meeting and
1 18 individual members of a governmental body may
1 19 participate in meetings of a governmental body by
1 20 electronic means only in circumstances where ~~such~~ a
1 21 meeting in person is impossible or impractical and
1 22 only if the governmental body complies with all of the
1 23 following:>
1 24 #4. Page 5, line 22, by inserting after the word
1 25 <objectives.> the following: <Ambiguity in the
1 26 construction or application of this chapter should be
1 27 resolved in favor of openness.>
1 28 #5. Page 6, line 11, by striking the word
1 29 <feasible> and inserting the following: <reasonable>.
1 30 #6. Page 6, line 13, by striking the word
1 31 <feasible> and inserting the following: <reasonable>.
1 32 #7. Page 6, line 29, by striking the word <ten>
1 33 and inserting the following: <seven>.
1 34 #8. Page 6, by striking lines 30 through 33 and
1 35 inserting the following: <of the request unless
1 36 further delay is necessary because of good cause,
1 37 which is communicated>.
1 38 #9. Page 7, by striking lines 13 and 14 and
1 39 inserting the following: <requester shall be entitled
1 40 to file a>.
1 41 #10. Page 7, by inserting after line 16 the
1 42 following:
1 43 <Sec. _____. Section 22.3, subsection 2, Code 2009,
1 44 is amended to read as follows:
1 45 2. All expenses of the examination and copying
1 46 shall be paid by the person desiring to examine or
1 47 copy. The lawful custodian may charge a reasonable
1 48 fee for the services of the lawful custodian or the
1 49 custodian's authorized designee in supervising the
1 50 examination and copying of the records or in reviewing



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1337 continued

2 1 the records for confidential information prior to
2 2 release. If the lawful custodian is an executive
2 3 branch agency, the lawful custodian shall provide such
2 4 services at no charge to a requestor for up to three
2 5 hours per month. If copy equipment is available at
2 6 the office of the lawful custodian of any public
2 7 records, the lawful custodian shall provide any person
2 8 a reasonable number of copies of any public record in
2 9 the custody of the office upon the payment of a fee.
2 10 The fee for the copying service as determined by the
2 11 lawful custodian shall not exceed the actual cost of
2 12 providing the service. Actual costs shall include
2 13 only those expenses directly attributable to
2 14 supervising the examination of and making and
2 15 providing copies of public records. Actual costs
2 16 shall not include charges for ordinary expenses or
2 17 costs such as employment benefits, depreciation,
2 18 maintenance, electricity, or insurance associated with
2 19 the administration of the office of the lawful
2 20 custodian.>
2 21 #11. Page 7, by striking lines 17 through 23 and
2 22 inserting the following:
2 23 <Sec. _____. Section 22.7, subsection 7, Code 2009,
2 24 is amended to read as follows:
2 25 7. Appraisals or appraisal information concerning
2 26 the sale or purchase of real or personal property for
2 27 public purposes, prior to ~~public announcement of a~~
2 28 ~~project~~ the execution of any contract for such sale or
2 29 purchase or the submission of the appraisal to the
2 30 property owner or other interest holders as provided
2 31 in section 6B.45.
2 32 Sec. _____. Section 22.7, subsection 8, Code 2009,
2 33 is amended to read as follows:
2 34 8. ~~Iowa department of economic development~~
2 35 ~~information~~ Information on an industrial or commercial
2 36 development prospect with which the Iowa department of
2 37 economic development or a city is currently
2 38 negotiating, prior to submission by the department or
2 39 the city of a proposal for financial assistance or
2 40 other incentives for the prospect for approval by the
2 41 director of the department or by the governing body of
2 42 the city.>
2 43 #12. Page 11, line 19, by striking the word
2 44 <subsection> and inserting the following:
2 45 <subsections>.
2 46 #13. By striking page 11, line 21, through page
2 47 12, line 5, and inserting the following:
2 48 <a. The identity and qualifications of an
2 49 applicant for employment by a government body.>
2 50 #14. Page 12, by inserting after line 5 the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1337 continued

3 1 following:
3 2 <NEW SUBSECTION. 63. TENTATIVE, PRELIMINARY, OR
3 3 DRAFT MATERIALS. Tentative, preliminary, draft,
3 4 speculative, or research material, created prior to
3 5 its final completion for the purpose for which it is
3 6 intended and in a form prior to the form in which it
3 7 is submitted for use in the final formulation,
3 8 recommendation, adoption, or execution of any official
3 9 policy or action by a public official authorized to
3 10 make such decisions for the government body. The
3 11 final document shall be a public record at the time
3 12 the document is adopted or executed as the official
3 13 policy or action of a government body.
3 14 Sec. ____ . NEW SECTION. 22.7A SOCIAL SECURITY
3 15 NUMBERS IN PUBLIC RECORDS.
3 16 1. To the greatest extent feasible, a government
3 17 body shall not disclose a person's social security
3 18 number unless the disclosure is authorized by law.
3 19 2. A government body shall make reasonable efforts
3 20 to exclude social security numbers from public
3 21 records, as follows:
3 22 a. Exclude social security numbers on licenses,
3 23 permits, and other documents that may be readily
3 24 observed by the public.
3 25 b. Give individuals the option not to submit a
3 26 social security number to the government body unless
3 27 submission of the social security number is essential
3 28 to the provision of services by the government body or
3 29 is required by law.
3 30 c. Make any other efforts to prevent social
3 31 security numbers from being included in public records
3 32 and to protect such numbers from disclosure.
3 33 3. If a public record contains a social security
3 34 number, the government body shall, to the extent
3 35 practicable, make reasonable efforts to redact the
3 36 social security number prior to releasing the record
3 37 if such redaction does not materially affect the value
3 38 of the public record and is permitted by law. The
3 39 redaction of a social security number from a public
3 40 record shall not delay public access to the public
3 41 record except for the time required to perform the
3 42 actual redaction. As used in this subsection,
3 43 "redact" means to render the social security number
3 44 unreadable or truncated so that no more than the last
3 45 four digits of the social security number may be
3 46 accessed as part of the record.
3 47 4. A government body that solicits information
3 48 containing a person's social security number or that
3 49 is the lawful custodian of public records containing
3 50 social security numbers shall, if subject to chapter



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1337 continued

4 1 17A, adopt rules or, if a political subdivision or
4 2 other public body, adopt guidelines to administer the
4 3 use and disclosure of social security numbers
4 4 consistent with this section.>
4 5 #15. By striking page 12, line 29, through page
4 6 13, line 9, and inserting the following:
4 7 <(3) Reasonably relied upon a decision of a court,
4 8 ~~or an~~ a formal opinion of the attorney general, or the
4 9 attorney for the ~~governmental~~ government body, given
4 10 in writing, or as memorialized in the minutes of the
4 11 meeting at which an oral opinion was given, or an
4 12 advisory opinion of the attorney general or the
4 13 attorney for the government body, given in writing.>
4 14 #16. By striking page 14, line 20, through page
4 15 22, line 15, and inserting the following:
4 16 <Sec. ____ . NEW SECTION. 23.1 OPEN MEETINGS,
4 17 PUBLIC RECORDS, AND PRIVACY ADVISORY COMMITTEE.
4 18 1. COMMITTEE ESTABLISHED. An open meetings,
4 19 public records, and privacy advisory committee is
4 20 established to serve as a resource for public access
4 21 to government information in light of the policy of
4 22 this state to provide as much public access to
4 23 government information and proceedings as is
4 24 consistent with the public interest and the need to
4 25 protect individuals against undue invasions of
4 26 personal privacy.
4 27 2. MEMBERSHIP.
4 28 a. The advisory committee shall consist of
4 29 seventeen members, including thirteen voting members
4 30 and four nonvoting members.
4 31 (1) The voting members shall be the following:
4 32 (a) One member representing municipal interests
4 33 recommended by the Iowa league of cities, appointed by
4 34 the governor.
4 35 (b) One member representing county or regional
4 36 interests recommended by the Iowa state association of
4 37 counties, appointed by the governor.
4 38 (c) One member representing school district
4 39 interests recommended by the Iowa association of
4 40 school boards, appointed by the governor.
4 41 (d) One member representing law enforcement
4 42 interests recommended by the Iowa state sheriffs' and
4 43 deputies' association and the Iowa state police
4 44 association, appointed by the governor.
4 45 (e) One member representing executive branch
4 46 interests, appointed by the governor.
4 47 (f) One member representing freedom of information
4 48 advocacy group interests recommended by the Iowa
4 49 freedom of information council, appointed by the
4 50 governor.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1337 continued

- 5 1 (g) One member representing newspaper and
5 2 broadcasting interests recommended by the Iowa
5 3 newspaper association, appointed by the governor.
5 4 (h) Two public members, appointed by the governor.
5 5 (i) The attorney general or the attorney general's
5 6 designee.
5 7 (j) The citizens' aide or the citizens' aide's
5 8 designee.
5 9 (k) A representative from the department of
5 10 administrative services with expertise in electronic
5 11 records.
5 12 (l) One member representing the judicial branch as
5 13 designated by the chief justice of the supreme court.
5 14 (2) The nonvoting members of the advisory
5 15 committee shall be two state representatives, one
5 16 appointed by the speaker of the house of
5 17 representatives and one appointed by the minority
5 18 leader of the house of representatives, and two state
5 19 senators, one appointed by the majority leader of the
5 20 senate and one appointed by the minority leader of the
5 21 senate.
5 22 b. A majority of the advisory committee members
5 23 shall constitute a quorum.
5 24 3. DUTIES. The advisory committee shall:
5 25 a. Serve as the central coordinator of information
5 26 about the public's right to access government
5 27 information and proceedings. The advisory committee
5 28 shall provide basic information about the requirements
5 29 of chapters 21 and 22 and other relevant freedom of
5 30 information laws and shall also provide information
5 31 about best practices for state and local governments
5 32 to comply with and to enforce such laws.
5 33 b. Serve as a resource to support the
5 34 establishment and maintenance of a central publicly
5 35 accessible internet site that provides specific
5 36 guidance to members of the public about utilizing the
5 37 relevant law to be better informed and active
5 38 participants in open government.
5 39 c. Serve as a resource to support education and
5 40 training about chapters 21 and 22 and other relevant
5 41 freedom of information laws to lawful custodians and
5 42 other persons subject to the requirements of such
5 43 laws.
5 44 d. Make recommendations to the governor and the
5 45 general assembly by proposing legislation relating to
5 46 issues involving public access to government
5 47 information, including but not limited to
5 48 accessibility to certain categories of government
5 49 records, to public employment applications, and to
5 50 information unduly invading personal privacy.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Amendment 1337 continued

6 1 e. Aid the general assembly in evaluating the
6 2 impact of legislation affecting public access to
6 3 government information.

6 4 f. Conduct public hearings, conferences,
6 5 workshops, and other meetings as necessary to address
6 6 problems and suggest solutions concerning access to
6 7 government information and proceedings.

6 8 g. Review the collection, maintenance, and use of
6 9 government records by lawful custodians to ensure that
6 10 confidential records and information are handled to
6 11 adequately protect personal privacy interests.

6 12 4. MEETINGS. The advisory committee shall elect a
6 13 chairperson and vice chairperson. The committee shall
6 14 meet at least three times per year but may meet as
6 15 often as necessary. At least one of the meetings
6 16 shall be held during the regular legislative session.
6 17 Meetings may be called by the chairperson or at the
6 18 request of four members. The advisory committee is
6 19 subject to the open meetings requirements of chapter
6 20 21.

6 21 5. EXPENSES OR COMPENSATION.

6 22 a. A member of the general assembly shall be paid,
6 23 in accordance with section 2.10, per diem and
6 24 necessary travel and actual expenses incurred in
6 25 attending meetings of the advisory committee.

6 26 b. Public members appointed by the governor shall
6 27 receive reimbursement for actual and necessary
6 28 expenses incurred while serving in their official
6 29 capacity.

6 30 6. FUNDING. The advisory committee may seek
6 31 grants, appropriations, and outside funding to fund
6 32 the costs of public hearings, conferences, workshops,
6 33 and other activities of the committee. Contributions
6 34 to support the work of the committee shall not be
6 35 accepted from a political party with a pecuniary or
6 36 other vested interest in the outcome of the issues
6 37 considered by the committee.

6 38 7. STAFFING. The legislative services agency
6 39 shall provide staffing and administrative support for
6 40 the advisory committee. In addition, the committee
6 41 may contract for administrative, professional, and
6 42 clerical services subject to the availability of
6 43 funding.

6 44 8. REPORT. The advisory committee shall conduct
6 45 an evaluation of the effectiveness of the enforcement
6 46 provisions in chapters 21 and 22 and shall submit a
6 47 report of its findings and recommendations to the
6 48 governor and the general assembly no later than
6 49 January 10, 2011.>

6 50 #17. By striking page 22, line 25, through page



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Amendment 1337 continued

7 1 23, line 16.
7 2 #18. Title page, by striking lines 2 and 3 and
7 3 inserting the following: <the creation of the open
7 4 meetings, public records, and privacy advisory
7 5 committee.>
7 6 #19. By renumbering as necessary.
7 7
7 8
7 9
7 10 COMMITTEE ON STATE GOVERNMENT
7 11 MASCHER of Johnson, Chairperson
7 12 HF 777.703 83
7 13 rh/rj/23262



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1338

PAG LIN

1 1 Amend Senate File 281, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 11, by inserting after the word
1 4 <memorial.> the following: <The report should also
1 5 include an estimate of the cost to place a replica of
1 6 the Iowa memorial in Valley Forge at the Iowa veterans
1 7 cemetery.>
1 8
1 9
1 10
1 11 COMMITTEE ON VETERANS AFFAIRS
1 12 ZIRKELBACH of Jones, Chairperson
1 13 SF 281.201 83
1 14 jr/sc/23265
1 15
1 16
1 17
1 18
1 19
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Amendment 1339

PAG LIN

1 1 Amend Senate File 419, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 21, by striking lines 2 through 25 and
1 4 inserting the following:
1 5 <NEW SUBSECTION. 8. In the course of enforcing
1 6 the motor carrier safety rules adopted by the
1 7 department under chapter 17A, the department's peace
1 8 officers are authorized, at reasonable times and
1 9 places and with reasonable notice, to enter a motor
1 10 carrier's place of business for the purpose of
1 11 performing a motor carrier safety audit or compliance
1 12 review. Nothing in this subsection by itself permits
1 13 the seizure of the property of a motor carrier. Any
1 14 audit or review shall be conducted in compliance with
1 15 the federal motor carrier safety regulations in 49
1 16 C.F.R. pts. 105=185, 382, 383, 385, and 390=399. A
1 17 peace officer of the department is authorized to
1 18 inspect and copy motor carrier records required by 49
1 19 C.F.R. pts. 105=185, 382, 383, 385, and 390=399.>
1 20 #2. By renumbering as necessary.
1 21
1 22
1 23
1 24 WORTHAN of Buena Vista
1 25 SF 419.702 83
1 26 dea/nh/12518
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 March 30, 2009

House Amendment 1340

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 321.234A, subsection 1,
 1 6 paragraph a, Code 2009, is amended to read as follows:
 1 7 a. The operation is between sunrise and sunset and
 1 8 is incidental to the vehicle's use for agricultural
 1 9 purposes. For purposes of this paragraph, "incidental
 1 10 to the vehicle's use for agricultural purposes"
 1 11 includes stopping to obtain fuel for the all-terrain
 1 12 vehicle or to obtain food or refreshment for the
 1 13 operator.>
 1 14 #2. By renumbering as necessary.
 1 15
 1 16
 1 17
 1 18 DEYOE of Story
 1 19
 1 20
 1 21
 1 22 BAILEY of Hamilton
 1 23 SF 419.502 83
 1 24 dea/nh/12519
 1 25
 1 26
 1 27
 1 28
 1 29
 1 30
 1 31
 1 32
 1 33
 1 34
 1 35
 1 36
 1 37
 1 38
 1 39
 1 40
 1 41
 1 42
 1 43
 1 44
 1 45
 1 46
 1 47
 1 48
 1 49
 1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced

HOUSE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 284)

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

A BILL FOR

1 An Act relating to the individual income tax by providing for
2 reduced tax rates, the elimination of federal deductibility,
3 increasing the credits for elderly and blind individuals,
4 increasing the amount of the earned income tax credit, and
5 adjusting the eligibility for the child and dependent care tax
6 credit and early childhood development tax credit and
7 including a retroactive applicability date provision.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
9 TLSB 2673HV 83
10 tw/mg:sc/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House File 807 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.4, subsection 1, paragraphs b and
 1 2 c, Code 2009, are amended to read as follows:
 1 3 b. "Cumulative inflation factor" means the product of the
 1 4 annual inflation factor for the ~~1988~~ 2009 calendar year and
 1 5 all annual inflation factors for subsequent calendar years as
 1 6 determined pursuant to this subsection. The cumulative
 1 7 inflation factor applies to all tax years beginning on or
 1 8 after January 1 of the calendar year for which the latest
 1 9 annual inflation factor has been determined.

1 10 c. The annual inflation factor for the ~~1988~~ 2009 calendar
 1 11 year is one hundred percent.

1 12 Sec. 2. Section 422.4, subsection 16, Code 2009, is
 1 13 amended to read as follows:

1 14 16. The words "taxable income" mean the net income as
 1 15 defined in section 422.7 minus the deductions allowed by
 1 16 section 422.9, in the case of individuals; in the case of
 1 17 estates or trusts, the words "taxable income" mean the taxable
 1 18 income (without a deduction for personal exemption) as
 1 19 computed for federal income tax purposes under the Internal
 1 20 Revenue Code, but with the adjustments specified in section
 1 21 422.7 plus the Iowa income tax deducted in computing the
 1 22 federal taxable income ~~and minus federal income taxes as~~
 1 23 ~~provided in section 422.9.~~

1 24 Sec. 3. Section 422.5, subsection 1, paragraphs a through
 1 25 i, Code 2009, are amended to read as follows:

	<u>For tax years beginning</u>
	<u>in the calendar year:</u>
	<u>2009 2010 and</u>
	<u>subsequent</u>
	<u>calendar years</u>

1 31 a. On all taxable income from
 1 32 zero through one thousand four
 1 33 hundred seven dollars, ~~thirty-six~~
 1 34 ~~hundredths of one percent.~~: 0.30% 0.31%

1 35 b. On all taxable income



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House File 807 - Introduced continued

2	1	exceeding one thousand <u>four hundred</u>		
2	2	<u>seven</u> dollars but not exceeding two		
2	3	thousand <u>eight hundred fourteen</u>		
2	4	dollars, seventy-two hundredths of		
2	5	one percent.:	0.59%	0.60%
2	6	c. On all taxable income		
2	7	exceeding two thousand <u>eight hundred</u>		
2	8	<u>fourteen</u> dollars but not exceeding		
2	9	four <u>five</u> thousand <u>six hundred</u>		
2	10	<u>twenty-eight</u> dollars,		
2	11	two and forty-three hundredths		
2	12	percent.:	1.95%	2.00%
2	13	d. On all taxable income		
2	14	exceeding four <u>five</u> thousand <u>six</u>		
2	15	<u>hundred twenty-eight</u> dollars but		
2	16	not exceeding nine <u>twelve</u> thousand		
2	17	<u>six hundred sixty-three</u> dollars,		
2	18	four and one-half percent.:	4.18%	4.28%
2	19	e. On all taxable income		
2	20	exceeding nine <u>twelve</u> thousand		
2	21	<u>six hundred sixty-three</u> dollars but		
2	22	not exceeding fifteen <u>twenty-one</u>		
2	23	thousand <u>one hundred five</u> dollars,		
2	24	six and twelve hundredths		
2	25	percent.:	5.42%	5.56%
2	26	f. On all taxable income		
2	27	exceeding fifteen <u>twenty-one</u>		
2	28	thousand <u>one hundred five</u> dollars		
2	29	but not exceeding twenty <u>twenty-eight</u>		
2	30	thousand <u>one hundred forty</u> dollars,		
2	31	six and forty-eight hundredths		
2	32	percent.:	5.42%	5.56%
2	33	g. On all taxable income		
2	34	exceeding twenty <u>twenty-eight</u>		
2	35	thousand <u>one hundred forty</u> dollars		



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House File 807 - Introduced continued

3 1 but not exceeding ~~thirty~~ forty-two
 3 2 thousand two hundred ten dollars,
~~3 3 six and eight-tenths percent.:~~ 5.73% 5.87%
 3 4 h. On all taxable income
 3 5 exceeding ~~thirty~~ forty-two thousand
 3 6 two hundred ten dollars but not
 3 7 exceeding ~~forty-five~~ sixty-three
 3 8 thousand three hundred fifteen
 3 9 dollars, ~~seven and ninety-two~~
~~3 10 hundredths percent.:~~ 6.16% 6.30%
 3 11 i. On all taxable income
 3 12 exceeding ~~forty-five~~ sixty-three
 3 13 thousand three hundred fifteen
 3 14 dollars, ~~eight and ninety-eight~~
~~3 15 hundredths percent.:~~ 6.98% 6.98%
 3 16 Sec. 4. Section 422.9, subsection 2, paragraph b, Code
 3 17 2009, is amended to read as follows:
 3 18 b. ~~Add the amount of federal income taxes paid or accrued,~~
~~3 19 as the case may be, during the tax year and subtract any~~
~~3 20 federal income tax refunds received during the tax year. Add~~
~~3 21 the amount of federal income taxes paid in a tax year~~
~~3 22 beginning on or after January 1, 2009, but before January 1,~~
~~3 23 2010, to the extent payment is for a tax year beginning prior~~
~~3 24 to January 1, 2009. Subtract the amount of federal income tax~~
~~3 25 refunds received in a tax year beginning on or after January~~
~~3 26 1, 2009, but before January 1, 2010, to the extent that the~~
~~3 27 federal income tax was deducted on an Iowa individual income~~
~~3 28 tax return for a tax year beginning prior to January 1, 2009.~~
 3 29 Where married persons, who have filed a joint federal income
 3 30 tax return, file separately, such total shall be divided
 3 31 between them according to the portion of the total paid or
 3 32 accrued, as the case may be, by each. Federal income taxes
 3 33 paid for a tax year in which an Iowa return was not required
 3 34 to be filed shall not be added and federal income tax refunds
 3 35 received from a tax year in which an Iowa return was not



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced continued

4 1 required to be filed shall not be subtracted.

4 2 Sec. 5. Section 422.12, subsection 1, paragraphs d and e,
4 3 Code 2009, are amended to read as follows:

4 4 d. For a single individual, husband, wife, or head of
4 5 household, an additional exemption of ~~twenty~~ forty dollars for
4 6 each of said individuals who has attained the age of
4 7 sixty-five years before the close of the tax year or on the
4 8 first day following the end of the tax year.

4 9 e. For a single individual, husband, wife, or head of
4 10 household, an additional exemption of ~~twenty~~ forty dollars for
4 11 each of said individuals who is blind at the close of the tax
4 12 year. For the purposes of this paragraph, an individual is
4 13 blind only if the individual's central visual acuity does not
4 14 exceed twenty-two hundredths in the better eye with correcting
4 15 lenses, or if the individual's visual acuity is greater than
4 16 twenty-two hundredths but is accompanied by a limitation in
4 17 the fields of vision such that the widest diameter of the
4 18 visual field subtends an angle no greater than twenty degrees.

4 19 Sec. 6. Section 422.12B, subsection 1, Code 2009, is
4 20 amended to read as follows:

4 21 1. The taxes imposed under this division less the credits
4 22 allowed under section 422.12 shall be reduced by an earned
4 23 income credit equal to ~~seven~~ eight percent of the federal
4 24 earned income credit provided in section 32 of the Internal
4 25 Revenue Code. Any credit in excess of the tax liability is
4 26 refundable.

4 27 Sec. 7. Section 422.12C, subsection 1, Code 2009, is
4 28 amended to read as follows:

4 29 1. a. The taxes imposed under this division, less the
4 30 amounts of nonrefundable credits allowed under this division,
4 31 shall be reduced by a child and dependent care credit equal to
4 32 the following percentages of the federal child and dependent
4 33 care credit provided in section 21 of the Internal Revenue
4 34 Code:

4 35 ~~a.~~ (1) For a taxpayer with net income of less than ten



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced continued

5 1 thousand dollars, ~~seventy-five~~ eighty percent.

5 2 ~~b.~~ (2) For a taxpayer with net income of ten thousand
5 3 dollars or more but less than twenty thousand dollars,
5 4 ~~sixty-five~~ seventy percent.

5 5 ~~e.~~ (3) For a taxpayer with net income of twenty thousand
5 6 dollars or more but less than twenty-five thousand dollars,
5 7 ~~fifty-five~~ sixty percent.

5 8 ~~d.~~ (4) For a taxpayer with net income of twenty-five
5 9 thousand dollars or more but less than thirty-five thousand
5 10 dollars, ~~fifty~~ fifty-five percent.

5 11 ~~e.~~ (5) For a taxpayer with net income of thirty-five
5 12 thousand dollars or more but less than forty thousand dollars,
5 13 ~~forty~~ forty-five percent.

5 14 ~~f.~~ (6) For a taxpayer with net income of forty thousand
5 15 dollars or more but less than forty-five thousand dollars,
5 16 ~~thirty~~ thirty-five percent.

5 17 ~~g.~~ (7) For a taxpayer with net income of forty-five
5 18 thousand dollars or more, ~~zero~~ but less than fifty thousand
5 19 dollars, thirty percent.

5 20 (8) For a taxpayer with net income of fifty thousand
5 21 dollars or more, zero percent.

5 22 b. (1) For the tax year beginning in the 2010 calendar
5 23 year and for each subsequent tax year, the dollar amounts set
5 24 forth in paragraph "a", subparagraphs (1) through (8), shall
5 25 be multiplied by the cumulative adjustment factor for that tax
5 26 year. "Cumulative adjustment factor" means the product of the
5 27 annual adjustment factor for the 2009 tax year and all annual
5 28 adjustment factors for subsequent tax years. The cumulative
5 29 adjustment factor applies to the tax year beginning in the
5 30 calendar year for which the latest annual adjustment factor
5 31 has been determined.

5 32 (2) The annual adjustment factor for the 2009 tax year is
5 33 one hundred percent. For each subsequent tax year, the annual
5 34 adjustment factor equals the annual inflation factor for the
5 35 calendar year, in which the tax year begins, as computed in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced continued

6 1 section 422.4 for purposes of the individual income tax.

6 2 (3) The director shall determine for the 2010 tax year and

6 3 each subsequent tax year the annual and cumulative adjustment

6 4 factor for that tax year. The annual and cumulative

6 5 adjustment factors determined by the director are not rules as

6 6 defined in section 17A.2, subsection 11.

6 7 Sec. 8. Section 422.12C, subsection 2, unnumbered

6 8 paragraph 1, Code 2009, is amended to read as follows:

6 9 The taxes imposed under this division, less the amounts of

6 10 nonrefundable credits allowed under this division, may be

6 11 reduced by an early childhood development tax credit equal to

6 12 twenty-five percent of the first one thousand dollars which

6 13 the taxpayer has paid to others for each dependent, as defined

6 14 in the Internal Revenue Code, ages three through five for

6 15 early childhood development expenses. In determining the

6 16 amount of early childhood development expenses for the tax

6 17 year beginning in the 2006 calendar year only, such expenses

6 18 paid during November and December of the previous tax year

6 19 shall be considered paid in the tax year for which the tax

6 20 credit is claimed. This credit is available to a taxpayer

6 21 whose net income is less than ~~forty-five thousand dollars~~ the

6 22 dollar amount specified in subsection 1, paragraph "a",

6 23 subparagraph (8), as adjusted for inflation pursuant to

6 24 subsection 1, paragraph "b". If the early childhood

6 25 development tax credit is claimed for a tax year, the taxpayer

6 26 and the taxpayer's spouse shall not claim the child and

6 27 dependent care credit under subsection 1. As used in this

6 28 subsection, "early childhood development expenses" means

6 29 services provided to the dependent by a preschool, as defined

6 30 in section 237A.1, materials, and other activities as follows:

6 31 Sec. 9. Section 422.21, unnumbered paragraph 5, Code 2009,

6 32 is amended to read as follows:

6 33 The director shall determine for the ~~1989~~ 2010 and each

6 34 subsequent calendar year the annual and cumulative inflation

6 35 factors for each calendar year to be applied to tax years



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced continued

7 1 beginning on or after January 1 of that calendar year. The
7 2 director shall compute the new dollar amounts as specified to
7 3 be adjusted in section 422.5 by the latest cumulative
7 4 inflation factor and round off the result to the nearest one
7 5 dollar. The annual and cumulative inflation factors
7 6 determined by the director are not rules as defined in section
7 7 17A.2, subsection 11. The director shall determine for the
7 8 1990 calendar year and each subsequent calendar year the
7 9 annual and cumulative standard deduction factors to be applied
7 10 to tax years beginning on or after January 1 of that calendar
7 11 year. The director shall compute the new dollar amounts of
7 12 the standard deductions specified in section 422.9, subsection
7 13 1, by the latest cumulative standard deduction factor and
7 14 round off the result to the nearest ten dollars. The annual
7 15 and cumulative standard deduction factors determined by the
7 16 director are not rules as defined in section 17A.2, subsection
7 17 11.

7 18 Sec. 10. RETROACTIVE APPLICABILITY. This Act applies
7 19 retroactively to January 1, 2009, for tax years beginning on
7 20 or after that date.

7 21 EXPLANATION

7 22 This bill makes the following changes to the individual
7 23 income tax: (1) changes the tax rate on each of the current
7 24 income tax brackets for tax years 2009 and 2010 and subsequent
7 25 years; (2) eliminates the ability to deduct federal income
7 26 taxes paid and the requirement to include federal tax refunds;
7 27 (3) raises the tax credit for blind individuals and the tax
7 28 credit for elderly individuals from \$20 to \$40; (4) increases
7 29 the amount of the earned income tax credit that may be claimed
7 30 from 7 percent to 8 percent of the amount of the federal
7 31 credit; and (5) adjusts the child and dependent care tax
7 32 credit eligibility by indexing the income thresholds to
7 33 inflation, increasing by 5 percentage points the amount of the
7 34 federal tax credit that each income level may claim, and
7 35 creating a new threshold level for taxpayers earning \$45,000



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House File 807 - Introduced continued

8 1 or more per year but less than \$50,000.

8 2 Current law provides for an early childhood development tax
8 3 credit equal to twenty-five percent of the first one thousand
8 4 dollars which the taxpayer has paid to others for each
8 5 dependent. The credit is limited to taxpayers earning less
8 6 than \$45,000. A taxpayer claiming the credit cannot also claim
8 7 the child and dependent care credit. The bill changes the
8 8 income eligibility limit for the early childhood development
8 9 tax credit to \$50,000 and indexes the limit to inflation.

8 10 The new income tax rates for tax year 2009 are as follows:

8 11 (1) on all taxable income from zero through \$1,407, 0.30
8 12 percent; (2) on all taxable income exceeding \$1,407 but not
8 13 exceeding \$2,814, 0.59 percent; (3) on all taxable income
8 14 exceeding \$2,814 but not exceeding \$5,628, 1.95 percent; (4)
8 15 on all taxable income exceeding \$5,628 but not exceeding
8 16 \$12,663, 4.18 percent; (5) on all taxable income exceeding
8 17 \$12,663 but not exceeding \$21,105, 5.42 percent; (6) on all
8 18 taxable income exceeding \$21,105 but not exceeding \$28,140,
8 19 5.42 percent; (7) on all taxable income exceeding \$28,140 but
8 20 not exceeding \$42,210, 5.73 percent; (8) on all taxable income
8 21 exceeding \$42,210 but not exceeding \$63,315, 6.16 percent; and
8 22 (9) on all taxable income exceeding \$63,315, 6.98 percent.

8 23 The new income tax rates for tax year 2010 are as follows:

8 24 (1) on all taxable income from zero through \$1,407, 0.31
8 25 percent; (2) on all taxable income exceeding \$1,407 but not
8 26 exceeding \$2,814, 0.60 percent; (3) on all taxable income
8 27 exceeding \$2,814 but not exceeding \$5,628, 2.0 percent; (4) on
8 28 all taxable income exceeding \$5,628 but not exceeding \$12,663,
8 29 4.28 percent; (5) on all taxable income exceeding \$12,663 but
8 30 not exceeding \$21,105, 5.56 percent; (6) on all taxable income
8 31 exceeding \$21,105 but not exceeding \$28,140, 5.56 percent; (7)
8 32 on all taxable income exceeding \$28,140 but not exceeding
8 33 \$42,210, 5.87 percent; (8) on all taxable income exceeding
8 34 \$42,210 but not exceeding \$63,315, 6.30 percent; and (9) on
8 35 all taxable income exceeding \$63,315, 6.98 percent. However,



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House File 807 - Introduced continued

9 1 these bracket amounts will be adjusted annually for inflation.
9 2 The bill applies retroactively to January 1, 2009, for tax
9 3 years beginning on or after that date.
9 4 LSB 2673HV 83
9 5 tw/mg:sc/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285

SENATE/HOUSE FILE

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE ON
ADMINISTRATION AND REGULATION)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters, and providing effective and retroactive applicability
5 dates.

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

7 TLSB 1000JB 83

8 ec/tm:jp/24



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

PAG LIN

1 1 DIVISION I

1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1 4 1. There is appropriated from the general fund of the

1 5 state to the department of administrative services for the

1 6 fiscal year beginning July 1, 2009, and ending June 30, 2010,

1 7 the following amounts, or so much thereof as is necessary, to

1 8 be used for the purposes designated:

1 9 a. For salaries, support, maintenance, and miscellaneous

1 10 purposes, and for not more than the following full-time

1 11 equivalent positions:

1 12	\$ 5,349,232
1 13	FTEs 112.28

1 14 b. For the payment of utility costs and for not more than

1 15 the following full-time equivalent positions:

1 16	\$ 3,517,432
1 17	FTEs 2.00

1 18 Notwithstanding section 8.33, any excess funds appropriated

1 19 for utility costs in this lettered paragraph shall not revert

1 20 to the general fund of the state at the end of the fiscal year

1 21 but shall remain available for expenditure for the purposes of

1 22 this lettered paragraph during the succeeding fiscal year.

1 23 It is the intent of the general assembly that the

1 24 department shall reduce utility costs through energy

1 25 conservation practices. The goal of the general assembly is

1 26 to reduce energy use by 10 percent to save money, conserve

1 27 energy resources, and reduce pollution.

1 28 c. It is the intent of the general assembly that the state

1 29 maintain a cost effective, reliable motor vehicle fleet for

1 30 state operations. It is the goal of the general assembly that

1 31 the department shall take all available steps to reduce motor

1 32 vehicle fleet operation and purchasing costs by 7.5 percent.

1 33 It is also the intent of the general assembly that replacement

1 34 motor vehicles purchased by the department shall include only

1 35 those options necessary for the intended purpose of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285 continued

2 1 vehicles purchased unless inclusion of the options are part of
2 2 the lowest responsible cost package available for the vehicles
2 3 purchased. In addition, to maximize the cost effectiveness of
2 4 the motor vehicle fleet given the current fiscal environment,
2 5 it is also the intent of the general assembly that the
2 6 department implement a policy, effective July 1, 2009, to
2 7 extend the time that vehicles in the department's motor
2 8 vehicle fleet are retained and used by the state with the
2 9 purpose of reducing the cost of fleet operations for state
2 10 agencies. The policy change shall incorporate an increase in
2 11 the overall length of time that a vehicle is retained in
2 12 addition to an increase in the number of miles that a vehicle
2 13 is driven prior to being replaced. The department shall
2 14 submit a report to the general assembly by January 1, 2010,
2 15 concerning the department's efforts to reduce state motor
2 16 vehicle fleet costs, including data on the extent of savings
2 17 realized.

2 18 2. Members of the general assembly serving as members of
2 19 the deferred compensation advisory board shall be entitled to
2 20 receive per diem and necessary travel and actual expenses
2 21 pursuant to section 2.10, subsection 5, while carrying out
2 22 their official duties as members of the board.

2 23 3. Any funds and premiums collected by the department for
2 24 workers' compensation shall be segregated into a separate
2 25 workers' compensation fund in the state treasury to be used
2 26 for payment of state employees' workers' compensation claims
2 27 and administrative costs. Notwithstanding section 8.33,
2 28 unencumbered or unobligated moneys remaining in this workers'
2 29 compensation fund at the end of the fiscal year shall not
2 30 revert but shall be available for expenditure for purposes of
2 31 the fund for subsequent fiscal years.

2 32 4. For the fiscal year beginning July 1, 2009, and ending
2 33 June 30, 2010, the rate set for a service provided solely by
2 34 the department of administrative services as determined
2 35 pursuant to section 8.6, subsection 16, paragraph "c", shall



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285 continued

3 1 not exceed the rate set for that service as of January 1,
3 2 2009.

3 3 Sec. 2. REVOLVING FUNDS. There is appropriated to the
3 4 department of administrative services for the fiscal year
3 5 beginning July 1, 2009, and ending June 30, 2010, from the
3 6 revolving funds designated in chapter 8A and from internal
3 7 service funds created by the department such amounts as the
3 8 department deems necessary for the operation of the department
3 9 consistent with the requirements of chapter 8A.

3 10 Sec. 3. FUNDING FOR IOWACCESS.

3 11 1. Notwithstanding section 321A.3, subsection 1, for the
3 12 fiscal year beginning July 1, 2009, and ending June 30, 2010,
3 13 the first \$1,000,000 collected and transferred by the
3 14 department of transportation to the treasurer of state with
3 15 respect to the fees for transactions involving the furnishing
3 16 of a certified abstract of a vehicle operating record under
3 17 section 321A.3, subsection 1, shall be transferred to the
3 18 IowAccess revolving fund established by section 8A.224 and
3 19 administered by the department of administrative services for
3 20 the purposes of developing, implementing, maintaining, and
3 21 expanding electronic access to government records as provided
3 22 by law.

3 23 2. All fees collected with respect to transactions
3 24 involving IowAccess shall be deposited in the IowAccess
3 25 revolving fund and shall be used only for the support of
3 26 IowAccess projects.

3 27 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
3 28 CHARGE. For the fiscal year beginning July 1, 2009, and
3 29 ending June 30, 2010, the monthly per contract administrative
3 30 charge which may be assessed by the department of
3 31 administrative services shall be \$2 per contract on all health
3 32 insurance plans administered by the department.

3 33 Sec. 5. AUDITOR OF STATE.

3 34 1. There is appropriated from the general fund of the
3 35 state to the office of the auditor of state for the fiscal



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

4 1 year beginning July 1, 2009, and ending June 30, 2010, the
 4 2 following amount, or so much thereof as is necessary, to be
 4 3 used for the purposes designated:
 4 4 For salaries, support, maintenance, and miscellaneous
 4 5 purposes, and for not more than the following full-time
 4 6 equivalent positions:
 4 7 \$ 905,468
 4 8 FTEs 103.00
 4 9 The auditor of state may retain additional full-time
 4 10 equivalent positions as is reasonable and necessary to perform
 4 11 governmental subdivision audits which are reimbursable
 4 12 pursuant to section 11.20 or 11.21, to perform audits which
 4 13 are requested by and reimbursable from the federal government,
 4 14 and to perform work requested by and reimbursable from
 4 15 departments or agencies pursuant to section 11.5A or 11.5B.
 4 16 The auditor of state shall notify the department of
 4 17 management, the legislative fiscal committee, and the
 4 18 legislative services agency of the additional full-time
 4 19 equivalent positions retained.
 4 20 2. As a condition of receiving funding appropriated in
 4 21 this section, for the fiscal year beginning July 1, 2009, and
 4 22 ending June 30, 2010, the auditor shall comply with all of the
 4 23 following requirements:
 4 24 a. The rates and fees set by the auditor to conduct audits
 4 25 for the fiscal year shall not exceed the rates and fees set
 4 26 for conducting audits as of January 1, 2009.
 4 27 b. The auditor shall not seek reimbursement from
 4 28 departments and agencies specified in section 11.5B in an
 4 29 amount that exceeds the total amount reimbursed to the auditor
 4 30 by those departments and agencies for the fiscal year
 4 31 beginning July 1, 2008.
 4 32 c. The auditor shall not seek reimbursement from
 4 33 governmental subdivisions for audits which are reimbursable
 4 34 pursuant to section 11.20 or 11.21 in an amount that exceeds
 4 35 the total amount reimbursed to the auditor by governmental



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

5 1 subdivisions for the fiscal year beginning July 1, 2008.

5 2 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There

5 3 is appropriated from the general fund of the state to the Iowa

5 4 ethics and campaign disclosure board for the fiscal year

5 5 beginning July 1, 2009, and ending June 30, 2010, the

5 6 following amount, or so much thereof as is necessary, for the

5 7 purposes designated:

5 8 For salaries, support, maintenance, and miscellaneous

5 9 purposes, and for not more than the following full-time

5 10 equivalent positions:

5 11	\$	523,000
5 12	FTEs	6.00

5 13 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated

5 14 from the general fund of the state to the department of

5 15 commerce for the fiscal year beginning July 1, 2009, and

5 16 ending June 30, 2010, the following amounts, or so much

5 17 thereof as is necessary, for the purposes designated:

5 18 1. ALCOHOLIC BEVERAGES DIVISION

5 19 For salaries, support, maintenance, and miscellaneous

5 20 purposes, and for not more than the following full-time

5 21 equivalent positions:

5 22	\$	2,007,160
5 23	FTEs	38.00

5 24 2. BANKING DIVISION

5 25 a. Banking. For salaries, support, maintenance, and

5 26 miscellaneous purposes, and for not more than the following

5 27 full-time equivalent positions:

5 28	\$	8,063,060
5 29	FTEs	73.00

5 30 b. Professional licensing and regulation. For salaries,

5 31 support, maintenance, and miscellaneous purposes, and for not

5 32 more than the following full-time equivalent positions:

5 33	\$	900,553
5 34	FTEs	16.00

5 35 3. CREDIT UNION DIVISION



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

6 1 For salaries, support, maintenance, and miscellaneous
 6 2 purposes, and for not more than the following full-time
 6 3 equivalent positions:
 6 4 \$ 1,608,388
 6 5 FTEs 19.00
 6 6 4. INSURANCE DIVISION
 6 7 a. For salaries, support, maintenance, and miscellaneous
 6 8 purposes, and for not more than the following full-time
 6 9 equivalent positions:
 6 10 \$ 4,711,954
 6 11 FTEs 101.00
 6 12 b. For the use of the senior health insurance information
 6 13 program:
 6 14 \$ 52,253
 6 15 c. For identification and regulation of procedures and
 6 16 practices related to health care as provided in section 505.8,
 6 17 subsection 7:
 6 18 \$ 69,670
 6 19 d. The insurance division may reallocate authorized full-
 6 20 time equivalent positions as necessary to respond to
 6 21 accreditation recommendations or requirements. The insurance
 6 22 division expenditures for examination purposes may exceed the
 6 23 projected receipts, refunds, and reimbursements, estimated
 6 24 pursuant to section 505.7, subsection 7, including the
 6 25 expenditures for retention of additional personnel, if the
 6 26 expenditures are fully reimbursable and the division first
 6 27 does both of the following:
 6 28 (1) Notifies the department of management, the legislative
 6 29 services agency, and the legislative fiscal committee of the
 6 30 need for the expenditures.
 6 31 (2) Files with each of the entities named in subparagraph
 6 32 (1) the legislative and regulatory justification for the
 6 33 expenditures, along with an estimate of the expenditures.
 6 34 e. The insurance division shall allocate \$10,000 from the
 6 35 examination receipts for the payment of its fees to the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

7 1 national conference of insurance legislators.

7 2 5. UTILITIES DIVISION

7 3 a. For salaries, support, maintenance, and miscellaneous

7 4 purposes, and for not more than the following full-time

7 5 equivalent positions:

7 6	\$ 7,255,940
7 7	FTEs 79.00

7 8 b. The utilities division may expend additional funds,

7 9 including funds for additional personnel, if those additional

7 10 expenditures are actual expenses which exceed the funds

7 11 budgeted for utility regulation and the expenditures are fully

7 12 reimbursable. Before the division expends or encumbers an

7 13 amount in excess of the funds budgeted for regulation, the

7 14 division shall first do both of the following:

7 15 (1) Notify the department of management, the legislative

7 16 services agency, and the legislative fiscal committee of the

7 17 need for the expenditures.

7 18 (2) File with each of the entities named in subparagraph

7 19 (1) the legislative and regulatory justification for the

7 20 expenditures, along with an estimate of the expenditures.

7 21 c. Notwithstanding sections 8.33 and 476.10 or any other

7 22 provision to the contrary, any balance of the appropriation

7 23 made in this subsection for the utilities division or any

7 24 other operational appropriation made for the fiscal year

7 25 beginning July 1, 2009, and ending June 30, 2010, that remains

7 26 unused, unencumbered, or unobligated at the close of the

7 27 fiscal year shall not revert but shall remain available to be

7 28 used for purposes of the energy-efficient building project

7 29 authorized under section 476.10B, or for relocation costs in

7 30 succeeding fiscal years.

7 31 6. CHARGES == TRAVEL

7 32 Each division and the office of consumer advocate shall

7 33 include in its charges assessed or revenues generated an

7 34 amount sufficient to cover the amount stated in its

7 35 appropriation and any state-assessed indirect costs determined



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

8 1 by the department of administrative services. The director of
8 2 the department of commerce shall review on a quarterly basis
8 3 all out-of-state travel for the previous quarter for officers
8 4 and employees of each division of the department if the travel
8 5 is not already authorized by the executive council.

8 6 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
8 7 AND REGULATION BUREAU. There is appropriated from the housing
8 8 trust fund of the Iowa finance authority created in section
8 9 16.181, to the bureau of professional licensing and regulation
8 10 of the banking division of the department of commerce for the
8 11 fiscal year beginning July 1, 2009, and ending June 30, 2010,
8 12 the following amount, or so much thereof as is necessary, to
8 13 be used for the purposes designated:

8 14 For salaries, support, maintenance, and miscellaneous
8 15 purposes:
8 16 \$ 62,317

8 17 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
8 18 appropriated from the general fund of the state to the offices
8 19 of the governor and the lieutenant governor for the fiscal
8 20 year beginning July 1, 2009, and ending June 30, 2010, the
8 21 following amounts, or so much thereof as is necessary, to be
8 22 used for the purposes designated:

8 23 1. GENERAL OFFICE
8 24 For salaries, support, maintenance, and miscellaneous
8 25 purposes for the general office of the governor and the
8 26 general office of the lieutenant governor, and for not more
8 27 than the following full-time equivalent positions:
8 28 \$ 1,893,857
8 29 FTEs 25.25

8 30 2. TERRACE HILL QUARTERS
8 31 For salaries, support, maintenance, and miscellaneous
8 32 purposes for the governor's quarters at Terrace Hill, and for
8 33 not more than the following full-time equivalent positions:
8 34 \$ 438,101
8 35 FTEs 10.00



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

9 1 3. ADMINISTRATIVE RULES COORDINATOR
 9 2 For salaries, support, maintenance, and miscellaneous
 9 3 purposes for the office of administrative rules coordinator,
 9 4 and for not more than the following full-time equivalent
 9 5 positions:
 9 6 \$ 141,297
 9 7 FTEs 3.00

9 8 4. NATIONAL GOVERNORS ASSOCIATION
 9 9 For payment of Iowa's membership in the national governors
 9 10 association:
 9 11 \$ 70,783

9 12 5. STATE=FEDERAL RELATIONS
 9 13 For salaries, support, maintenance, and miscellaneous
 9 14 purposes for the office for state=federal relations, and for
 9 15 not more than the following full-time equivalent positions:
 9 16 \$ 46,620
 9 17 FTEs 1.00

9 18 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
 9 19 is appropriated from the general fund of the state to the
 9 20 governor's office of drug control policy for the fiscal year
 9 21 beginning July 1, 2009, and ending June 30, 2010, the
 9 22 following amount, or so much thereof as is necessary, to be
 9 23 used for the purposes designated:
 9 24 For salaries, support, maintenance, and miscellaneous
 9 25 purposes, including statewide coordination of the drug abuse
 9 26 resistance education (D.A.R.E.) programs or similar programs,
 9 27 and for not more than the following full-time equivalent
 9 28 positions:
 9 29 \$ 348,368
 9 30 FTEs 8.00

9 31 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
 9 32 appropriated from the general fund of the state to the
 9 33 department of human rights for the fiscal year beginning July
 9 34 1, 2009, and ending June 30, 2010, the following amounts, or
 9 35 so much thereof as is necessary, to be used for the purposes



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

10 1 designated:

10 2 1. CENTRAL ADMINISTRATION DIVISION

10 3 For salaries, support, maintenance, and miscellaneous

10 4 purposes, and for not more than the following full-time

10 5 equivalent positions:

10 6	\$	306,777
10 7	FTEs	7.00

10 8 2. DEAF SERVICES DIVISION

10 9 For salaries, support, maintenance, and miscellaneous

10 10 purposes, and for not more than the following full-time

10 11 equivalent positions:

10 12	\$	378,792
10 13	FTEs	6.00

10 14 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE

10 15 DIVISION

10 16 For salaries, support, maintenance, and miscellaneous

10 17 purposes, and for not more than the following full-time

10 18 equivalent positions:

10 19	\$	133,430
10 20	FTEs	1.00

10 21 4. PERSONS WITH DISABILITIES DIVISION

10 22 For salaries, support, maintenance, and miscellaneous

10 23 purposes, and for not more than the following full-time

10 24 equivalent positions:

10 25	\$	208,231
10 26	FTEs	3.20

10 27 5. LATINO AFFAIRS DIVISION

10 28 For salaries, support, maintenance, and miscellaneous

10 29 purposes, and for not more than the following full-time

10 30 equivalent positions:

10 31	\$	178,100
10 32	FTEs	3.00

10 33 6. STATUS OF WOMEN DIVISION

10 34 For salaries, support, maintenance, and miscellaneous

10 35 purposes, including the domestic violence and sexual



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

11 1 assault-related grants, and for not more than the following
 11 2 full-time equivalent positions:
 11 3 \$ 315,883
 11 4 FTEs 3.00
 11 5 7. STATUS OF AFRICAN-AMERICANS DIVISION
 11 6 For salaries, support, maintenance, and miscellaneous
 11 7 purposes, and for not more than the following full-time
 11 8 equivalent positions:
 11 9 \$ 166,796
 11 10 FTEs 2.00
 11 11 8. NATIVE AMERICAN AFFAIRS DIVISION
 11 12 For travel reimbursement for members of the commission on
 11 13 Native American affairs:
 11 14 \$ 3,814
 11 15 9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
 11 16 For salaries, support, maintenance, and miscellaneous
 11 17 purposes, and for not more than the following full-time
 11 18 equivalent positions:
 11 19 \$ 1,427,472
 11 20 FTEs 11.18
 11 21 The criminal and juvenile justice planning advisory council
 11 22 and the juvenile justice advisory council shall coordinate
 11 23 their efforts in carrying out their respective duties relative
 11 24 to juvenile justice.
 11 25 10. SHARED STAFF
 11 26 The divisions of the department of human rights shall
 11 27 retain their individual administrators, but shall share staff
 11 28 to the greatest extent possible.
 11 29 11. DEPARTMENT STUDY == REPORT
 11 30 The department of human rights shall conduct a study to
 11 31 examine the organization and duties of the department and
 11 32 whether reorganizing the structure of the department could
 11 33 provide enhanced services to Iowans in a more efficient
 11 34 manner. The department shall submit a written report to the
 11 35 general assembly by January 1, 2010, concerning the results of



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

12 1 the study, including its findings and recommendations.
 12 2 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 12 3 appropriated from the general fund of the state to the
 12 4 department of inspections and appeals for the fiscal year
 12 5 beginning July 1, 2009, and ending June 30, 2010, the
 12 6 following amounts, or so much thereof as is necessary, for the
 12 7 purposes designated:

12 8 1. ADMINISTRATION DIVISION
 12 9 For salaries, support, maintenance, and miscellaneous
 12 10 purposes, and for not more than the following full-time
 12 11 equivalent positions:

.....	\$	2,005,011
.....	FTEs	40.25

12 14 As a condition of receiving funding appropriated in this
 12 15 subsection, the department shall maintain the targeted small
 12 16 business certification employee position within the division.

12 17 2. ADMINISTRATIVE HEARINGS DIVISION
 12 18 For salaries, support, maintenance, and miscellaneous
 12 19 purposes, and for not more than the following full-time
 12 20 equivalent positions:

.....	\$	677,317
.....	FTEs	24.00

12 23 3. INVESTIGATIONS DIVISION
 12 24 For salaries, support, maintenance, and miscellaneous
 12 25 purposes, and for not more than the following full-time
 12 26 equivalent positions:

.....	\$	1,452,962
.....	FTEs	50.00

12 29 4. HEALTH FACILITIES DIVISION
 12 30 For salaries, support, maintenance, and miscellaneous
 12 31 purposes, and for not more than the following full-time
 12 32 equivalent positions:

.....	\$	2,235,383
.....	FTEs	140.75

12 35 5. EMPLOYMENT APPEAL BOARD



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

13 1 For salaries, support, maintenance, and miscellaneous
 13 2 purposes, and for not more than the following full-time
 13 3 equivalent positions:
 13 4 \$ 51,465
 13 5 FTEs 15.00
 13 6 The employment appeal board shall be reimbursed by the
 13 7 labor services division of the department of workforce
 13 8 development for all costs associated with hearings conducted
 13 9 under chapter 91C, related to contractor registration. The
 13 10 board may expend, in addition to the amount appropriated under
 13 11 this subsection, additional amounts as are directly billable
 13 12 to the labor services division under this subsection and to
 13 13 retain the additional full-time equivalent positions as needed
 13 14 to conduct hearings required pursuant to chapter 91C.
 13 15 6. CHILD ADVOCACY BOARD
 13 16 For foster care review and the court appointed special
 13 17 advocate program, including salaries, support, maintenance,
 13 18 and miscellaneous purposes, and for not more than the
 13 19 following full-time equivalent positions:
 13 20 \$ 2,920,367
 13 21 FTEs 45.12
 13 22 a. The department of human services, in coordination with
 13 23 the child advocacy board and the department of inspections and
 13 24 appeals, shall submit an application for funding available
 13 25 pursuant to Title IV=E of the federal Social Security Act for
 13 26 claims for child advocacy board administrative review costs.
 13 27 b. The court appointed special advocate program shall
 13 28 investigate and develop opportunities for expanding fund=
 13 29 raising for the program.
 13 30 c. Administrative costs charged by the department of
 13 31 inspections and appeals for items funded under this subsection
 13 32 shall not exceed 4 percent of the amount appropriated in this
 13 33 subsection.
 13 34 d. Notwithstanding any provision of sections 237.18 and
 13 35 237.20 to the contrary, the child advocacy board may establish



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

14 1 up to six pilot projects using alternative policies to guide
 14 2 the selection of cases and the procedures used by local
 14 3 citizen foster care review boards as they review cases of
 14 4 children who received or are receiving foster care or other
 14 5 out-of-home placement services while under the supervision of
 14 6 the department of human services. Policies to guide the pilot
 14 7 project case selection, review time frames and reporting
 14 8 formats shall be approved by the department of human services,
 14 9 state court administrator, and the chief judge of any judicial
 14 10 district in which a pilot project is to be implemented. The
 14 11 child advocacy board shall report to the governor and general
 14 12 assembly by January 1, 2010, on the progress of any new
 14 13 approaches and their impact on efficiencies and case outcomes.

14 14 Sec. 13. RACING AND GAMING COMMISSION.

14 15 1. RACETRACK REGULATION

14 16 There is appropriated from the general fund of the state to
 14 17 the racing and gaming commission of the department of
 14 18 inspections and appeals for the fiscal year beginning July 1,
 14 19 2009, and ending June 30, 2010, the following amount, or so
 14 20 much thereof as is necessary, to be used for the purposes
 14 21 designated:

14 22 For salaries, support, maintenance, and miscellaneous
 14 23 purposes for the regulation of pari-mutuel racetracks, and for
 14 24 not more than the following full-time equivalent positions:
 14 25 \$ 2,653,308
 14 26 FTEs 28.53

14 27 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 28 There is appropriated from the general fund of the state to
 14 29 the racing and gaming commission of the department of
 14 30 inspections and appeals for the fiscal year beginning July 1,
 14 31 2009, and ending June 30, 2010, the following amount, or so
 14 32 much thereof as is necessary, to be used for the purposes
 14 33 designated:

14 34 For salaries, support, maintenance, and miscellaneous
 14 35 purposes for administration and enforcement of the excursion



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

15 1 boat gambling and gambling structure laws, and for not more
 15 2 than the following full-time equivalent positions:
 15 3 \$ 3,050,753
 15 4 FTEs 42.22
 15 5 Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF
 15 6 INSPECTIONS AND APPEALS. There is appropriated from the road
 15 7 use tax fund to the administrative hearings division of the
 15 8 department of inspections and appeals for the fiscal year
 15 9 beginning July 1, 2009, and ending June 30, 2010, the
 15 10 following amount, or so much thereof as is necessary, for the
 15 11 purposes designated:
 15 12 For salaries, support, maintenance, and miscellaneous
 15 13 purposes:
 15 14 \$ 1,623,897
 15 15 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
 15 16 from the general fund of the state to the department of
 15 17 management for the fiscal year beginning July 1, 2009, and
 15 18 ending June 30, 2010, the following amounts, or so much
 15 19 thereof as is necessary, to be used for the purposes
 15 20 designated:
 15 21 For salaries, support, maintenance, and miscellaneous
 15 22 purposes, and for not more than the following full-time
 15 23 equivalent positions:
 15 24 \$ 2,811,511
 15 25 FTEs 36.50
 15 26 Of the moneys appropriated in this section, the department
 15 27 shall use a portion for enterprise resource planning,
 15 28 providing for a salary model administrator, conducting
 15 29 performance audits, and for the department's LEAN process.
 15 30 Sec. 16. ROAD USE TAX APPROPRIATION. There is
 15 31 appropriated from the road use tax fund to the department of
 15 32 management for the fiscal year beginning July 1, 2009, and
 15 33 ending June 30, 2010, the following amount, or so much thereof
 15 34 as is necessary, to be used for the purposes designated:
 15 35 For salaries, support, maintenance, and miscellaneous



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

16 1 purposes:
 16 2 \$ 56,000
 16 3 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
 16 4 from the general fund of the state to the department of
 16 5 revenue for the fiscal year beginning July 1, 2009, and ending
 16 6 June 30, 2010, the following amounts, or so much thereof as is
 16 7 necessary, to be used for the purposes designated:
 16 8 For salaries, support, maintenance, and miscellaneous
 16 9 purposes, and for not more than the following full-time
 16 10 equivalent positions:
 16 11 \$ 22,754,688
 16 12 FTEs 400.00
 16 13 Of the funds appropriated pursuant to this section,
 16 14 \$400,000 shall be used to pay the direct costs of compliance
 16 15 related to the collection and distribution of local sales and
 16 16 services taxes imposed pursuant to chapters 423B and 423E.
 16 17 The director of revenue shall prepare and issue a state
 16 18 appraisal manual and the revisions to the state appraisal
 16 19 manual as provided in section 421.17, subsection 17, without
 16 20 cost to a city or county.
 16 21 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
 16 22 appropriated from the motor fuel tax fund created by section
 16 23 452A.77 to the department of revenue for the fiscal year
 16 24 beginning July 1, 2009, and ending June 30, 2010, the
 16 25 following amount, or so much thereof as is necessary, to be
 16 26 used for the purposes designated:
 16 27 For salaries, support, maintenance, and miscellaneous
 16 28 purposes for administration and enforcement of the provisions
 16 29 of chapter 452A and the motor vehicle use tax program:
 16 30 \$ 1,305,775
 16 31 Sec. 19. SECRETARY OF STATE. There is appropriated from
 16 32 the general fund of the state to the office of the secretary
 16 33 of state for the fiscal year beginning July 1, 2009, and
 16 34 ending June 30, 2010, the following amounts, or so much
 16 35 thereof as is necessary, to be used for the purposes



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

17 1 designated:

17 2 For salaries, support, maintenance, and miscellaneous

17 3 purposes, and for not more than the following full-time

17 4 equivalent positions:

17 5	\$	3,217,317
17 6	FTEs	44.00

17 7 The state department or state agency which provides data

17 8 processing services to support voter registration file

17 9 maintenance and storage shall provide those services without

17 10 charge.

17 11 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.

17 12 Notwithstanding the obligation to collect fees pursuant to the

17 13 provisions of section 490.122, subsection 1, paragraphs "a"

17 14 and "s", and section 504.113, subsection 1, paragraphs "a",

17 15 "c", "d", "j", "k", "l", and "m", for the fiscal year

17 16 beginning July 1, 2009, and ending June 30, 2010, the

17 17 secretary of state may refund these fees to the filer pursuant

17 18 to rules established by the secretary of state. The decision

17 19 of the secretary of state not to issue a refund under rules

17 20 established by the secretary of state is final and not subject

17 21 to review pursuant to the provisions of the Iowa

17 22 administrative procedure Act, chapter 17A.

17 23 Sec. 21. TREASURER. There is appropriated from the

17 24 general fund of the state to the office of treasurer of state

17 25 for the fiscal year beginning July 1, 2009, and ending June

17 26 30, 2010, the following amount, or so much thereof as is

17 27 necessary, to be used for the purposes designated:

17 28 For salaries, support, maintenance, and miscellaneous

17 29 purposes, and for not more than the following full-time

17 30 equivalent positions:

17 31	\$	949,210
17 32	FTEs	28.80

17 33 The office of treasurer of state shall supply clerical and

17 34 secretarial support for the executive council.

17 35 Sec. 22. ROAD USE TAX APPROPRIATION. There is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

18 1 appropriated from the road use tax fund to the office of
18 2 treasurer of state for the fiscal year beginning July 1, 2009,
18 3 and ending June 30, 2010, the following amount, or so much
18 4 thereof as necessary, to be used for the purposes designated:

18 5 For enterprise resource management costs related to the
18 6 distribution of road use tax funds:
18 7 \$ 93,148

18 8 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
18 9 from the Iowa public employees' retirement system fund to the
18 10 Iowa public employees' retirement system for the fiscal year
18 11 beginning July 1, 2009, and ending June 30, 2010, the
18 12 following amount, or so much thereof as is necessary, to be
18 13 used for the purposes designated:

18 14 For salaries, support, maintenance, and other operational
18 15 purposes to pay the costs of the Iowa public employees'
18 16 retirement system, and for not more than the following full=
18 17 time equivalent positions:
18 18 \$ 18,001,480
18 19 FTEs 95.13

18 20 Sec. 24. REBUILD IOWA OFFICE. There is appropriated from
18 21 the general fund of the state to the rebuild Iowa office for
18 22 the fiscal year beginning July 1, 2009, and ending June 30,
18 23 2010, the following amount, or so much thereof as is
18 24 necessary, to be used for the purposes designated:

18 25 For salaries, support, maintenance, miscellaneous purposes,
18 26 and for not more than the following full-time equivalent
18 27 positions:
18 28 \$ 198,277
18 29 FTEs 12.00

18 30 Sec. 25. STATE EMPLOYEE POSITIONS. The director of a
18 31 department or state agency to which appropriations are made
18 32 pursuant to the provisions of this Act shall implement
18 33 cost-saving strategies designed to prevent, to the extent
18 34 possible, permanent layoffs of state employees within that
18 35 department or state agency.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285 continued

19 1 DIVISION II
19 2 MISCELLANEOUS PROVISIONS
19 3 Sec. 26. Section 8A.454, subsection 4, Code 2009, is
19 4 amended to read as follows:
19 5 4. This section is repealed July 1, ~~2009~~ 2010.
19 6 Sec. 27. 2008 Iowa Acts, chapter 1176, section 5,
19 7 subsection 1, is amended to read as follows:
19 8 1. If any federal funding is received for the same or
19 9 similar purposes authorized in section 47.10, as enacted by
19 10 this Act, of the amount appropriated in this section, \$61,000
19 11 is allocated for matching such federal funding, ~~and an amount~~
~~19 12 equal to the federal funding received shall revert from the~~
~~19 13 amount appropriated to the rebuild Iowa infrastructure fund at~~
~~19 14 the end of the fiscal year.~~
19 15 Sec. 28. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.
19 16 1. The section of this division of this Act amending
19 17 section 8A.454, being deemed of immediate importance, takes
19 18 effect upon enactment.
19 19 2. The section of this division of this Act amending 2008
19 20 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed
19 21 of immediate importance, takes effect upon enactment and is
19 22 retroactively applicable to federal funding received on and
19 23 after April 1, 2008.
19 24 DIVISION III
19 25 GRANTS ENTERPRISE MANAGEMENT OFFICE
19 26 Sec. 29. Section 8.11, subsection 3, Code 2009, is amended
19 27 by striking the subsection.
19 28 Sec. 30. Section 8A.505, subsection 2, Code 2009, is
19 29 amended by striking the subsection.
19 30 Sec. 31. Section 8.9 and 8.10, Code 2009, are repealed.
19 31 DIVISION IV
19 32 SALE OF ABANDONED PROPERTY
19 33 Sec. 32. Section 556.17, subsections 1 and 2, Code 2009,
19 34 are amended to read as follows:
19 35 1. All abandoned property other than money delivered to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285 continued

20 1 the treasurer of state under this chapter which remains
20 2 unclaimed one year after the delivery to the treasurer may be
20 3 sold to the highest bidder ~~at public sale in any city in the~~
~~20 4 state in a manner~~ that affords in the treasurer's judgment the
20 5 most favorable market for the property involved. The
20 6 treasurer of state may decline the highest bid and reoffer the
20 7 property for sale if the treasurer considers the price bid
20 8 insufficient. The treasurer need not offer any property for
20 9 sale if, in the treasurer's opinion, the probable cost of sale
20 10 exceeds the value of the property. The treasurer may order
20 11 destruction of the property when the treasurer has determined
20 12 that the probable cost of offering the property for sale
20 13 exceeds the value of the property. If the treasurer
20 14 determines that the property delivered does not have any
20 15 substantial commercial value, the treasurer may destroy or
20 16 otherwise dispose of the property at any time. An action or
20 17 proceeding may not be maintained against the treasurer or any
20 18 officer or against the holder for or on account of an act the
20 19 treasurer made under this section, except for intentional
20 20 misconduct or malfeasance.

20 21 2. a. Any sale held ~~or destruction ordered~~ under this
20 22 section shall be preceded by a single publication of notice of
20 23 the sale ~~or destruction order~~ at least three weeks in advance
20 24 of sale ~~or destruction~~ in an English language newspaper of
20 25 general circulation in the county ~~where the property is to be~~
~~20 26 sold or, for the destruction, in the county~~ from which the
20 27 property was received, or in an English language newspaper of
20 28 general circulation in the state.

20 29 b. If the treasurer holds an internet auction or a sale on
20 30 the internet, the treasurer may elect to provide notice of the
20 31 sale or auction on the treasurer's website at least seven days
20 32 in advance of the sale or auction in lieu of providing notice
20 33 as otherwise provided in accordance with paragraph "a".

20 34 EXPLANATION

20 35 Division I of this bill relates to and appropriates moneys



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 285 continued

21 1 to various state departments, agencies, and funds for the
21 2 fiscal year beginning July 1, 2009, and ending June 30, 2010.
21 3 The division makes appropriations to state departments and
21 4 agencies including the department of administrative services,
21 5 auditor of state, Iowa ethics and campaign disclosure board,
21 6 department of commerce, offices of governor and lieutenant
21 7 governor, Terrace Hill quarters and drug control policy
21 8 office, department of human rights, department of inspections
21 9 and appeals, department of management, Iowa public employees'
21 10 retirement system, secretary of state, treasurer of state, and
21 11 department of revenue and the rebuild Iowa office. The
21 12 division also appropriates funding for the state's membership
21 13 in the national governors association.
21 14 Division II makes changes to provisions related to the
21 15 appropriations made in the bill.
21 16 Code section 8A.454, concerning the health insurance
21 17 administration fund, is amended to provide that the Code
21 18 section is repealed July 1, 2010, instead of July 1, 2009.
21 19 This provision of the bill takes effect upon enactment.
21 20 2008 Iowa Acts, chapter 1176, concerning appropriations to
21 21 the office of the secretary of state for optical scan voting
21 22 equipment, is amended to provide that if federal funding for
21 23 this or a similar purpose is received, the secretary of state
21 24 is not required to revert an amount to the rebuild Iowa
21 25 infrastructure fund in an amount equal to the federal funding
21 26 received.
21 27 Division III of the bill eliminates the grants enterprise
21 28 management office in the department of management.
21 29 Division IV of the bill concerns the sale of abandoned
21 30 property by the treasurer of state.
21 31 Code section 556.17 is amended to allow the treasurer to
21 32 sell abandoned property in any manner that affords, in the
21 33 treasurer's judgment, the most favorable market for the
21 34 property involved. The Code section is also amended to
21 35 provide that if the treasurer determines to sell the property



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 285 continued

22 1 on the internet by sale or auction, the treasurer may satisfy
22 2 the notice requirements by posting a notice on the treasurer's
22 3 website at least seven days in advance of the sale or auction.
22 4 LSB 1000JB 83
22 5 ec/tm:jp/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 286

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

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

A BILL FOR

- 1 An Act relating to articulation agreements between public
- 2 postsecondary institutions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2708HC 83
- 5 kh/rj/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 286 continued

PAG LIN

1 1 Section 1. Section 256.9, Code 2009, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 61. Develop and implement a plan to
1 4 provide, at least twice annually to all principals and
1 5 guidance counselors employed by school districts and
1 6 accredited nonpublic schools, notice describing how students
1 7 can find and use the articulation information available on the
1 8 website maintained by the state board of regents. The plan
1 9 shall include suggested methods for elementary and secondary
1 10 schools and community colleges to effectively communicate
1 11 information about the articulation website to the following:

1 12 a. To all elementary and secondary school students
1 13 interested in or potentially interested in attending a
1 14 community college or institution of higher education governed
1 15 by the state board of regents.

1 16 b. To all community college students interested in or
1 17 potentially interested in admission to a baccalaureate degree
1 18 program offered by an institution of higher education governed
1 19 by the state board of regents.

1 20 Sec. 2. Section 260C.14, Code 2009, is amended by adding
1 21 the following new subsection:

1 22 NEW SUBSECTION. 23. Enter into a collective statewide
1 23 articulation agreement with the state board of regents
1 24 pursuant to section 262.9, subsection 32, which shall provide
1 25 for the seamless transfer of academic credits from a completed
1 26 associate of arts or associate of science degree program
1 27 offered by a community college to a baccalaureate degree
1 28 program offered by an institution of higher education governed
1 29 by the state board of regents. The board shall also do the
1 30 following:

1 31 a. Identify a transfer and articulation contact office or
1 32 person, publicize transfer and articulation information and
1 33 the contact office or person, and submit the contact
1 34 information to the state board of regents, which shall publish
1 35 the contact information on its articulation website.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 286 continued

2 1 b. Collaborate with the state board of regents to meet the
2 2 requirements specified in section 262.9, subsection 32,
2 3 including but not limited to developing a systematic process
2 4 for expanding academic discipline and providing for meetings
2 5 between the community college faculty and faculty of the
2 6 institutions of higher education governed by the state board
2 7 of regents, developing criteria to prioritize core curriculum
2 8 areas, promoting greater awareness of articulation-related
2 9 activities, facilitating additional opportunities for
2 10 individual institutions to pursue program articulation
2 11 agreements for career and technical educational programs, and
2 12 developing and implementing a process to examine a minimum of
2 13 four associate of applied science degree programs for which
2 14 articulation agreements would serve students' continued
2 15 academic success in those programs.

2 16 Sec. 3. Section 262.9, Code 2009, is amended by adding the
2 17 following new subsection:

2 18 NEW SUBSECTION. 32. In consultation with the state board
2 19 for community colleges established pursuant to section 260C.3,
2 20 establish and enter into a collective statewide articulation
2 21 agreement with the community colleges established pursuant to
2 22 chapter 260C, which shall provide for the seamless transfer of
2 23 academic credits from a completed associate of arts or
2 24 associate of science degree program offered by a community
2 25 college to a baccalaureate degree program offered by an
2 26 institution of higher education governed by the board. The
2 27 board shall also do the following:

2 28 a. Require each of the institutions of higher education
2 29 governed by the board to identify a transfer and articulation
2 30 contact office or person, publicize transfer and articulation
2 31 information and the contact office or person, and submit the
2 32 contact information to the board for publication on its
2 33 articulation website.

2 34 b. Develop, in collaboration with the boards of directors
2 35 of the community colleges, a systematic process for expanding



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 286 continued

3 1 academic discipline and providing for meetings between the
3 2 community college faculty and faculty of the institutions of
3 3 higher education governed by the board. The board shall
3 4 conduct and jointly administer with the boards of directors of
3 5 the community colleges four program and academic discipline
3 6 meetings each academic year for the purpose of enhancing
3 7 alignment between course content and expectations at the
3 8 community colleges and institutions of higher education
3 9 governed by the state board of regents.

3 10 c. Develop criteria to prioritize core curriculum areas
3 11 and create or review transition guides for the core curriculum
3 12 areas.

3 13 d. Include on its articulation website course equivalency
3 14 and transition guides for each of the institutions of higher
3 15 education governed by the board.

3 16 e. Jointly, with the boards of directors of the community
3 17 colleges, select academic departments in which to articulate
3 18 first-year and second-year courses through faculty-to-faculty
3 19 meetings in accordance with paragraph "b". However,
3 20 course-to-course equivalencies need not occur in an academic
3 21 discipline when the board and the community colleges jointly
3 22 determine that course content is incompatible.

3 23 f. Promote greater awareness of articulation-related
3 24 activities, including the articulation website maintained by
3 25 the board and articulation agreements in which the
3 26 institutions participate.

3 27 g. Facilitate additional opportunities for individual
3 28 institutions to pursue program articulation agreements for
3 29 community college career and technical education programs and
3 30 programs of study offered by the institutions of higher
3 31 education governed by the board.

3 32 h. Develop and implement by January 1, 2012, a process to
3 33 examine a minimum of four community college associate of
3 34 applied science degree programs for which articulation
3 35 agreements between the community colleges and the institutions



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

House Study Bill 286 continued

4 1 of higher education governed by the board would serve
4 2 students' continued academic success in those programs.
4 3 i. Prepare, jointly with the department of education and
4 4 the liaison advisory committee on transfer students, and
4 5 submit by January 1 annually to the general assembly, an
4 6 update on the articulation efforts and activities implemented
4 7 by the community colleges and the institutions of higher
4 8 education governed by the board.

4 9 EXPLANATION

4 10 This bill relates to the transfer and articulation of
4 11 academic credits between the state's postsecondary
4 12 institutions.

4 13 The bill directs the boards of directors of the community
4 14 colleges and the state board of regents to enter into a
4 15 collective statewide articulation agreement to provide for the
4 16 seamless transfer of academic credits from a completed
4 17 associate of arts or associate of science degree program
4 18 offered by a community college to a baccalaureate degree
4 19 program offered by a regents university.

4 20 The bill also directs the boards to identify a transfer and
4 21 articulation contact office or person, publicize transfer and
4 22 articulation and contact information, and submit the contact
4 23 information for publication on the articulation website
4 24 maintained by the state board of regents.

4 25 The boards are further directed to collaborate with each
4 26 other to meet the requirements to develop a systematic process
4 27 for expanding academic discipline and provide for
4 28 faculty-to-faculty meetings, develop criteria to prioritize
4 29 core curriculum areas, promote greater awareness of
4 30 articulation-related activities, facilitate additional
4 31 opportunities for individual institutions to pursue program
4 32 articulation agreements for career and technical educational
4 33 programs, and develop and implement a process to examine a
4 34 minimum of four associate of applied science degree programs
4 35 for which articulation agreements would serve students'



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

House Study Bill 286 continued

5 1 continued academic success in those programs.
5 2 The department of education is directed to develop and
5 3 implement a plan to provide, at least twice annually,
5 4 notification to all principals and guidance counselors
5 5 employed by school districts and accredited nonpublic schools
5 6 describing how students can find and use the articulation
5 7 website, and to provide suggested methods for schools and
5 8 community colleges to effectively communicate information
5 9 about the website to all interested elementary, secondary, and
5 10 community college students.
5 11 The board directs the state board of regents to prepare
5 12 jointly, with the department of education and the liaison
5 13 advisory committee on transfer students, and submit by January
5 14 1 annually to the general assembly, an update on the
5 15 articulation efforts and activities implemented by the
5 16 community colleges and the regents universities.
5 17 LSB 2708HC 83
5 18 kh/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Amendment 3156

PAG LIN

1 1 Amend House File 705, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 3, by striking the word
1 4 <community>.
1 5 #2. Page 1, line 5, by striking the word
1 6 <COMMUNITY>.
1 7 #3. Page 1, line 11, by striking the word
1 8 <community>.
1 9 #4. Page 1, line 16, by striking the word
1 10 <community>.
1 11 #5. Page 1, line 18, by striking the word
1 12 <authorized> and inserting the following: <required>.
1 13 #6. Page 1, line 20, by striking the word
1 14 <community>.
1 15 #7. Page 1, line 22, by striking the figure <2010>
1 16 and inserting the following: <2011>.
1 17 #8. Page 1, by inserting after line 24 the
1 18 following:
1 19 <The commissioner may provide education and
1 20 training to promote the use of best practices in the
1 21 design, construction, and maintenance of buildings,
1 22 safe rooms, and shelters to reduce the risk of
1 23 personal injury from tornadoes or other severe
1 24 weather.
1 25 Sec. _____. STATE BUILDING CODE == SAFE ROOMS AND
1 26 STORM SHELTERS == RULEMAKING. The initial
1 27 administrative rules required to be adopted pursuant
1 28 to section 103A.8C, as enacted by this Act, shall be
1 29 adopted by the state building code commissioner on or
1 30 after February 1, 2010, but no later than April 1,
1 31 2010, and shall not become effective prior to July 1,
1 32 2010.
1 33 Sec. _____. SAFE ROOMS AND STORM SHELTERS == BEST
1 34 PRACTICES REVIEW == REPORT. The state building code
1 35 commissioner, in cooperation with the department of
1 36 public defense, the department of natural resources,
1 37 and the rebuild Iowa office, shall review and assess
1 38 best practices in the design, construction, and
1 39 maintenance of buildings, safe rooms, and storm
1 40 shelters to reduce the risk of personal injury from
1 41 tornadoes and other severe weather. The commissioner
1 42 shall report the findings of the review and assessment
1 43 to the governor and the general assembly by December
1 44 15, 2009. The review and assessment shall be
1 45 conducted as part of the rulemaking process for the
1 46 initial rulemaking required pursuant to this Act and
1 47 section 103A.8C, as enacted by this Act, and shall
1 48 include public comment received during that process.>
1 49 #9. Title page, line 1, by striking the word
1 50 <community>.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Amendment 3156 continued

2 1 #10. Title page, line 2, by striking the word
2 2 <public>.
2 3 #11. By renumbering as necessary.
2 4
2 5
2 6
2 7 COMMITTEE ON REBUILD IOWA
2 8 ROBERT M. HOGG, CHAIRPERSON
2 9 HF 705.301 83
2 10 ec/rj/22940



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Amendment 3157

PAG LIN

1 1 Amend House File 759, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 10, by striking the word <July>
1 4 and inserting the following: <June>.
1 5 #2. Page 1, by striking lines 21 through 25.
1 6 #3. Page 1, line 26, by inserting after the word
1 7 <assistance> the following: <for a flood-related
1 8 disaster>.
1 9 #4. Page 1, line 29, by inserting after the word
1 10 <to> the following: <the terms, conditions, and
1 11 deadlines set forth in>.
1 12 #5. By renumbering as necessary.
1 13
1 14
1 15
1 16 COMMITTEE ON REBUILD IOWA
1 17 ROBERT M. HOGG, CHAIRPERSON
1 18 HF 759.702 83
1 19 av/tm/22939
1 20
1 21
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Amendment 3158

PAG LIN

1 1 Amend House File 670, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 32, by striking the word <shall>
1 4 and inserting the following: <may>.
1 5 #2. Page 1, line 34, by inserting after the word
1 6 <ballots.> the following: <However, if in the
1 7 preceding general election the counting of absentee
1 8 ballots was not completed by 10:00 p.m. on election
1 9 day, the commissioner shall convene the special
1 10 precinct election board on the day before the next
1 11 general election to begin counting absentee ballots.>
1 12 #3. Title page, line 1, by striking the words <by
1 13 requiring> and inserting the following: <and>.
1 14 #4. Title page, line 2, by striking the words <to
1 15 begin> and inserting the following: <beginning on>.
1 16
1 17
1 18
1 19 DICK L. DEARDEN
1 20 HF 670.501 83
1 21 sc/nh/23454
1 22
1 23
1 24
1 25
1 26
1 27
1 28
1 29
1 30
1 31
1 32
1 33
1 34
1 35
1 36
1 37
1 38
1 39
1 40
1 41
1 42
1 43
1 44
1 45
1 46
1 47
1 48
1 49
1 50



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1313)

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

A BILL FOR

1 An Act relating to motor fuel containing biodiesel, providing for
2 tax credits, making penalties applicable, and including
3 effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TL5B 2135SZ 83
6 da/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

PAG LIN

1 1 DIVISION I
1 2 BIODIESEL FUEL STANDARD
1 3 Section 1. Section 214A.2, subsection 4, paragraph b,
1 4 subparagraph (2), Code 2009, is amended by striking the
1 5 subparagraph.
1 6 Sec. 2. NEW SECTION. 214A.2C STANDARD FOR DIESEL FUEL ==
1 7 BIODIESEL REQUIRED.
1 8 1. A retail dealer shall not advertise for sale or sell
1 9 diesel fuel in this state, unless it is biodiesel fuel.
1 10 2. a. Subsection 1 does not apply to any of the
1 11 following:
1 12 (1) Motors located at an electric generating plant
1 13 regulated by the nuclear regulatory commission. This
1 14 exception shall no longer apply thirty days after the nuclear
1 15 regulatory commission approves the use of biodiesel fuel in
1 16 motors at electric generating plants.
1 17 (2) Railroad locomotives.
1 18 (3) Off=road logging equipment and machinery.
1 19 (4) Vehicles and equipment used exclusively on an aircraft
1 20 landing field.
1 21 b. This subsection is repealed on July 1, 2012.
1 22 Sec. 3. NEW SECTION. 214A.2D STANDARD FOR DIESEL FUEL ==
1 23 BIODIESEL DESIGNATIONS.
1 24 1. A retail dealer shall not advertise or sell biodiesel
1 25 blended fuel unless it is designated B=5 or higher as
1 26 specified in section 214A.2.
1 27 2. The biodiesel blended fuel designation provided in
1 28 subsection 1 shall increase to B=10 or higher as specified in
1 29 section 214A.2 commencing on July 1, 2012, at the beginning of
1 30 the threshold period.
1 31 3. a. Notwithstanding subsection 2, a retail dealer is
1 32 not required to advertise for sale or sell biodiesel blended
1 33 fuel designated as higher than B=5 during the cold weather
1 34 months beginning November 1 and ending March 31.
1 35 b. The department may issue a cold weather suspension



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

2 1 order that suspends the application of paragraph "a" during
2 2 some or all of the threshold period and establish one or more
2 3 temporary biodiesel blended fuel designations applicable for
2 4 the period so long as a biodiesel blended fuel designation is
2 5 not less than B=5 and not more than the biodiesel blended fuel
2 6 designation that would otherwise apply during the threshold
2 7 period. The cold weather suspension order shall be published
2 8 in the Iowa administrative bulletin and take effect as
2 9 provided by the department. Prior to issuing the order, the
2 10 department shall consult with the committee.

2 11 4. a. The department may issue a threshold suspension
2 12 order suspending the application of a biodiesel designation
2 13 during the threshold period as provided in subsection 2, if
2 14 the department determines that any of the following apply:

2 15 (1) Less than five percent of the biodiesel blended fuel
2 16 expected to be sold in this state during the threshold period
2 17 will be produced from a nontraditional feedstock which is a
2 18 biological resource other than an agricultural resource
2 19 traditionally grown or raised in the state, including but not
2 20 limited to algae cultivated for biofuels production, waste
2 21 oils, and tallow.

2 22 (2) No specification established by the United States
2 23 environmental protection agency or A.S.T.M. international
2 24 applies to the biodiesel designation required during the
2 25 threshold period.

2 26 b. The threshold suspension order shall apply during some
2 27 or all of the threshold period and may establish one or more
2 28 temporary biodiesel blended fuel designations applicable for
2 29 the period of suspension so long as the temporary biodiesel
2 30 blended fuel designation is not less than B=5 and not more
2 31 than the biodiesel blended fuel designation that would
2 32 otherwise apply during the threshold period. The threshold
2 33 suspension order shall be published in the Iowa administrative
2 34 bulletin and take effect as provided by the department. Prior
2 35 to issuing the threshold suspension order, the department



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate File 464 - Introduced continued

3 1 shall consult with the committee.

3 2 5. The department may issue a threshold suspension order
3 3 suspending the application of a biodiesel designation for a
3 4 motor under the control of the nuclear regulatory commission
3 5 during the threshold period, if the nuclear regulatory
3 6 commission has not approved the use of the biodiesel
3 7 designation required during the threshold period. The
3 8 threshold suspension order shall be published in the Iowa
3 9 administrative bulletin and take effect as provided by the
3 10 department. Prior to issuing the threshold suspension order,
3 11 the department shall consult with the committee.

3 12 6. The governor may by executive order adjust the
3 13 biodiesel blended fuel designation as provided in this
3 14 section, if the governor determines that there exists a major
3 15 disparity between the price of biodiesel blended fuel and
3 16 diesel fuel, there is a significant shortage of biodiesel fuel
3 17 supplies in this state, or a systemic market change will cause
3 18 material economic hardship to retail dealers who advertise and
3 19 sell biodiesel blended fuel in this state which can be
3 20 alleviated by adjusting the biodiesel blended fuel. The
3 21 adjusted biodiesel blended fuel designation shall not be less
3 22 than B=5 and not more than the biodiesel blended fuel
3 23 designation that would otherwise apply during the threshold
3 24 period. The executive order shall provide for the termination
3 25 of the adjusted biodiesel blended fuel designation by a date
3 26 certain. After the executive order's termination, the
3 27 biodiesel blended fuel designation shall be restored to the
3 28 amount required for the threshold period.

3 29 Sec. 4. EMERGENCY RULES. The department of agriculture
3 30 and land stewardship shall adopt emergency rules under section
3 31 17A.4, subsection 3, and section 17A.5, subsection 2,
3 32 paragraph "b", to implement the provisions of sections 214A.2C
3 33 and 214A.2D, as enacted in this Act, and the rules shall be
3 34 effective July 1, 2009. Any rules adopted in accordance with
3 35 this section shall also be published as a notice of intended



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

4 1 action as provided in section 17A.4.

4 2 Sec. 5. EFFECTIVE DATE. This division of this Act takes
4 3 effect on July 1, 2009, except for the provisions authorizing
4 4 the department of agriculture and land stewardship to adopt
4 5 emergency rules and to publish a notice of intended action to
4 6 implement the provisions of sections 214A.2C and 214A.2D, as
4 7 enacted in this Act, which, being deemed of immediate
4 8 importance, take effect upon enactment.

4 9

DIVISION II

4 10

BIODIESEL FUEL LABELING

4 11 Sec. 6. Section 214A.2, subsection 5, Code 2009, is
4 12 amended to read as follows:

4 13 5. Ethanol blended gasoline shall be designated E=xx where
4 14 "xx" is the volume percent of ethanol in the ethanol blended
4 15 gasoline and biodiesel blended fuel shall be designated B=xx
4 16 where "xx" is the volume percent of biodiesel.

4 17 Sec. 7. Section 214A.16, subsection 1, Code 2009, is
4 18 amended to read as follows:

4 19 1. a. If motor fuel containing a renewable fuel ethanol
4 20 blended gasoline is sold from a motor fuel pump, the pump
4 21 shall have affixed a decal identifying the ~~name of the~~
4 22 ~~renewable fuel ethanol blended gasoline~~. ~~The decal shall be~~
4 23 ~~different based on the type of renewable fuel dispensed~~. If
4 24 the motor fuel pump dispenses ethanol blended gasoline
4 25 classified as higher than standard ethanol blended gasoline
4 26 pursuant to section 214A.2, the decal shall contain the
4 27 following notice: "FOR FLEXIBLE FUEL VEHICLES ONLY".
4 28 b. If biodiesel fuel is sold from a motor fuel pump, the
4 29 pump shall have affixed a decal identifying the biodiesel fuel
4 30 as provided in 16 C.F.R. pt. 306.

4 31

DIVISION III

4 32

BIODIESEL BLENDED FUEL TAX CREDIT

4 33 Sec. 8. Section 422.33, subsection 11C, Code 2009, is
4 34 amended by striking the subsection.

4 35 Sec. 9. 2006 Iowa Acts, chapter 1142, section 49,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

5 1 subsection 5, is amended by striking the subsection.
5 2 Sec. 10. Section 422.11P, Code 2009, is repealed.
5 3 Sec. 11. APPLICABILITY. The sections of this division of
5 4 this Act striking section 422.33, subsection 11C, striking
5 5 2006 Iowa Acts, chapter 49, subsection 5, and repealing
5 6 422.11P, apply to a taxpayer claiming a biodiesel tax credit
5 7 for sales of biodiesel blended fuel sold or dispensed on or
5 8 after the effective date of this division of this Act.

5 9 EXPLANATION

5 10 DIVISION I == BIODIESEL FUEL STANDARD. This bill applies
5 11 to the retail sale of diesel fuel as regulated by the
5 12 department of agriculture and land stewardship under Code
5 13 chapter 214A, and specifically biodiesel fuel derived from
5 14 vegetable oils or animal fats that meet departmental standards
5 15 (Code section 214A.2). Biodiesel fuel is designated by "B=xx"
5 16 where "xx" is the volume percent of biodiesel by volume.
5 17 Currently, all biodiesel fuel must be at least B=1 (Code
5 18 section 214A.2).

5 19 The bill prohibits a retail dealer from advertising for the
5 20 sale or selling diesel fuel unless it is biodiesel fuel. The
5 21 bill provides for a number of exceptions, including for motors
5 22 located at an electric generating plant regulated by the
5 23 nuclear regulatory commission, locomotives, off-road logging
5 24 equipment and machinery, and vehicles and equipment used
5 25 exclusively on an aircraft landing field.

5 26 Under the bill, the lowest designation of biodiesel blended
5 27 fuel that can be marketed is B=5. The bill provides for a
5 28 threshold period which requires that an increased percentage
5 29 of biodiesel be included in the biodiesel blended fuel. The
5 30 threshold period commences on July 1, 2012.

5 31 The bill also provides a number of exceptions. First, a
5 32 retail dealer is not required to market biodiesel blended fuel
5 33 designated as higher than B=5 during the cold weather months
5 34 beginning November 1 and ending March 31, unless the
5 35 department issues a cold weather suspension order for some or



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

6 1 all of those months. The cold weather suspension order may
6 2 establish a temporary biodiesel designation for the period of
6 3 the suspension. Secondly, the department may issue a
6 4 temporary order suspending biodiesel designation requirements
6 5 during the threshold period under two conditions: (1) less
6 6 than 5 percent of the biodiesel blended fuel expected to be
6 7 sold in this state during the threshold period will be
6 8 produced from a nontraditional feedstock, or (2) no
6 9 specification established by the United States environmental
6 10 protection agency or A.S.T.M. international applies to the
6 11 biodiesel designation. The department may issue a threshold
6 12 suspension order that applies during some or all of the
6 13 threshold period and may establish one or more temporary
6 14 biodiesel fuel designations applicable for the period. The
6 15 bill also provides that the department may suspend the
6 16 biodiesel fuel standard for motors under the control of the
6 17 nuclear regulatory commission.

6 18 The bill also provides that the governor may by executive
6 19 order adjust the biodiesel blended fuel designation under any
6 20 of three circumstances: (1) a major disparity exists between
6 21 the price of biodiesel blended fuel and diesel fuel; (2) there
6 22 is a significant shortage of biodiesel fuel supplies in this
6 23 state; or (3) a systemic market change will cause material
6 24 economic hardship to retail dealers. The governor must
6 25 establish an adjusted biodiesel blended fuel designation
6 26 during the threshold period.

6 27 EMERGENCY RULEMAKING AND EFFECTIVE DATE. The bill
6 28 authorizes the department of agriculture and land stewardship
6 29 to adopt rules by emergency and by notice of intended action
6 30 in order to implement the biodiesel fuel requirements. The
6 31 provision takes effect upon enactment.

6 32 DIVISION II == BIODIESEL FUEL LABELING. The bill provides
6 33 that a retail dealer who sells biodiesel fuel must affix a
6 34 decal to the motor fuel pump identifying the biodiesel fuel
6 35 when it contains a certain percentage of biodiesel as provided



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 464 - Introduced continued

7 1 by federal law, and specifically the federal trade commission.
7 2 The bill eliminates a state requirement that provides for the
7 3 general labeling of biodiesel fuel sold at motor fuel pumps
7 4 that contain any biodiesel.
7 5 DIVISION III == BIODIESEL BLENDED FUEL TAX CREDIT. The
7 6 bill eliminates provisions for a biodiesel blended fuel tax
7 7 credit available to a retail dealer of biodiesel blended fuel.
7 8 APPLICABLE PENALTIES. A person who violates a provision of
7 9 Code chapter 214A is guilty of a serious misdemeanor with each
7 10 day of a continuing violation consisting of a separate
7 11 offense. The state may also proceed against a person who
7 12 violates the Code chapter by bringing a civil enforcement
7 13 action as a contested case proceeding under Code chapter 17A
7 14 in lieu of a prosecution. A serious misdemeanor is punishable
7 15 by confinement for no more than one year and a fine of at
7 16 least \$315 but not more than \$1,875. The civil penalty shall
7 17 be for at least \$100 but not more than one \$1,000 for each
7 18 violation.
7 19 LSB 2135SZ 83
7 20 da/rj/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 378)
(SUCCESSOR TO SSB 1212)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to identity theft protection by requiring
2 reporting and by making changes to the duties of county
3 recorders, the fees collected by the county recorders, and the
4 county land record information system.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1556SZ 83
7 md/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

PAG LIN

1 1 Section 1. Section 331.601A, Code 2009, is amended by
1 2 adding the following new subsections:

1 3 NEW SUBSECTION. 0A. "Batch basis" means the delivery of
1 4 an accumulation of electronic documents or records recorded or
1 5 maintained by the county recorder.

1 6 NEW SUBSECTION. 1A. "Electronic document" means a
1 7 document or instrument that is received, processed,
1 8 disseminated, or maintained in an electronic format. The
1 9 submission of an electronic document through the county land
1 10 record information system electronic submission service shall
1 11 be equivalent to delivery of a document through the United
1 12 States postal service or by personal delivery at designated
1 13 offices in each county. Persons who submit electronic
1 14 documents for recording are responsible for ensuring that the
1 15 electronic documents comply with all requirements for
1 16 recording.

1 17 Sec. 2. Section 331.603, Code 2009, is amended by adding
1 18 the following new subsection:

1 19 NEW SUBSECTION. 5. a. The governing board of the county
1 20 land record information system shall not enter into an
1 21 agreement to provide access to electronic documents or records
1 22 on a batch basis. The county recorder may collect reasonable
1 23 fees for access to electronic documents and records pursuant
1 24 to an agreement. The fees shall not exceed the actual cost of
1 25 providing access to the electronic documents and records.

1 26 "Actual cost" means only those expenses directly attributable
1 27 to providing access to electronic documents and records.
1 28 "Actual cost" shall not include costs such as employment
1 29 benefits, depreciation, maintenance, electricity, or insurance
1 30 associated with the administration of the office of the county
1 31 recorder or the county land record information system.

1 32 b. Electronic documents and records made available under
1 33 this subsection shall not include personally identifiable
1 34 information and shall be subjected to a redaction process
1 35 prior to the transfer of the electronic documents or records



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

2 1 to another person pursuant to an agreement under paragraph
2 2 "a".

2 3 Sec. 3. Section 331.605B, subsection 2, Code 2009, is
2 4 amended to read as follows:

2 5 2. A recorder or the governing board of the county land
2 6 record information system shall collect only statutorily

2 7 authorized fees for land records management. A recorder or
2 8 the governing board of the county land record information

2 9 system shall not collect a fee for viewing, accessing, or
2 10 printing documents in the county land record information

2 11 system unless specifically authorized by statute. However, a
2 12 recorder or the governing board of the county land record

2 13 information system may collect actual third-party fees

2 14 associated with accepting and processing statutorily

2 15 authorized fees, including credit card fees, treasury

2 16 management fees, and other transaction fees required to enable
2 17 electronic payment. For the purposes of this subsection, the

2 18 term "third-party" does not include the county land record

2 19 information system, the Iowa state association of counties, or
2 20 any of the association's affiliates.

2 21 Sec. 4. Section 331.605C, Code 2009, is amended to read as
2 22 follows:

2 23 331.605C ELECTRONIC TRANSACTION FEE == AUDIT.

2 24 1. ~~For the fiscal year beginning July 1, 2003, and ending~~
2 25 ~~June 30, 2004, the recorder shall collect a fee of five~~

2 26 ~~dollars for each recorded transaction, regardless of the~~
2 27 ~~number of pages, for which a fee is paid pursuant to section~~

2 28 ~~331.604 to be used for the purposes of planning and~~

2 29 ~~implementing electronic recording and electronic transactions~~
2 30 ~~in each county and developing county and statewide internet~~

2 31 ~~websites to provide electronic access to records and~~
2 32 ~~information. Each county shall participate in the county land~~

2 33 record information system and shall comply with the policies
2 34 and procedures established by the governing board of the

2 35 county land record information system.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

3 1 2. a. Beginning For the period beginning July 1, 2004,
3 2 and ending June 30, 2009, the recorder shall collect a fee of
3 3 one dollar for each recorded transaction, regardless of the
3 4 number of pages, for which a fee is paid pursuant to section
3 5 331.604 to be used for the purpose set forth in subsection 4.
3 6 b. For the period beginning July 1, 2009, and ending June
3 7 30, 2011, the recorder shall collect a fee of three dollars
3 8 for each recorded transaction, regardless of the number of
3 9 pages, for which a fee is paid pursuant to section 331.604 to
3 10 be used for the following purposes:
3 11 (1) Maintaining the statewide internet website and the
3 12 county land record information system.
3 13 (2) Integrating information contained in documents and
3 14 records maintained by the recorder and other land record
3 15 information from other sources with the county land record
3 16 information system.
3 17 (3) Implementing and maintaining a process for redacting
3 18 personally identifiable information contained in electronic
3 19 documents that are displayed for public access through an
3 20 internet website or that are transferred to another person.
3 21 c. Beginning July 1, 2011, the recorder shall collect a
3 22 fee of one dollar for each recorded transaction, regardless of
3 23 the number of pages, for which a fee is paid pursuant to
3 24 section 331.604 to be used for the purposes in paragraph "b"
3 25 and for the following purposes:
3 26 (1) Establishing and implementing standards for recording,
3 27 processing, and archiving electronic documents and records.
3 28 (2) Expanding access to records by encouraging electronic
3 29 indexing and scanning of documents and instruments recorded in
3 30 prior years.
3 31 d. Notwithstanding paragraph "b", the fee collected by the
3 32 recorder under this section for recording a plat of survey is
3 33 one dollar, regardless of the number of pages. For purposes
3 34 of this paragraph, "plat of survey" means the same as defined
3 35 in section 355.1, subsection 9.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

4 1 e. Fees collected in excess of the amount needed for the
4 2 purposes specified in this section shall be used by the county
4 3 land record information system to reduce or eliminate service
4 4 fees for electronic submission of documents and instruments.
4 5 3. The county treasurer, on behalf of the recorder, shall
4 6 establish and maintain a county recorder's electronic
4 7 transaction fund into which all moneys collected pursuant to
4 8 ~~subsections 1 and subsection 2~~ shall be deposited. Interest
4 9 earned on moneys deposited in this fund shall be computed
4 10 based on the average monthly balance in the fund and shall be
4 11 credited to the county recorder's electronic transaction fund.
4 12 4. The local government electronic transaction fund is
4 13 established in the office of the treasurer of state under the
4 14 control of the treasurer of state. Moneys deposited into the
4 15 fund are not subject to section 8.33. Notwithstanding section
4 16 12C.7, interest or earnings on moneys in the local government
4 17 electronic transaction fund shall be credited to the fund.
4 18 Moneys in the local government electronic transaction fund are
4 19 not subject to transfer, appropriation, or reversion to any
4 20 other fund, or any other use except as provided in this
4 21 subsection. On a monthly basis, the county treasurer shall
4 22 pay each fee collected pursuant to subsection 2 the fees
4 23 deposited in the county recorder's electronic transaction fund
4 24 to the treasurer of state for deposit into the local
4 25 government electronic transaction fund. Moneys credited to
4 26 the local government electronic transaction fund are
4 27 appropriated to the treasurer of state to be used for the
4 28 purpose of paying the ongoing costs of integrating and
4 29 maintaining the statewide internet website developed and
4 30 implemented under subsection 1 to provide electronic access to
4 31 records and information.
4 32 5. The recorder shall make available any information
4 33 required by the county auditor or auditor of state concerning
4 34 the fees collected under this section for the purposes of
4 35 determining the amount of fees collected and the uses for



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

5 1 which such fees are expended.

5 2 Sec. 5. Section 331.606, Code 2009, is amended by adding
5 3 the following new subsection:

5 4 NEW SUBSECTION. 4. The recorder shall permanently archive
5 5 an unaltered version of each recorded document or instrument.
5 6 A document or instrument may be archived in its original
5 7 format, as an electronic document, or in another format
5 8 suitable for preserving information in the document or
5 9 instrument. A person may view and copy an original or
5 10 unaltered document or instrument in the office of the
5 11 recorder.

5 12 Sec. 6. Section 331.606A, subsection 1, paragraph c, Code
5 13 2009, is amended to read as follows:

5 14 c. "Redact" or "redaction" means the process of
5 15 permanently removing all or a portion of personally
5 16 identifiable information from documents.

5 17 Sec. 7. Section 331.606A, subsection 2, Code 2009, is
5 18 amended to read as follows:

5 19 2. INCLUSION OF PERSONALLY IDENTIFIABLE INFORMATION. The
5 20 preparer of a document shall not include an individual's
5 21 personally identifiable information in a document that is
5 22 prepared and presented for recording in the office of the
5 23 recorder. This subsection shall not apply to documents that
5 24 were executed by an individual prior to July 1, 2007. ~~Unless~~

~~5 25 provided otherwise by law, all documents described by this~~
~~5 26 section are subject to inspection and copying by the public.~~

5 27 Sec. 8. Section 331.606A, subsection 3, Code 2009, is
5 28 amended by striking the subsection and inserting in lieu
5 29 thereof the following:

5 30 3. REDACTION FROM ELECTRONIC DOCUMENTS. Personally
5 31 identifiable information that is contained in electronic
5 32 documents that are displayed for public access on a website,
5 33 or which are transferred to any person, shall be redacted
5 34 prior to displaying or transferring the documents. Each
5 35 recorder that displays electronic documents and the county



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

6 1 land record information system that displays electronic
6 2 documents on behalf of a county shall implement a system for
6 3 redacting personally identifiable information. The recorder
6 4 and the governing board of the county land record information
6 5 system shall establish a procedure by which individuals may
6 6 request that personally identifiable information contained in
6 7 an electronic document displayed on a website be redacted, at
6 8 no fee to the requesting individual. The requirements of this
6 9 subsection shall be fully implemented not later than December
6 10 31, 2011.

6 11 Sec. 9. Section 331.606A, subsection 5, Code 2009, is
6 12 amended to read as follows:

6 13 5. APPLICABILITY.

6 14 a. ~~This section~~ Subsection 2 shall not apply to a preparer
6 15 of a state or federal tax lien or release, a military
6 16 separation or discharge record, or a death certificate that is
6 17 prepared for recording in the office of county recorder.

6 18 b. Subsection 3 shall not apply to a military separation
6 19 or discharge record, a birth record, a death certificate, or
6 20 marriage certificate unless such record or certificate is
6 21 incorporated within another document or instrument that is
6 22 recorded and displayed for public access on a website.

6 23 c. If a military separation or discharge record or a death
6 24 certificate is recorded in the office of the county recorder,
6 25 the military separation or discharge record or the death
6 26 certificate shall not be accessible through the internet
6 27 displayed for public access on an internet website, public
6 28 access terminal or other medium, or be transferred to any
6 29 person.

6 30 Sec. 10. Section 331.606A, Code 2009, is amended by adding
6 31 the following new subsection:

6 32 NEW SUBSECTION. 6. LIMITATION OF LIABILITY. The county
6 33 land record information system is a unit of local government
6 34 for purposes of chapter 670, relating to tort liability of
6 35 governmental subdivisions. However, persons who have



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

7 1 contracted with the governing board of the county land record
7 2 information system to carry out the duties of the board are
7 3 not employees for purposes of chapter 670, relating to tort
7 4 liability of governmental subdivisions.

7 5 Sec. 11. Section 331.606B, subsection 1, Code 2009, is
7 6 amended by adding the following new paragraph:

7 7 NEW PARAGRAPH. g. Each document or instrument presented
7 8 for recording shall meet the requirements of section 331.606A,
7 9 subsection 2.

7 10 Sec. 12. REPORT TO THE GENERAL ASSEMBLY. On or before
7 11 January 1, 2012, the governing board of the county land record
7 12 information system shall submit a report to the general
7 13 assembly. The report shall include a summary of the actions
7 14 taken by the county recorders and the county land record
7 15 information system relating to the redaction of personally
7 16 identifiable information, a detailed financial accounting of
7 17 the county land record information system, a detailed summary
7 18 of expenditures made from the local government electronic
7 19 transaction fund, and an analysis and recommendation regarding
7 20 the continuance or discontinuance of the fee collected under
7 21 section 331.605C, subsection 2.

7 22 Sec. 13. IMPLEMENTATION OF ACT. Section 25B.2, subsection
7 23 3, shall not apply to this Act.

7 24 EXPLANATION

7 25 This bill relates to the duties and authority of county
7 26 recorders and the county land record information system.

7 27 The bill requires each county to participate in the county
7 28 land record information system and comply with the policies
7 29 and procedures established by the governing board of the
7 30 county land record information system.

7 31 The bill increases the electronic transaction fee from \$1
7 32 per recorded transaction to \$3 for transactions recorded
7 33 between July 1, 2009, and June 30, 2011. However, the bill
7 34 provides that the electronic transaction fee for recording a
7 35 plat of survey shall continue to be \$1. The bill also



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate File 465 - Introduced continued

8 1 provides that the electronic transaction fee for transactions
8 2 recorded on or after July 1, 2011, is lowered to \$1. The bill
8 3 specifies the purposes for which electronic transaction fees
8 4 may be used and provides that fees collected in excess of the
8 5 amount needed shall be used by the county land record
8 6 information system to reduce or eliminate service fees for
8 7 electronic submission services.

8 8 The bill prohibits the governing board of the county land
8 9 record information system from entering into an agreement to
8 10 provide access to electronic documents or records on a batch
8 11 basis, as defined in the bill. The bill authorizes a county
8 12 recorder to provide access to electronic documents and records
8 13 pursuant to an agreement and to collect fees for such access.
8 14 Fees collected pursuant to such an agreement must be
8 15 reasonable and shall not exceed the actual cost of providing
8 16 access to the electronic documents and records.

8 17 The bill amends the definition of "redact" or "redaction"
8 18 to mean the process of permanently removing all or a portion
8 19 of personally identifiable information from documents and
8 20 requires that personally identifiable information contained in
8 21 electronic documents that are displayed for public access on a
8 22 website, or which are transferred to any person, be redacted
8 23 prior to displaying or transferring the documents.

8 24 The bill also requires each county recorder that displays
8 25 electronic documents and the county land record information
8 26 system that displays electronic documents on behalf of a
8 27 county to implement a system for redacting personally
8 28 identifiable information and to establish a procedure by which
8 29 individuals may request that personally identifiable
8 30 information contained in an electronic document displayed on a
8 31 website be redacted, at no fee to the requesting individual.
8 32 The bill requires procedures for redaction to be fully
8 33 implemented by December 31, 2011. The bill excludes certain
8 34 recorded documents and certificates from the prohibition on
8 35 inclusion of personally identifiable information and the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 465 - Introduced continued

9 1 requirements for redaction of such information.

9 2 The bill provides that a county recorder shall refuse any
9 3 document or instrument presented for recording that contains
9 4 personally identifiable information, unless the person pays an
9 5 additional recording fee of \$10 per document or instrument.

9 6 The bill requires a county recorder to permanently archive
9 7 an unaltered version of each recorded document or instrument
9 8 and provides that such documents and instruments may be viewed
9 9 or copied in the office of the recorder.

9 10 The bill designates the county land record information
9 11 system as a unit of local government for purposes of Code
9 12 chapter 670, relating to tort liability of governmental
9 13 subdivisions. However, the bill excludes persons who have
9 14 contracted with the governing board of the county land record
9 15 information system from the liability provisions of Code
9 16 chapter 670.

9 17 The bill requires the governing board of the county land
9 18 record information system to submit a report to the general
9 19 assembly on or before January 1, 2012. The report is required
9 20 to include information related to redaction efforts, a
9 21 financial accounting of the county land record information
9 22 system, a summary of expenditures from the local government
9 23 electronic transaction fund, and an analysis and
9 24 recommendation regarding the continuance or discontinuance of
9 25 the electronic transaction fee collected under Code section
9 26 331.605C.

9 27 The bill may include a state mandate as defined in Code
9 28 section 25B.3. The bill makes inapplicable Code section
9 29 25B.2, subsection 3, which would relieve a political
9 30 subdivision from complying with a state mandate if funding for
9 31 the cost of the state mandate is not provided or specified.
9 32 Therefore, political subdivisions are required to comply with
9 33 any state mandate included in the bill.

9 34 LSB 1556SZ 83

9 35 md/sc/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1190)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the administration of the tax and related
2 laws, including the administration of the income tax, the
3 franchise tax, hotel and motel tax, the motor fuel tax, and of
4 fees for new vehicle registration, modifying certain civil
5 penalties, providing an exemption filing deadline extension
6 and for the abatement or refund of property taxes for certain
7 property owners, changing the ownership interest provisions
8 related to certain automobile racetrack facilities, and
9 including effective date, retroactive applicability date, and
10 other applicability date provisions.

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

12 TLSB 1363SV 83

13 tw/mg:sc/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

PAG LIN

1 1 DIVISION I
1 2 HOUSING ASSISTANCE WITHHOLDING CREDITS
1 3 Section 1. Section 15E.196, subsection 1, paragraph b,
1 4 Code 2009, is amended by striking the paragraph.
1 5 DIVISION II
1 6 ENDOW IOWA DONATIONS
1 7 Sec. 2. Section 15E.305, subsection 1, Code 2009, is
1 8 amended to read as follows:
1 9 1. For tax years beginning on or after January 1, 2003, a
1 10 tax credit shall be allowed against the taxes imposed in
1 11 chapter 422, divisions II, III, and V, and in chapter 432, and
1 12 against the moneys and credits tax imposed in section 533.329
1 13 equal to ~~twenty~~ twenty-five percent of a taxpayer's endowment
1 14 gift to an endow Iowa qualified community foundation. An
1 15 individual may claim a tax credit under this section of a
1 16 partnership, limited liability company, S corporation, estate,
1 17 or trust electing to have income taxed directly to the
1 18 individual. The amount claimed by the individual shall be
1 19 based upon the pro rata share of the individual's earnings
1 20 from the partnership, limited liability company, S
1 21 corporation, estate, or trust. A tax credit shall be allowed
1 22 only for an endowment gift made to an endow Iowa qualified
1 23 community foundation for a permanent endowment fund
1 24 established to benefit a charitable cause in this state. The
1 25 amount of the endowment gift for which the tax credit is
1 26 claimed shall not be deductible in determining taxable income
1 27 for state income tax purposes. Any tax credit in excess of
1 28 the taxpayer's tax liability for the tax year may be credited
1 29 to the tax liability for the following five years or until
1 30 depleted, whichever occurs first. A tax credit shall not be
1 31 carried back to a tax year prior to the tax year in which the
1 32 taxpayer claims the tax credit.
1 33 Sec. 3. Section 15E.305, subsection 2, unnumbered
1 34 paragraph 1, Code 2009, is amended to read as follows:
1 35 The aggregate amount of tax credits authorized pursuant to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

2 1 this section shall not exceed a total of ~~two~~ three million
2 2 dollars plus such additional credit amount as provided by this
2 3 section annually. The maximum amount of tax credits granted
2 4 to a taxpayer shall not exceed five percent of the aggregate
2 5 amount of tax credits authorized.

2 6 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This division
2 7 of this Act takes effect January 1, 2010, and applies to tax
2 8 years beginning on or after that date.

2 9

DIVISION III

2 10

NEW REGISTRATION FEES

2 11 Sec. 5. Section 321.105A, subsection 2, paragraph c,
2 12 subparagraph (25), unnumbered paragraph 1, Code 2009, is
2 13 amended to read as follows:

2 14 Vehicles subject to registration under this chapter with a
2 15 gross vehicle weight rating of less than sixteen thousand
2 16 pounds, ~~excluding motorcycles and motorized bicycles,~~ when
2 17 purchased for lease and titled by the lessor licensed pursuant
2 18 to chapter 321F and actually leased for a period of twelve
2 19 months or more if the lease of the vehicle is subject to the
2 20 fee for new registration under subsection 3.

2 21 Sec. 6. Section 321.105A, subsection 3, paragraph a, Code
2 22 2009, is amended to read as follows:

2 23 a. A fee for new registration is imposed in an amount
2 24 equal to five percent of the leased price for each vehicle
2 25 subject to registration with a gross vehicle weight rating of
2 26 less than sixteen thousand pounds, ~~excluding motorcycles and~~
2 27 ~~motorized bicycles,~~ which is leased by a lessor licensed
2 28 pursuant to chapter 321F for a period of twelve months or
2 29 more. The fee for new registration shall be paid by the owner
2 30 of the vehicle to the county treasurer from whom the
2 31 registration receipt or certificate of title is obtained. A
2 32 registration receipt for a vehicle subject to registration or
2 33 issuance of a certificate of title shall not be issued until
2 34 the fee for new registration is paid in the initial instance.

2 35 Sec. 7. Section 321.105A, subsection 5, paragraph a, Code



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

3 1 2009, is amended by striking the paragraph.

3 2 DIVISION IV

3 3 ASSISTIVE DEVICE TAX CREDIT

3 4 Sec. 8. Section 422.33, subsection 9, Code 2009, is
3 5 amended by striking the subsection.

3 6 Sec. 9. Section 422.11E, Code 2009, is repealed.

3 7 DIVISION V

3 8 COMPOSITE RETURNS

3 9 Sec. 10. Section 422.13, subsection 5, Code 2009, is
3 10 amended to read as follows:

3 11 5. a. Notwithstanding subsections 1 through 4 and
3 12 sections 422.15 and 422.36, a partnership, a limited liability
3 13 company whose members are taxed on the company's income under
3 14 provisions of the Internal Revenue Code, trust, or corporation
3 15 whose stockholders are taxed on the corporation's income under
3 16 the provisions of the Internal Revenue Code may, not later
3 17 than the due date for filing its return for the taxable year,
3 18 including any extension thereof, elect to file a composite
3 19 return for the nonresident partners, members, beneficiaries,
3 20 or shareholders. Nonresident trusts or estates which are
3 21 partners, members, beneficiaries, or shareholders in
3 22 partnerships, limited liability companies, trusts, or S
3 23 corporations may also be included on a composite return. The
3 24 director may require that a composite return be filed under
3 25 the conditions deemed appropriate by the director. A
3 26 partnership, limited liability company, trust, or corporation
3 27 filing a composite return is liable for tax required to be
3 28 shown due on the return.

3 29 b. Notwithstanding subsection 1 through 4 and sections
3 30 422.15 and 422.36, if the director determines that it is
3 31 necessary for the efficient administration of this chapter,
3 32 the director may require that a composite return be filed for
3 33 nonresidents other than nonresident partners, members,
3 34 beneficiaries or shareholders in partnerships, limited
3 35 liability companies, trusts, or S corporations.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

4 1 c. All powers of the director and requirements of the
4 2 director apply to returns filed under this subsection
4 3 including, but not limited to, the provisions of this division
4 4 and division VI of this chapter.

4 5 DIVISION VI

4 6 UNDERPAYMENT OF ESTIMATED TAXES

4 7 Sec. 11. Section 422.88, subsections 2 and 3, Code 2009,
4 8 are amended to read as follows:

4 9 2. The amount of the underpayment shall be the excess of
4 10 the amount of the installment which would be required to be
4 11 paid if the estimated tax was equal to ~~ninety~~ one hundred
4 12 percent of the tax shown on the return of the taxpayer for the
4 13 taxable year over the amount of installments paid on or before
4 14 the date prescribed for payment.

4 15 3. If the taxpayer did not file a return during the
4 16 taxable year, the amount of the underpayment shall be equal to
4 17 ~~ninety~~ one hundred percent of the taxpayer's tax liability for
4 18 the taxable year over the amount of installments paid on or
4 19 before the date prescribed for payment.

4 20 Sec. 12. RETROACTIVE APPLICABILITY. This division of this
4 21 Act applies retroactively to January 1, 2009, for tax years
4 22 beginning on or after that date.

4 23 DIVISION VII

4 24 VIOLATIONS OF THE MOTOR FUEL TAX LAWS

4 25 Sec. 13. Section 452A.74A, subsections 1, 2, and 5, Code
4 26 2009, are amended to read as follows:

4 27 1. ILLEGAL USE OF DYED FUEL. The illegal use of dyed fuel
4 28 in the supply tank of a motor vehicle shall result in a civil
4 29 penalty assessed against the owner or operator of the motor
4 30 vehicle as follows:

4 31 a. A ~~two~~ five hundred dollar ~~fine~~ penalty for the first
4 32 violation.

4 33 b. A ~~five hundred~~ one thousand dollar ~~fine~~ penalty for a
4 34 second violation within three years of the first violation.

4 35 c. A ~~one~~ two thousand dollar ~~fine~~ penalty for third and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

5 1 subsequent violations within three years of the first
5 2 violation.

5 3 2. ILLEGAL IMPORTATION OF UNTAXED FUEL. A person who
5 4 imports motor fuel or undyed special fuel without a valid
5 5 importer's license or supplier's license shall be assessed a
5 6 civil penalty as provided in this subsection. However, the
5 7 owner or operator of the importing vehicle shall not be guilty
5 8 of violating this subsection if it is shown by the owner or
5 9 operator that the owner or operator reasonably did not know or
5 10 reasonably should not have known of the illegal importation.

5 11 a. For a first violation, the importing vehicle shall be
5 12 detained and a fine penalty of ~~two~~ four thousand dollars shall
5 13 be paid before the vehicle will be released. The owner or
5 14 operator of the importing vehicle or the owner of the fuel may
5 15 be held liable for payment of the fine penalty.

5 16 b. For a second violation, the importing vehicle shall be
5 17 detained and a fine penalty of ~~five~~ ten thousand dollars shall
5 18 be paid before the vehicle will be released. The owner or
5 19 operator of the importing vehicle or the owner of the fuel may
5 20 be held liable to pay the fine penalty.

5 21 c. For third and subsequent violations, the importing
5 22 vehicle and the fuel shall be seized and a fine penalty of ~~ten~~
5 23 twenty thousand dollars shall be paid before the vehicle will
5 24 be released. The owner or operator of the importing vehicle
5 25 or the owner of the fuel may be held liable to pay the ~~fine~~
5 26 penalty.

5 27 d. If the owner or operator of the importing vehicle or
5 28 the owner of the fuel fails to pay the tax and fine penalty
5 29 for a first or second offense, the importing vehicle and the
5 30 fuel may be seized. The department of revenue, the state
5 31 department of transportation, or any peace officer, at the
5 32 request of either department, may seize the vehicle and the
5 33 fuel.

5 34 e. If the operator or owner of the importing vehicle or
5 35 the owner of the fuel ~~move~~ moves the vehicle or the fuel after



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

6 1 the vehicle has been detained and a sticker has been placed on
6 2 the vehicle stating that "This vehicle cannot be moved until
6 3 the tax, penalty, and interest have been paid to the
6 4 Department of Revenue", an additional penalty of ~~five~~ ten
6 5 thousand dollars shall be assessed against the operator or
6 6 owner of the importing vehicle or the owner of the fuel.

6 7 f. For purposes of this subsection, "vehicle" means as
6 8 defined in section 321.1.

6 9 5. PREVENTION OF INSPECTION. The department of revenue or
6 10 the state department of transportation may conduct inspections
6 11 for coloration, markers, and shipping papers at any place
6 12 where taxable fuel is or may be loaded into transport
6 13 vehicles, produced, or stored. Any attempts by a person to
6 14 prevent, stop, or delay an inspection of fuel or shipping
6 15 papers by authorized personnel shall be subject to a civil
6 16 penalty of not more than ~~one~~ two thousand dollars per
6 17 occurrence. Any law enforcement officer or department of
6 18 revenue or state department of transportation employee may
6 19 physically inspect, examine, or otherwise search any tank,
6 20 reservoir, or other container that can or may be used for the
6 21 production, storage, or transportation of any type of fuel.

6 22 DIVISION VIII

6 23 HOTEL AND MOTEL TAX

6 24 Sec. 14. Section 423A.5, subsection 1, paragraph c, Code
6 25 2009, is amended by striking the paragraph.

6 26 Sec. 15. Section 423A.5, subsection 2, paragraph c, Code
6 27 2009, is amended by striking the paragraph.

6 28 DIVISION IX

6 29 AUTOMOBILE RACETRACK FACILITIES

6 30 Sec. 16. Section 423.4, subsection 5, paragraph a,
6 31 subparagraphs (2), (3), and (4), Code 2009, are amended to
6 32 read as follows:

6 33 (2) "Change of control" means any of the following:

6 34 (a) Any change in the ownership of the original or any
6 35 subsequent legal entity that is the owner or operator of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

7 1 automobile racetrack facility such that ~~at least sixty less~~
7 2 than twenty-five percent of the equity interests in the legal
7 3 entity ~~cease to be~~ is owned by individuals who are residents
7 4 of Iowa, an Iowa corporation, or combination of both.
7 5 (b) The original owners of the legal entity that is the
7 6 owner or operator of the automobile racetrack facility shall
7 7 collectively cease to own ~~more than fifty~~ at least twenty-five
7 8 percent of the voting equity interests of such legal entity ~~or~~
~~7 9 shall otherwise cease to have effective control of such legal~~
~~7 10 entity.~~

7 11 (3) "Iowa corporation" means a corporation incorporated
7 12 under the laws of Iowa where at least ~~sixty~~ twenty-five
7 13 percent of the corporation's equity interests are owned by
7 14 individuals who are residents of Iowa.

7 15 (4) "Owner or operator" means a for-profit legal entity
7 16 where at least ~~sixty~~ twenty-five percent of its equity
7 17 interests are owned by individuals who are residents of Iowa,
7 18 an Iowa corporation, or combination of both and that is the
7 19 owner or operator of an automobile racetrack facility and is
7 20 primarily a promoter of motor vehicle races.

7 21 Sec. 17. Section 423.4, subsection 5, paragraph c,
7 22 subparagraph (4), Code 2009, is amended to read as follows:

7 23 (4) Notwithstanding subparagraph (3), the rebate of sales
7 24 tax shall cease for transactions occurring on or after the
7 25 date of the ~~sale or other transfer, whether voluntarily or~~
~~7 26 involuntarily, of the automobile racetrack facility to a party~~
~~7 27 other than the original owner of the facility or upon a change~~
7 28 of control of ~~such~~ the automobile racetrack facility.

7 29 DIVISION X

7 30 PROPERTY TAX EXEMPTION FILINGS

7 31 Sec. 18. DISASTER=IMPACTED EXEMPTION. Notwithstanding the
7 32 requirement for the filing of a claim for property tax
7 33 exemption by February 1, and notwithstanding any other
7 34 provisions to the contrary, a society or organization claiming
7 35 an exemption under section 427.1, subsection 14, may file for



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

8 1 an exemption with the local assessor by May 1, 2009, for
8 2 property that is located in a county declared a disaster area
8 3 in calendar year 2008, if the society or organization was
8 4 unable to file for the exemption as a result of the inability
8 5 or failure to file for the exemption caused by the need to
8 6 respond to a natural disaster occurring in calendar year 2008.

8 7 Sec. 19. EFFECTIVE DATE. This division of this Act, being
8 8 deemed of immediate importance, takes effect upon enactment.

8 9

DIVISION XI

8 10

REFUND OF PROPERTY TAXES

8 11 Sec. 20. 2007 Iowa Acts, chapter 186, section 29, is
8 12 amended to read as follows:

8 13 SEC. 29. REFUND OF PROPERTY TAXES. Notwithstanding the
8 14 deadline for filing a claim for property tax exemption for
8 15 property described in section 427.1, subsection 8 or 9, and
8 16 notwithstanding any other provision to the contrary, the board
8 17 of supervisors of a county having a population based upon the
8 18 latest federal decennial census of more than eighty-eight
8 19 thousand but not more than ninety-five thousand shall refund
8 20 the property taxes paid, with all interest, penalties, fees,
8 21 and costs which were due and payable in the fiscal year
8 22 beginning July 1, 2002, and in the fiscal year beginning July
8 23 1, ~~2005~~ 2006, on the land and buildings of an institution that
8 24 purchased property and that did not receive a property tax
8 25 exemption for the property due to the inability or failure to
8 26 file for the exemption. To receive the refund provided for in
8 27 this section, the institution shall apply to the county board
8 28 of supervisors by October 1, ~~2007~~ 2009, and provide
8 29 appropriate information establishing that the land and
8 30 buildings for which the refund is sought were used by the
8 31 institution for its appropriate objectives during the fiscal
8 32 year beginning July 1, 2002, and during the fiscal year
8 33 beginning July 1, ~~2005~~ 2006. The refund allowed under this
8 34 section only applies to property taxes, with all interest,
8 35 penalties, fees, and costs, due and payable in the fiscal year



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

9 1 beginning July 1, 2002, and in the fiscal year beginning July
9 2 1, ~~2005~~ 2006.
9 3 Sec. 21. 2007 Iowa Acts, chapter 186, section 30, is
9 4 amended to read as follows:
9 5 SEC. 30. IMMEDIATE EFFECTIVE DATE. ~~The section~~ Section 29
9 6 of this division of this Act, ~~amending section 427.3,~~ being
9 7 deemed of immediate importance, takes effect upon enactment
9 8 and applies retroactively to property taxes due and payable in
9 9 the fiscal year beginning July 1, 2002, and in the fiscal year
9 10 beginning July 1, ~~2005~~ 2006.
9 11 Sec. 22. EFFECTIVE DATE. This division of this Act, being
9 12 deemed of immediate importance, takes effect upon enactment.
9 13 EXPLANATION
9 14 This bill relates to the administration of the tax and
9 15 related laws by the department of revenue, including the
9 16 administration of the income tax, the franchise tax, the motor
9 17 fuel tax, and of fees for new vehicle registration.
9 18 Current law provides incentives and assistance to eligible
9 19 businesses located in enterprise zones. One of these
9 20 incentives is a 1.5 percent match as part of a housing
9 21 assistance program funded through a credit from withholding
9 22 based on the wages paid to employees participating in the
9 23 program. Division I of the bill strikes the provisions of the
9 24 Code that authorize such a program.
9 25 Division II of the bill relates to the endow Iowa program.
9 26 The program provides for a tax credit of up to 20 percent of a
9 27 taxpayer's contribution to a qualified community foundation.
9 28 Current law allows a taxpayer to take a deduction for the
9 29 contribution in addition to claiming the tax credit. The
9 30 aggregate amount of tax credits, not including certain
9 31 additional amounts authorized in section 15E.305, subsection
9 32 2, that may be issued under the program is \$2 million.
9 33 Division II of the bill increases the total aggregate limit to
9 34 \$3 million, increases the percentage of a contribution that
9 35 may be claimed to 25 percent, and eliminates the ability to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate File 466 - Introduced continued

10 1 take a deduction on a contribution for which a taxpayer is
10 2 claiming a credit under the program.

10 3 Division III of the bill relates to fees on new
10 4 registration of motorcycle leases. Code section 321.105A
10 5 currently provides that a person who purchases for lease a
10 6 motor vehicle weighing under 16,000 pounds, other than
10 7 motorcycles and motorized bicycles, does not pay the fee for
10 8 new registration if the motor vehicle is leased for 12 months
10 9 or more. Instead, a person who leases such a motor vehicle
10 10 pays a fee for new registration equal to 5 percent of the
10 11 lease price. The bill eliminates the exclusion of leased
10 12 motor vehicles from the provision, making them subject to the
10 13 same registration fees as other vehicles under 16,000 pounds.

10 14 Current law provides that dealers must collect a fee on new
10 15 registration of vehicles at the time of making a sale.

10 16 Division III of the bill eliminates this requirement.

10 17 Division IV of the bill repeals the assistive device tax
10 18 credit under the individual and corporate income taxes.

10 19 Division V of the bill provides that if the director
10 20 determines that it is necessary for the efficient
10 21 administration of the income tax, the director may require
10 22 that a composite return be filed for nonresidents other than
10 23 nonresident partners, members, beneficiaries or shareholders
10 24 in partnerships, limited liability companies, trusts, or S
10 25 corporations.

10 26 Division VI of the bill increases the standard for the
10 27 exception to the penalty for making underpayments of estimated
10 28 tax by corporations and financial institutions from 90 percent
10 29 of the tax liability to the full amount of the tax liability.
10 30 The effect of the change is to calculate underpayments under
10 31 Iowa law the same as calculating them under federal law. This
10 32 change applies retroactively to January 1, 2009, for tax years
10 33 beginning on or after that date.

10 34 Under current law, civil penalties are imposed for certain
10 35 violations of the motor fuel and special fuel tax laws in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

11 1 addition to any taxes due. Division VII of the bill increases
11 2 the penalties for the illegal use of dyed fuel in the supply
11 3 tank of a motor vehicle to \$500 for the first violation,
11 4 \$1,000 for a second violation within three years of the first
11 5 violation, and \$2,000 for the third violation, and for each
11 6 subsequent violation, within three years of the first
11 7 violation.

11 8 The division increases the penalties for the illegal
11 9 importation of untaxed fuel to \$4,000 for the first violation
11 10 and \$10,000 for a second violation, and \$20,000 for the third
11 11 violation and for each subsequent violation. The additional
11 12 penalty assessed for moving a vehicle that has been detained
11 13 for the illegal importation of untaxed fuel is increased to
11 14 \$10,000.

11 15 The division increases the penalty for preventing the
11 16 inspection of fuel to \$2,000 per occurrence.

11 17 Division VIII of the bill relates to the state and local
11 18 hotel and motel tax by making taxable certain transactions
11 19 exempt from the sales tax. Current law exempts from the state
11 20 and local hotel and motel tax the sales price from
11 21 transactions also exempt from the state sales tax under Code
11 22 section 423.3. Division IV of the bill makes these
11 23 transactions subject to the state and local hotel and motel
11 24 tax.

11 25 Division IX of the bill relates to the ownership and
11 26 control of automobile racetrack facilities. Current law
11 27 provides definitions for "change of control", "Iowa
11 28 corporation", and "owner or operator" that all use a 60
11 29 percent threshold to determine whether ownership or control is
11 30 by Iowa residents. Division IX changes the threshold to 25
11 31 percent.

11 32 Current law also provides for a sales tax rebate to the
11 33 owners of automobile racetrack facilities. This rebate ceases
11 34 upon the sale or other transfer of the facility to another
11 35 party or upon a change in control. Division IX of the bill



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate File 466 - Introduced continued

12 1 eliminates the cessation upon sale or transfer so that the
12 2 rebate only ceases upon a change in control.
12 3 Division X of the bill relates to property tax exemption
12 4 filings. To be eligible for an exemption, the owners of
12 5 certain exempt property must file for the exemption by
12 6 February 1. Division X of the bill provides that
12 7 notwithstanding the February 1 deadline, the owners of such
12 8 property have until May 1 to file for an exemption. To be
12 9 eligible for the May 1 filing deadline, the property must be
12 10 located in an area declared a disaster area in calendar year
12 11 2008 and must have missed the February 1 filing deadline as a
12 12 result of the natural disasters occurring in that year. The
12 13 division is effective upon enactment.
12 14 Division XI of the bill relates to property tax refunds.
12 15 2007 Iowa Acts, chapter 186, section 29, provided a refund to
12 16 certain owners of exempted property for fiscal years beginning
12 17 July 1, 2002, and July 1, 2005. Division XI of the bill
12 18 changes the refund for the second fiscal year from July 1,
12 19 2005, to July 1, 2006. The division is effective upon
12 20 enactment and applies retroactively to the fiscal years
12 21 beginning July 1, 2002, and July 1, 2006.
12 22 LSB 1363SV 83
12 23 tw/mg:sc/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1316

SENATE FILE
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to state taxes by eliminating and limiting tax
2 credits available under certain economic development programs
3 and agricultural assets transfer agreements, eliminating the
4 carryback of net operating losses, modifying refund interest
5 provisions, and including retroactive applicability date and
6 other applicability date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 TLSB 2703SC 83
9 tw/sc:mg/8



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

PAG LIN

1 1 DIVISION I
1 2 ADDITIONAL RESEARCH AND DEVELOPMENT TAX CREDIT
1 3 Section 1. Section 15.335A, subsection 1, Code 2009, is
1 4 amended to read as follows:
1 5 1. Tax incentives are available to eligible businesses as
1 6 provided in this section. The incentives are based upon the
1 7 number of new high quality jobs created and the amount of the
1 8 qualifying investment made according to the following
1 9 schedule:
1 10 a. The number of new high quality jobs created with an
1 11 annual wage, including benefits, equal to or greater than one
1 12 hundred thirty percent of the average county wage is one of
1 13 the following:
1 14 (1) The number of jobs is zero and economic activity is
1 15 furthered by the qualifying investment and the amount of the
1 16 qualifying investment is one of the following:
1 17 (a) Less than one hundred thousand dollars, then the tax
1 18 incentive is the investment tax credit of up to one percent.
1 19 (b) At least one hundred thousand dollars ~~but less than~~
1 20 ~~five hundred thousand dollars~~, then the tax incentives are the
1 21 investment tax credit of up to one percent and the sales tax
1 22 refund.
1 23 ~~(c) At least five hundred thousand dollars, then the tax~~
1 24 ~~incentives are the investment tax credit of up to one percent,~~
1 25 ~~the sales tax refund, and the additional research and~~
1 26 ~~development tax credit.~~
1 27 (2) The number of jobs is one but not more than five and
1 28 the amount of the qualifying investment is one of the
1 29 following:
1 30 (a) Less than one hundred thousand dollars, then the tax
1 31 incentive is the investment tax credit of up to two percent.
1 32 (b) At least one hundred thousand dollars ~~but less than~~
1 33 ~~five hundred thousand dollars~~, then the tax incentives are the
1 34 investment tax credit of up to two percent and the sales tax
1 35 refund.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

2 1 ~~(c) At least five hundred thousand dollars, then the tax~~
2 2 ~~incentives are the investment tax credit of up to two percent,~~
2 3 ~~the sales tax refund, and the additional research and~~
2 4 ~~development tax credit.~~

2 5 (3) The number of jobs is six but not more than ten and
2 6 the amount of the qualifying investment is one of the
2 7 following:

2 8 (a) Less than one hundred thousand dollars, then the tax
2 9 incentive is the investment tax credit of up to three percent.

2 10 (b) At least one hundred thousand dollars ~~but less than~~
2 11 ~~five hundred thousand dollars~~, then the tax incentives are the
2 12 investment tax credit of up to three percent and the sales tax
2 13 refund.

2 14 ~~(c) At least five hundred thousand dollars, then the tax~~
2 15 ~~incentives are the investment tax credit of up to three~~
2 16 ~~percent, the sales tax refund, and the additional research and~~
2 17 ~~development tax credit.~~

2 18 (4) The number of jobs is eleven but not more than fifteen
2 19 and the amount of the qualifying investment is one of the
2 20 following:

2 21 (a) Less than one hundred thousand dollars, then the tax
2 22 incentive is the investment tax credit of up to four percent.

2 23 (b) At least one hundred thousand dollars ~~but less than~~
2 24 ~~five hundred thousand dollars~~, then the tax incentives are the
2 25 investment tax credit of up to four percent and the sales tax
2 26 refund.

2 27 ~~(c) At least five hundred thousand dollars, then the tax~~
2 28 ~~incentives are the investment tax credit of up to four~~
2 29 ~~percent, the sales tax refund, and the additional research and~~
2 30 ~~development tax credit.~~

2 31 (5) The number of jobs is sixteen or more and the amount
2 32 of the qualifying investment is one of the following:

2 33 (a) Less than one hundred thousand dollars, then the tax
2 34 incentive is the investment tax credit of up to five percent.

2 35 (b) At least one hundred thousand dollars ~~but less than~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

~~Senate Study Bill 1316 continued~~

~~3 1 five hundred thousand dollars, then the tax incentives are the
3 2 investment tax credit of up to five percent and the sales tax
3 3 refund.~~

~~3 4 (c) At least five hundred thousand dollars, then the tax
3 5 incentives are the investment tax credit of up to five
3 6 percent, the sales tax refund, and the additional research and
3 7 development tax credit.~~

3 8 b. In lieu of paragraph "a", the number of new high
3 9 quality jobs created with an annual wage, including benefits,
3 10 equal to or greater than one hundred sixty percent of the
3 11 average county wage is one of the following:

3 12 (1) The number of jobs is twenty-one but not more than
3 13 thirty and the amount of the qualifying investment is at least
3 14 ten million dollars, then the tax incentives are the local
3 15 property tax exemption, the investment tax credit of up to six
3 16 percent, and the sales tax refund, ~~and the additional research
3 17 and development tax credit.~~

3 18 (2) The number of jobs is thirty-one but not more than
3 19 forty and the amount of the qualifying investment is at least
3 20 ten million dollars, then the tax incentives are the local
3 21 property tax exemption, the investment tax credit of up to
3 22 seven percent, and the sales tax refund, ~~and the additional
3 23 research and development tax credit.~~

3 24 (3) The number of jobs is forty-one but not more than
3 25 fifty and the amount of the qualifying investment is at least
3 26 ten million dollars, then the tax incentives are the local
3 27 property tax exemption, the investment tax credit of up to
3 28 eight percent, and the sales tax refund, ~~and the additional
3 29 research and development tax credit.~~

3 30 (4) The number of jobs is fifty-one but not more than
3 31 sixty and the amount of the qualifying investment is at least
3 32 ten million dollars, then the tax incentives are the local
3 33 property tax exemption, the investment tax credit of up to
3 34 nine percent, and the sales tax refund, ~~and the additional
3 35 research and development tax credit.~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

4 1 (5) The number of jobs is at least sixty-one and the
4 2 amount of the qualifying investment is at least ten million
4 3 dollars, then the tax incentives are the local property tax
4 4 exemption, the investment tax credit of up to ten percent, and
4 5 the sales tax refund, ~~and the additional research and~~
~~4 6 development tax credit.~~

4 7 Sec. 2. Section 15.335A, subsection 2, paragraph a, Code
4 8 2009, is amended by striking the paragraph.

4 9 Sec. 3. Section 15A.9, subsection 8, Code 2009, is amended
4 10 by striking the subsection.

4 11 Sec. 4. Section 15E.192, subsection 3, Code 2009, is
4 12 amended to read as follows:

4 13 3. A city may create an economic development enterprise
4 14 zone as authorized in this division, subject to certification
4 15 by the department of economic development, by designating up
4 16 to four square miles of the city for that purpose. In order
4 17 for an enterprise zone to be certified pursuant to this
4 18 subsection, an enterprise zone shall meet the distress
4 19 criteria provided in section 15E.194, subsection 3. Section
4 20 15E.194, subsection 2, shall not apply to an enterprise zone
4 21 certified pursuant to this subsection. For the fiscal period
4 22 beginning July 1, 2007, and ending June 30, 2010, each fiscal
4 23 year a cumulative total of not more than twenty-five million
4 24 dollars worth of incentives and assistance under section
4 25 15E.196, subsections 1, 2, 3, ~~4~~, and 6, shall be awarded to
4 26 eligible businesses that apply to an enterprise zone
4 27 commission for incentives and assistance during that fiscal
4 28 year and that are located in an enterprise zone certified
4 29 pursuant to this subsection. For purposes of this subsection
4 30 and section 15E.194, subsection 3, "city" means a city that
4 31 includes at least three census tracts, as determined in the
4 32 most recent federal census.

4 33 Sec. 5. Section 15E.196, subsection 4, Code 2009, is
4 34 amended by striking the subsection.

4 35 Sec. 6. Section 422.10, subsection 5, Code 2009, is



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

5 1 amended by striking the subsection.
5 2 Sec. 7. Section 422.33, subsection 5, paragraphs f and g,
5 3 Code 2009, are amended by striking the paragraphs.
5 4 Sec. 8. Section 15.335, Code 2009, is repealed.
5 5 Sec. 9. APPLICABILITY DATE. This division of this Act
5 6 applies to contracts entered into on or after July 1, 2009.
5 7
5 8 DIVISION II
5 9 TAX CREDIT LIMITS
5 10 Sec. 10. NEW SECTION. 15.119 AGGREGATE TAX CREDIT LIMIT
5 11 FOR CERTAIN ECONOMIC DEVELOPMENT PROGRAMS.
5 12 1. Notwithstanding any provision to the contrary in
5 13 sections 15.327 through 15.336, 15.393, 15E.191 through
5 14 15E.197, 260E.5, 403.19A, and 422.11E and section 422.33,
5 15 subsection 9, the department shall not authorize an amount of
5 16 tax credits for purposes specified in subsection 2 in excess
5 17 of one hundred seventy-five million dollars in any fiscal
5 18 year.
5 19 2. The department, with the approval of the board, shall
5 20 adopt by rule a procedure for allocating the aggregate tax
5 21 credit limit established in this section among the following
5 22 programs administered by the department:
5 23 a. The high quality job creation program administered
5 24 pursuant to sections 15.326 through 15.336.
5 25 b. The film, television, and video project promotion
5 26 program administered pursuant to sections 15.391 through
5 27 15.393.
5 28 c. The enterprise zones program administered pursuant to
5 29 sections 15E.191 through 15E.197.
5 30 d. The industrial new jobs training credit from
5 31 withholding program administered pursuant to section 260E.5.
5 32 e. The targeted jobs withholding tax credit program
5 33 administered pursuant to section 403.19A.
5 34 f. The assistive device tax credit program administered
5 35 pursuant to section 422.11E and section 422.33, subsection 9.
5 36 3. The department shall submit to the department of



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

6 1 revenue on or before August 15 of each year a report on the
6 2 tax credits allocated pursuant to this section and the tax
6 3 credits awarded under each of the programs described in
6 4 subsection 2.

6 5 Sec. 11. Section 175.37, Code 2009, is amended by adding
6 6 the following new subsection:

6 7 NEW SUBSECTION. 10. The amount of tax credit certificates
6 8 that may be issued pursuant to this section shall not exceed
6 9 three million dollars in any fiscal year. The authority shall
6 10 issue the tax credit certificates on a first-come,
6 11 first-served basis.

6 12 Sec. 12. APPLICABILITY DATE. This division of this Act
6 13 applies to contracts and agreements entered into or tax
6 14 credits awarded on or after July 1, 2009.

6 15 DIVISION III

6 16 NET OPERATING LOSS CARRYBACK

6 17 Sec. 13. Section 422.35, subsection 11, Code 2009, is
6 18 amended to read as follows:

6 19 11. If after applying all of the adjustments provided for
6 20 in this section and the allocation and apportionment
6 21 provisions of section 422.33, the Iowa taxable income results
6 22 in a net operating loss, such net operating loss shall be
6 23 deducted as follows:

6 24 a. The For tax years beginning prior to January 1, 2009,
6 25 the Iowa net operating loss shall be carried back three
6 26 taxable years for a net operating loss incurred in a
6 27 presidentially declared disaster area by a taxpayer engaged in
6 28 a small business or in the trade or business of farming. For
6 29 all other Iowa net operating losses for tax years beginning
6 30 prior to January 1, 2009, the net operating loss shall be
6 31 carried back two taxable years or to the taxable year in which
6 32 the corporation first commenced doing business in this state,
6 33 whichever is later.

6 34 b. The An Iowa net operating loss for a tax year beginning
6 35 on or after January 1, 2009, or an Iowa net operating loss



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

7 1 remaining after being carried back as required in paragraph
7 2 "a" or "f" ~~or if not required to be carried back~~ shall be
7 3 carried forward twenty taxable years.
7 4 c. If the election under section 172(b)(3) of the Internal
7 5 Revenue Code is made, the Iowa net operating loss shall be
7 6 carried forward twenty taxable years.
7 7 d. No portion of a net operating loss which was sustained
7 8 from that portion of the trade or business carried on outside
7 9 the state of Iowa shall be deducted.
7 10 e. The limitations on net operating loss carryback and
7 11 carryforward under sections 172(b)(1)(E) and 172(h) of the
7 12 Internal Revenue Code shall apply.
7 13 f. Notwithstanding paragraph "a", for a taxpayer who is
7 14 engaged in the trade or business of farming as defined in
7 15 section 263A(e)(4) of the Internal Revenue Code and has a loss
7 16 from farming as defined in section 172(b)(1)(F) of the
7 17 Internal Revenue Code including modifications prescribed by
7 18 rule by the director, the Iowa loss from the trade or business
7 19 of farming, for tax years beginning prior to January 1, 2009,
7 20 is a net operating loss which may be carried back five taxable
7 21 years prior to the taxable year of the loss.
7 22 g. Provided, however, that The deductions described in
7 23 paragraphs "a" through "f" of this subsection are allowed
7 24 subject to the requirement that a corporation affected by the
7 25 allocation provisions of section 422.33 shall be permitted to
7 26 deduct only ~~such that~~ that portion of the deductions for net
7 27 operating loss and federal income taxes ~~as that~~ is fairly and
7 28 equitably allocable to Iowa, under rules prescribed by the
7 29 director.
7 30 Sec. 14. RETROACTIVE APPLICABILITY DATE. This division of
7 31 this Act applies retroactively to January 1, 2009, for tax
7 32 years beginning on or after that date.
7 33 DIVISION IV
7 34 REFUND INTEREST
7 35 Sec. 15. Section 422.25, subsection 3, Code 2009, is



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

8 1 amended to read as follows:

8 2 3. If the amount of the tax as determined by the
8 3 department is less than the amount paid, the excess shall be
8 4 refunded with interest, the interest to begin to accrue on the
8 5 first day of the ~~second~~ third calendar month following the
8 6 date of payment or the date the return was due to be filed, or
8 7 the extended due date by which the return was due to be filed
8 8 if ninety percent of the tax was paid by the original due
8 9 date, or was filed, whichever is the latest, at the rate in
8 10 effect under section 421.7 counting each fraction of a month
8 11 as an entire month under the rules prescribed by the director.
8 12 If an overpayment of tax results from a net operating loss or
8 13 net capital loss which is carried back to a prior year, the
8 14 overpayment, for purposes of computing interest on refunds,
8 15 shall be considered as having been made on the date a claim
8 16 for refund or amended return carrying back the net operating
8 17 loss or net capital loss is filed with the department or on
8 18 the first day of the ~~second~~ third calendar month following the
8 19 date of the actual payment of the tax, whichever is later.
8 20 However, when the net operating loss or net capital loss
8 21 carryback to a prior year eliminates or reduces an
8 22 underpayment of tax due for an earlier year, the full amount
8 23 of the underpayment of tax shall bear interest at the rate in
8 24 effect under section 421.7 for each month counting each
8 25 fraction of a month as an entire month from the due date of
8 26 the tax for the earlier year to the last day of the taxable
8 27 year in which the net operating loss or net capital loss
8 28 occurred.

8 29 Sec. 16. Section 422.91, Code 2009, is amended to read as
8 30 follows:

8 31 422.91 CREDIT FOR ESTIMATED TAX.

8 32 1. Any amount of estimated tax paid is a credit against
8 33 the amount of tax due on a final, completed return, and any
8 34 overpayment of five dollars or more shall be refunded to the
8 35 taxpayer with interest, the interest to begin to accrue on the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1316 continued

9 1 first day of the ~~second~~ third calendar month following the
9 2 date of payment or the date the return was due to be filed or
9 3 was filed, whichever is the latest, at the rate established
9 4 under section 421.7, and the return constitutes a claim for
9 5 refund for this purpose. Amounts less than five dollars shall
9 6 be refunded to the taxpayer only upon written application in
9 7 accordance with section 422.73, and only if the application is
9 8 filed within twelve months after the due date for the return.
9 9 2. In lieu of claiming a refund, the taxpayer may elect to
9 10 have the overpayment shown on its final, completed return for
9 11 the taxable year credited to the tax liability for the
9 12 following taxable year.

9 13 Sec. 17. RETROACTIVE APPLICABILITY DATE. This division of
9 14 this Act applies retroactively to January 1, 2009, for tax
9 15 years beginning on or after that date.

9 16 EXPLANATION

9 17 This bill relates to tax credits for economic development
9 18 and agricultural assets transfers, to net operating losses,
9 19 and to refund interest.

9 20 Division I of the bill eliminates the additional research
9 21 activities tax credit and makes a number of conforming
9 22 amendments. The division applies to contracts entered into on
9 23 or after July 1, 2009.

9 24 Division II of the bill sets a maximum aggregate limit on
9 25 the amount of tax credits the department of economic
9 26 development may issue pursuant to the high quality jobs
9 27 creation program, the film television and video project
9 28 promotion program, the enterprise zones program, the
9 29 industrial new jobs training credit from withholding program,
9 30 the targeted jobs withholding tax credit program, and the
9 31 assistive device tax credit program. The department may not
9 32 issue more than \$175 million of tax credits under these
9 33 programs.

9 34 Division II also limits the amount of tax credits that may
9 35 be issued under the agricultural assets transfer tax credit



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1316 continued

10 1 program to \$3 million.
10 2 Division II applies to contracts and agreements entered
10 3 into or tax credits awarded on or after July 1, 2009.
10 4 Division III ends the carryback of net operating losses of
10 5 corporations in tax years beginning on or after January 1,
10 6 2009, and provides only for the current carryforward period of
10 7 twenty taxable years.
10 8 Division III applies retroactively to January 1, 2009, for
10 9 tax years beginning on or after that date.
10 10 Code sections 422.25 and 422.91 provide for the accrual of
10 11 interest on refunds due to individual and corporate income
10 12 taxpayers. The refund period begins on the first day of the
10 13 second calendar month following the date of payment or the
10 14 date the return was due to be filed. Division IV of the bill
10 15 provides that the period begins on the first day of the third
10 16 calendar month.
10 17 Division IV applies retroactively to January 1, 2009, for
10 18 tax years beginning on or after that date.
10 19 LSB 2703SC 83
10 20 tw/sc:mg/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317

SENATE FILE
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

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

A BILL FOR

1 An Act relating to the individual income tax by providing for
2 reduced tax rates, the elimination of federal deductibility,
3 increasing the credits for elderly and blind individuals,
4 increasing the amount of the earned income tax credit, and
5 adjusting the eligibility for the child and dependent care tax
6 credit and early childhood development tax credit and
7 including a retroactive applicability date provision.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
9 TLSB 2673XC 83
10 tw/mg:sc/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317 continued

PAG LIN

1 1 Section 1. Section 422.4, subsection 1, paragraphs b and
 1 2 c, Code 2009, are amended to read as follows:
 1 3 b. "Cumulative inflation factor" means the product of the
 1 4 annual inflation factor for the ~~1988~~ 2009 calendar year and
 1 5 all annual inflation factors for subsequent calendar years as
 1 6 determined pursuant to this subsection. The cumulative
 1 7 inflation factor applies to all tax years beginning on or
 1 8 after January 1 of the calendar year for which the latest
 1 9 annual inflation factor has been determined.

1 10 c. The annual inflation factor for the ~~1988~~ 2009 calendar
 1 11 year is one hundred percent.

1 12 Sec. 2. Section 422.4, subsection 16, Code 2009, is
 1 13 amended to read as follows:

1 14 16. The words "taxable income" mean the net income as
 1 15 defined in section 422.7 minus the deductions allowed by
 1 16 section 422.9, in the case of individuals; in the case of
 1 17 estates or trusts, the words "taxable income" mean the taxable
 1 18 income (without a deduction for personal exemption) as
 1 19 computed for federal income tax purposes under the Internal
 1 20 Revenue Code, but with the adjustments specified in section
 1 21 422.7 plus the Iowa income tax deducted in computing the
 1 22 federal taxable income ~~and minus federal income taxes as~~
 1 23 ~~provided in section 422.9.~~

1 24 Sec. 3. Section 422.5, subsection 1, paragraphs a through
 1 25 i, Code 2009, are amended to read as follows:

	<u>For tax years beginning</u>
	<u>in the calendar year:</u>
	<u>2009 2010 and</u>
	<u>subsequent</u>
	<u>calendar years</u>

1 31 a. On all taxable income from
 1 32 zero through one thousand four
 1 33 hundred seven dollars, ~~thirty-six~~
 1 34 ~~hundredths of one percent.~~: 0.30% 0.31%

1 35 b. On all taxable income



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317 continued

2	1	exceeding one thousand <u>four hundred</u>		
2	2	<u>seven</u> dollars but not exceeding two		
2	3	thousand <u>eight hundred fourteen</u>		
2	4	dollars, seventy-two hundredths of		
2	5	one percent.:	0.59%	0.60%
2	6	c. On all taxable income		
2	7	exceeding two thousand <u>eight hundred</u>		
2	8	<u>fourteen</u> dollars but not exceeding		
2	9	four <u>five</u> thousand <u>six hundred</u>		
2	10	<u>twenty-eight</u> dollars,		
2	11	two and forty-three hundredths		
2	12	percent.:	1.95%	2.00%
2	13	d. On all taxable income		
2	14	exceeding four <u>five</u> thousand <u>six</u>		
2	15	<u>hundred twenty-eight</u> dollars but		
2	16	not exceeding nine <u>twelve</u> thousand		
2	17	<u>six hundred sixty-three</u> dollars,		
2	18	four and one-half percent.:	4.18%	4.28%
2	19	e. On all taxable income		
2	20	exceeding nine <u>twelve</u> thousand		
2	21	<u>six hundred sixty-three</u> dollars but		
2	22	not exceeding fifteen <u>twenty-one</u>		
2	23	thousand <u>one hundred five</u> dollars,		
2	24	six and twelve hundredths		
2	25	percent.:	5.42%	5.56%
2	26	f. On all taxable income		
2	27	exceeding fifteen <u>twenty-one</u>		
2	28	thousand <u>one hundred five</u> dollars		
2	29	but not exceeding twenty <u>twenty-eight</u>		
2	30	thousand <u>one hundred forty</u> dollars,		
2	31	six and forty-eight hundredths		
2	32	percent.:	5.42%	5.56%
2	33	g. On all taxable income		
2	34	exceeding twenty <u>twenty-eight</u>		
2	35	thousand <u>one hundred forty</u> dollars		



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317 continued

3 1 but not exceeding ~~thirty~~ forty-two
3 2 thousand two hundred ten dollars,
~~3 3 six and eight-tenths percent.:~~ 5.73% 5.87%
3 4 h. On all taxable income
3 5 exceeding ~~thirty~~ forty-two thousand
3 6 two hundred ten dollars but not
3 7 exceeding ~~forty-five~~ sixty-three
3 8 thousand three hundred fifteen
3 9 dollars, ~~seven and ninety-two~~
~~3 10 hundredths percent.:~~ 6.16% 6.30%
3 11 i. On all taxable income
3 12 exceeding ~~forty-five~~ sixty-three
3 13 thousand three hundred fifteen
3 14 dollars, ~~eight and ninety-eight~~
~~3 15 hundredths percent.:~~ 6.98% 6.98%
3 16 Sec. 4. Section 422.9, subsection 2, paragraph b, Code
3 17 2009, is amended to read as follows:
3 18 b. ~~Add the amount of federal income taxes paid or accrued,~~
~~3 19 as the case may be, during the tax year and subtract any~~
~~3 20 federal income tax refunds received during the tax year. Add~~
3 21 the amount of federal income taxes paid in a tax year
3 22 beginning on or after January 1, 2009, but before January 1,
3 23 2010, to the extent payment is for a tax year beginning prior
3 24 to January 1, 2009. Subtract the amount of federal income tax
3 25 refunds received in a tax year beginning on or after January
3 26 1, 2009, but before January 1, 2010, to the extent that the
3 27 federal income tax was deducted on an Iowa individual income
3 28 tax return for a tax year beginning prior to January 1, 2009.
3 29 Where married persons, who have filed a joint federal income
3 30 tax return, file separately, such total shall be divided
3 31 between them according to the portion of the total paid or
3 32 accrued, as the case may be, by each. Federal income taxes
3 33 paid for a tax year in which an Iowa return was not required
3 34 to be filed shall not be added and federal income tax refunds
3 35 received from a tax year in which an Iowa return was not



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1317 continued

4 1 required to be filed shall not be subtracted.

4 2 Sec. 5. Section 422.12, subsection 1, paragraphs d and e,
4 3 Code 2009, are amended to read as follows:

4 4 d. For a single individual, husband, wife, or head of
4 5 household, an additional exemption of ~~twenty~~ forty dollars for
4 6 each of said individuals who has attained the age of
4 7 sixty-five years before the close of the tax year or on the
4 8 first day following the end of the tax year.

4 9 e. For a single individual, husband, wife, or head of
4 10 household, an additional exemption of ~~twenty~~ forty dollars for
4 11 each of said individuals who is blind at the close of the tax
4 12 year. For the purposes of this paragraph, an individual is
4 13 blind only if the individual's central visual acuity does not
4 14 exceed twenty-two hundredths in the better eye with correcting
4 15 lenses, or if the individual's visual acuity is greater than
4 16 twenty-two hundredths but is accompanied by a limitation in
4 17 the fields of vision such that the widest diameter of the
4 18 visual field subtends an angle no greater than twenty degrees.

4 19 Sec. 6. Section 422.12B, subsection 1, Code 2009, is
4 20 amended to read as follows:

4 21 1. The taxes imposed under this division less the credits
4 22 allowed under section 422.12 shall be reduced by an earned
4 23 income credit equal to ~~seven~~ eight percent of the federal
4 24 earned income credit provided in section 32 of the Internal
4 25 Revenue Code. Any credit in excess of the tax liability is
4 26 refundable.

4 27 Sec. 7. Section 422.12C, subsection 1, Code 2009, is
4 28 amended to read as follows:

4 29 1. a. The taxes imposed under this division, less the
4 30 amounts of nonrefundable credits allowed under this division,
4 31 shall be reduced by a child and dependent care credit equal to
4 32 the following percentages of the federal child and dependent
4 33 care credit provided in section 21 of the Internal Revenue
4 34 Code:

4 35 ~~a.~~ (1) For a taxpayer with net income of less than ten



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1317 continued

5 1 thousand dollars, ~~seventy-five~~ eighty percent.

5 2 ~~b.~~ (2) For a taxpayer with net income of ten thousand
5 3 dollars or more but less than twenty thousand dollars,
5 4 ~~sixty-five~~ seventy percent.

5 5 ~~e.~~ (3) For a taxpayer with net income of twenty thousand
5 6 dollars or more but less than twenty-five thousand dollars,
5 7 ~~fifty-five~~ sixty percent.

5 8 ~~d.~~ (4) For a taxpayer with net income of twenty-five
5 9 thousand dollars or more but less than thirty-five thousand
5 10 dollars, ~~fifty~~ fifty-five percent.

5 11 ~~e.~~ (5) For a taxpayer with net income of thirty-five
5 12 thousand dollars or more but less than forty thousand dollars,
5 13 ~~forty~~ forty-five percent.

5 14 ~~f.~~ (6) For a taxpayer with net income of forty thousand
5 15 dollars or more but less than forty-five thousand dollars,
5 16 ~~thirty~~ thirty-five percent.

5 17 ~~g.~~ (7) For a taxpayer with net income of forty-five
5 18 thousand dollars or more, ~~zero~~ but less than fifty thousand
5 19 dollars, thirty percent.

5 20 (8) For a taxpayer with net income of fifty thousand
5 21 dollars or more, zero percent.

5 22 b. (1) For the tax year beginning in the 2010 calendar
5 23 year and for each subsequent tax year, the dollar amounts set
5 24 forth in paragraph "a", subparagraphs (1) through (8), shall
5 25 be multiplied by the cumulative adjustment factor for that tax
5 26 year. "Cumulative adjustment factor" means the product of the
5 27 annual adjustment factor for the 2009 tax year and all annual
5 28 adjustment factors for subsequent tax years. The cumulative
5 29 adjustment factor applies to the tax year beginning in the
5 30 calendar year for which the latest annual adjustment factor
5 31 has been determined.

5 32 (2) The annual adjustment factor for the 2009 tax year is
5 33 one hundred percent. For each subsequent tax year, the annual
5 34 adjustment factor equals the annual inflation factor for the
5 35 calendar year, in which the tax year begins, as computed in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1317 continued

6 1 section 422.4 for purposes of the individual income tax.

6 2 (3) The director shall determine for the 2010 tax year and

6 3 each subsequent tax year the annual and cumulative adjustment

6 4 factor for that tax year. The annual and cumulative

6 5 adjustment factors determined by the director are not rules as

6 6 defined in section 17A.2, subsection 11.

6 7 Sec. 8. Section 422.12C, subsection 2, unnumbered

6 8 paragraph 1, Code 2009, is amended to read as follows:

6 9 The taxes imposed under this division, less the amounts of

6 10 nonrefundable credits allowed under this division, may be

6 11 reduced by an early childhood development tax credit equal to

6 12 twenty-five percent of the first one thousand dollars which

6 13 the taxpayer has paid to others for each dependent, as defined

6 14 in the Internal Revenue Code, ages three through five for

6 15 early childhood development expenses. In determining the

6 16 amount of early childhood development expenses for the tax

6 17 year beginning in the 2006 calendar year only, such expenses

6 18 paid during November and December of the previous tax year

6 19 shall be considered paid in the tax year for which the tax

6 20 credit is claimed. This credit is available to a taxpayer

6 21 whose net income is less than ~~forty-five~~ fifty thousand

6 22 dollars. If the early childhood development tax credit is

6 23 claimed for a tax year, the taxpayer and the taxpayer's spouse

6 24 shall not claim the child and dependent care credit under

6 25 subsection 1. As used in this subsection, "early childhood

6 26 development expenses" means services provided to the dependent

6 27 by a preschool, as defined in section 237A.1, materials, and

6 28 other activities as follows:

6 29 Sec. 9. Section 422.21, unnumbered paragraph 5, Code 2009,

6 30 is amended to read as follows:

6 31 The director shall determine for the ~~1989~~ 2010 and each

6 32 subsequent calendar year the annual and cumulative inflation

6 33 factors for each calendar year to be applied to tax years

6 34 beginning on or after January 1 of that calendar year. The

6 35 director shall compute the new dollar amounts as specified to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317 continued

7 1 be adjusted in section 422.5 by the latest cumulative
7 2 inflation factor and round off the result to the nearest one
7 3 dollar. The annual and cumulative inflation factors
7 4 determined by the director are not rules as defined in section
7 5 17A.2, subsection 11. The director shall determine for the
7 6 1990 calendar year and each subsequent calendar year the
7 7 annual and cumulative standard deduction factors to be applied
7 8 to tax years beginning on or after January 1 of that calendar
7 9 year. The director shall compute the new dollar amounts of
7 10 the standard deductions specified in section 422.9, subsection
7 11 1, by the latest cumulative standard deduction factor and
7 12 round off the result to the nearest ten dollars. The annual
7 13 and cumulative standard deduction factors determined by the
7 14 director are not rules as defined in section 17A.2, subsection
7 15 11.

7 16 Sec. 10. RETROACTIVE APPLICABILITY. This Act applies
7 17 retroactively to January 1, 2009, for tax years beginning on
7 18 or after that date.

7 19 EXPLANATION

7 20 This bill makes the following changes to the individual
7 21 income tax: (1) changes the tax rate on each of the current
7 22 income tax brackets for tax years 2009 and 2010 and subsequent
7 23 years; (2) eliminates the ability to deduct federal income
7 24 taxes paid and the requirement to include federal tax refunds;
7 25 (3) raises the tax credit for blind individuals and the tax
7 26 credit for elderly individuals from \$20 to \$40; (4) increases
7 27 the amount of the earned income tax credit that may be claimed
7 28 from 7 percent to 8 percent of the amount of the federal
7 29 credit; and (5) adjusts the child and dependent care tax
7 30 credit eligibility by indexing the income thresholds to
7 31 inflation, increasing by 5 percentage points the amount of the
7 32 federal tax credit that each income level may claim, and
7 33 creating a new threshold level for taxpayers earning \$45,000
7 34 or more per year but less than \$50,000.

7 35 Current law provides for an early childhood development tax



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1317 continued

8 1 credit equal to twenty-five percent of the first one thousand
8 2 dollars which the taxpayer has paid to others for each
8 3 dependent. The credit is limited to taxpayers earning less
8 4 than \$45,000. A taxpayer claiming the credit cannot also claim
8 5 the child and dependent care credit. The bill changes the
8 6 income eligibility limit for the early childhood development
8 7 tax credit to \$50,000.

8 8 The new income tax rates for tax year 2009 are as follows:
8 9 (1) on all taxable income from zero through \$1,407, 0.30
8 10 percent; (2) on all taxable income exceeding \$1,407 but not
8 11 exceeding \$2,814, 0.59 percent; (3) on all taxable income
8 12 exceeding \$2,814 but not exceeding \$5,628, 1.95 percent; (4)
8 13 on all taxable income exceeding \$5,628 but not exceeding
8 14 \$12,663, 4.18 percent; (5) on all taxable income exceeding
8 15 \$12,663 but not exceeding \$21,105, 5.42 percent; (6) on all
8 16 taxable income exceeding \$21,105 but not exceeding \$28,140,
8 17 5.42 percent; (7) on all taxable income exceeding \$28,140 but
8 18 not exceeding \$42,210, 5.73 percent; (8) on all taxable income
8 19 exceeding \$42,210 but not exceeding \$63,315, 6.16 percent; and
8 20 (9) on all taxable income exceeding \$63,315, 6.98 percent.

8 21 The new income tax rates for tax year 2010 are as follows:
8 22 (1) on all taxable income from zero through \$1,407, 0.31
8 23 percent; (2) on all taxable income exceeding \$1,407 but not
8 24 exceeding \$2,814, 0.60 percent; (3) on all taxable income
8 25 exceeding \$2,814 but not exceeding \$5,628, 2.0 percent; (4) on
8 26 all taxable income exceeding \$5,628 but not exceeding \$12,663,
8 27 4.28 percent; (5) on all taxable income exceeding \$12,663 but
8 28 not exceeding \$21,105, 5.56 percent; (6) on all taxable income
8 29 exceeding \$21,105 but not exceeding \$28,140, 5.56 percent; (7)
8 30 on all taxable income exceeding \$28,140 but not exceeding
8 31 \$42,210, 5.87 percent; (8) on all taxable income exceeding
8 32 \$42,210 but not exceeding \$63,315, 6.30 percent; and (9) on
8 33 all taxable income exceeding \$63,315, 6.98 percent. However,
8 34 these bracket amounts will be adjusted annually for inflation.

8 35 The bill applies retroactively to January 1, 2009, for tax



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1317 continued

- 9 1 years beginning on or after that date.
- 9 2 LSB 2673XC 83
- 9 3 tw/mg:sc/14.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1318

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON ECONOMIC
DEVELOPMENT)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to and making appropriations to the department of
2 cultural affairs, the department of economic development,
3 certain board of regents institutions, the department of
4 workforce development, and the public employment relations
5 board, and related matters.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1002JB 83
8 tw/tm:jp/5



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

PAG LIN

1 1 Section 1. DEPARTMENT OF CULTURAL AFFAIRS. There is
 1 2 appropriated from the general fund of the state to the
 1 3 department of cultural affairs for the fiscal year beginning
 1 4 July 1, 2009, and ending June 30, 2010, the following amounts,
 1 5 or so much thereof as is necessary, to be used for the
 1 6 purposes designated:

1 7 1. ADMINISTRATION

1 8 For salaries, support, maintenance, miscellaneous purposes,
 1 9 and for not more than the following full-time equivalent
 1 10 positions for the department:

1 11	\$	235,632
1 12	FTEs	82.77

1 13 The department of cultural affairs shall coordinate
 1 14 activities with the tourism office of the department of
 1 15 economic development to promote attendance at the state
 1 16 historical building and at this state's historic sites.
 1 17 Full-time equivalent positions authorized under this
 1 18 subsection shall be funded, in full or in part, using moneys
 1 19 appropriated under this subsection and subsections 3 through
 1 20 7.

1 21 2. COMMUNITY CULTURAL GRANTS

1 22 For planning and programming for the community cultural
 1 23 grants program established under section 303.3:

1 24	\$	279,159
------------	----	---------

1 25 3. HISTORICAL DIVISION

1 26 For the support of the historical division:

1 27	\$	3,550,119
------------	----	-----------

1 28 From the moneys appropriated under this subsection, the
 1 29 department shall use \$50,000 for purposes of planning
 1 30 commemoration activities for the sesquicentennial anniversary
 1 31 of the civil war and Iowa's participation in the civil war.
 1 32 Such activities may include activities in Iowa, activities
 1 33 through partnerships with other states, and activities on a
 1 34 national level.

1 35 4. HISTORIC SITES



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

2 1 For the administration and support of historic sites:
 2 2 \$ 547,845
 2 3 5. ARTS DIVISION
 2 4 For the support of the arts division:
 2 5 \$ 1,137,458
 2 6 6. GREAT PLACES
 2 7 For the great places program:
 2 8 \$ 248,060
 2 9 7. ARCHIVE IOWA GOVERNORS' RECORDS
 2 10 For archiving the records of Iowa governors:
 2 11 \$ 77,936
 2 12 8. RECORDS CENTER RENT
 2 13 For payment of rent for the state records center:
 2 14 \$ 222,018
 2 15 Sec. 2. GOALS AND ACCOUNTABILITY == ECONOMIC DEVELOPMENT.
 2 16 1. For the fiscal year beginning July 1, 2009, the goals
 2 17 for the department of economic development shall be to expand
 2 18 and stimulate the state economy, increase the wealth of
 2 19 Iowans, and increase the population of the state.
 2 20 2. To achieve the goals in subsection 1, the department of
 2 21 economic development shall do all of the following for the
 2 22 fiscal year beginning July 1, 2009:
 2 23 a. Concentrate its efforts on programs and activities that
 2 24 result in commercially viable products and services.
 2 25 b. Adopt practices and services consistent with free
 2 26 market, private sector philosophies.
 2 27 c. Ensure economic growth and development throughout the
 2 28 state.
 2 29 Sec. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 2 30 appropriated from the general fund of the state to the
 2 31 department of economic development for the fiscal year
 2 32 beginning July 1, 2009, and ending June 30, 2010, the
 2 33 following amounts, or so much thereof as is necessary, to be
 2 34 used for the purposes designated:
 2 35 1. ADMINISTRATION DIVISION



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

3 1 a. General administration
 3 2 For salaries, support, maintenance, miscellaneous purposes,
 3 3 and programs; for transfer to the Iowa state commission grant
 3 4 program; and for not more than the following full-time
 3 5 equivalent positions for the department's three divisions:
 3 6 \$ 2,044,671
 3 7 FTEs 149.00
 3 8 b. The department shall work with businesses and
 3 9 communities to continually improve the economic development
 3 10 climate along with the economic well-being and quality of life
 3 11 for Iowans. The administration division shall coordinate with
 3 12 other state agencies to ensure that all state departments are
 3 13 attentive to the needs of an entrepreneurial culture.
 3 14 c. Full-time equivalent positions authorized under this
 3 15 subsection shall be funded, in full or in part, using moneys
 3 16 appropriated under this subsection and subsections 2 and 3.
 3 17 d. Notwithstanding section 8.33, moneys appropriated in
 3 18 this subsection that remain unencumbered or unobligated at the
 3 19 close of the fiscal year shall not revert but shall remain
 3 20 available for expenditure for the purposes designated until
 3 21 the close of the succeeding fiscal year.
 3 22 2. BUSINESS DEVELOPMENT DIVISION
 3 23 a. Business development operations
 3 24 For business development operations and programs, the film
 3 25 office, international trade, export assistance, workforce
 3 26 recruitment, and the partner state program; for transfer to
 3 27 the strategic investment fund; for transfer to the value-added
 3 28 agricultural products and processes financial assistance fund,
 3 29 if 2009 Iowa Acts, Senate File 344, is not enacted; for
 3 30 transfer to the grow Iowa values fund, if 2009 Iowa Acts,
 3 31 Senate File 344 is enacted; and for the support of the
 3 32 business development division:
 3 33 \$ 5,965,227
 3 34 The department shall utilize 1.0 of the full-time
 3 35 equivalent positions authorized under subsection 1 for



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1318 continued

4 1 marketing and compliance activities of the targeted small
4 2 business program.

4 3 b. The department shall establish a strong and aggressive
4 4 marketing image to showcase Iowa's workforce, existing
4 5 industry, and potential. A priority shall be placed on
4 6 recruiting new businesses, business expansion, and retaining
4 7 existing Iowa businesses. Emphasis shall also be placed on
4 8 entrepreneurial development through helping to secure capital
4 9 for entrepreneurs, and developing networks and a business
4 10 climate conducive to entrepreneurs and small business.

4 11 c. A business creating jobs with economic development
4 12 assistance through moneys appropriated in this subsection
4 13 shall be subject to contract provisions stating that new and
4 14 retained jobs shall be filled by individuals who are citizens
4 15 of the United States who reside within the United States or
4 16 any person authorized to work in the United States pursuant to
4 17 federal law, including legal resident aliens in the United
4 18 States. Any vendor who receives such public moneys shall
4 19 adhere to such contract provisions and provide periodic
4 20 assurances as the state shall require that the jobs are filled
4 21 solely by citizens of the United States who reside within the
4 22 United States or any person authorized to work in the United
4 23 States pursuant to federal law, including legal resident
4 24 aliens in the United States.

4 25 d. From the moneys appropriated in this subsection, the
4 26 department may provide financial assistance in the form of a
4 27 grant to a community economic development entity for
4 28 conducting a local workforce recruitment effort designed to
4 29 recruit former citizens of the state and former students at
4 30 colleges and universities in the state to meet the needs of
4 31 local employers.

4 32 e. From the moneys appropriated in this subsection, the
4 33 department may provide financial assistance to early-stage
4 34 industry companies being established by women entrepreneurs.

4 35 f. From the moneys appropriated in this subsection, the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

5 1 department may provide financial assistance in the form of
5 2 grants, loans, or forgivable loans for advanced research and
5 3 commercialization projects involving value-added agriculture,
5 4 advanced technology, or biotechnology.

5 5 g. Notwithstanding section 8.33, moneys appropriated in
5 6 this subsection that remain unencumbered or unobligated at the
5 7 close of the fiscal year shall not revert but shall remain
5 8 available for expenditure for the purposes designated until
5 9 the close of the succeeding fiscal year.

5 10 3. COMMUNITY DEVELOPMENT DIVISION

5 11 a. Community development programs

5 12 For support, maintenance, miscellaneous purposes, community
5 13 economic development programs, tourism operations, community
5 14 assistance, plans for Iowa green corps and summer youth
5 15 programs, the mainstreet and rural mainstreet programs, the
5 16 school-to-career program, the community development block
5 17 grant, and housing and shelter-related programs:

5 18 \$ 5,833,379

5 19 b. The department shall encourage development of
5 20 communities and quality of life to foster economic growth.
5 21 The department shall prepare communities for future growth and
5 22 development through development, expansion, and modernization
5 23 of infrastructure.

5 24 c. The department shall develop public-private
5 25 partnerships with Iowa businesses in the tourism industry,
5 26 Iowa tour groups, Iowa tourism organizations, and political
5 27 subdivisions in this state to assist in the development of
5 28 advertising efforts. The department shall, to the fullest
5 29 extent possible, develop cooperative efforts for advertising
5 30 with contributions from other sources.

5 31 d. Notwithstanding section 8.33, moneys appropriated in
5 32 this subsection that remain unencumbered or unobligated at the
5 33 close of the fiscal year shall not revert to any fund but
5 34 shall remain available for expenditure for the designated
5 35 purposes during the succeeding fiscal year.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

6 1 4. For allocating moneys for the world food prize and
6 2 notwithstanding section 15.368, subsection 1:
6 3 \$ 750,000
6 4 5. For use as matching funds for the United States
6 5 department of housing and urban development's main street
6 6 challenge grants for historic building preservation:
6 7 \$ 184,195
6 8 6. For allocation to the Iowa commission on volunteer
6 9 service for the Iowa's promise and mentoring partnership
6 10 program and for not more than the following full-time
6 11 equivalent positions:
6 12 \$ 125,000
6 13 FTEs 1.00
6 14 Notwithstanding section 8.33, moneys appropriated in this
6 15 subsection that remain unencumbered or unobligated at the
6 16 close of the fiscal year shall not revert but shall remain
6 17 available for expenditure for the purposes designated until
6 18 the close of the succeeding fiscal year.
6 19 Sec. 4. VISION IOWA PROGRAM == FTE AUTHORIZATION. For
6 20 purposes of administrative duties associated with the vision
6 21 Iowa program, the department of economic development is
6 22 authorized an additional 2.25 full-time equivalent positions
6 23 above those otherwise authorized in this Act.
6 24 Sec. 5. COUNCILS OF GOVERNMENTS. There is appropriated
6 25 from the federal economic stimulus and jobs holding account to
6 26 the department of economic development for the fiscal year
6 27 beginning July 1, 2009, and ending June 30, 2010, the
6 28 following amount, or so much thereof as is necessary, to be
6 29 used for the purposes designated:
6 30 For providing financial assistance to Iowa's councils of
6 31 governments that provide technical and planning assistance to
6 32 local governments:
6 33 \$ 144,000
6 34 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
6 35 collected by the division of insurance in excess of the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

7 1 anticipated gross revenues under section 505.7, subsection 3,
7 2 during the fiscal year beginning July 1, 2009, \$100,000 shall
7 3 be transferred to the department of economic development for
7 4 insurance economic development and international insurance
7 5 economic development.

7 6 Sec. 7. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
7 7 section 15E.120, subsection 5, there is appropriated from the
7 8 Iowa community development loan fund all the moneys available
7 9 during the fiscal year beginning July 1, 2009, and ending June
7 10 30, 2010, to the department of economic development for the
7 11 community development program to be used by the department for
7 12 the purposes of the program.

7 13 Sec. 8. WORKFORCE DEVELOPMENT FUND. There is appropriated
7 14 from the workforce development fund account created in section
7 15 15.342A to the workforce development fund created in section
7 16 15.343 for the fiscal year beginning July 1, 2009, and ending
7 17 June 30, 2010, the following amount, for the purposes of the
7 18 workforce development fund, and for not more than the
7 19 following full-time equivalent positions:

7 20	\$ 4,000,000
7 21	FTEs 4.00

7 22 Sec. 9. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds
7 23 appropriated or transferred to or receipts credited to the
7 24 workforce development fund created in section 15.343, up to
7 25 \$400,000 for the fiscal year beginning July 1, 2009, and
7 26 ending June 30, 2010, may be used for the administration of
7 27 workforce development activities including salaries, support,
7 28 maintenance, and miscellaneous purposes, and for not more than
7 29 4.00 full-time equivalent positions.

7 30 Sec. 10. JOB TRAINING FUND. Notwithstanding section
7 31 15.251, all remaining moneys in the job training fund on July
7 32 1, 2009, and any moneys appropriated or credited to the fund
7 33 during the fiscal year beginning July 1, 2009, shall be
7 34 transferred to the workforce development fund established
7 35 pursuant to section 15.343.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

8 1 Sec. 11. IOWA STATE UNIVERSITY.
8 2 1. There is appropriated from the general fund of the
8 3 state to Iowa state university of science and technology for
8 4 the fiscal year beginning July 1, 2009, and ending June 30,
8 5 2010, the following amount, or so much thereof as is
8 6 necessary, to be used for small business development centers,
8 7 the science and technology research park, and the institute
8 8 for physical research and technology, and for not more than
8 9 the following full-time equivalent positions:
8 10 \$ 2,751,092
8 11 FTEs 56.63

8 12 2. Of the moneys appropriated in subsection 1, Iowa state
8 13 university of science and technology shall allocate at least
8 14 \$976,234 for purposes of funding small business development
8 15 centers. Iowa state university of science and technology may
8 16 allocate moneys appropriated in subsection 1 to the various
8 17 small business development centers in any manner necessary to
8 18 achieve the purposes of this subsection.

8 19 3. Iowa state university of science and technology shall
8 20 do all of the following:
8 21 a. Direct expenditures for research toward projects that
8 22 will provide economic stimulus for Iowa.
8 23 b. Provide emphasis to providing services to Iowa-based
8 24 companies.

8 25 4. It is the intent of the general assembly that the
8 26 industrial incentive program focus on Iowa industrial sectors
8 27 and seek contributions and in-kind donations from businesses,
8 28 industrial foundations, and trade associations, and that
8 29 moneys for the institute for physical research and technology
8 30 industrial incentive program shall be allocated only for
8 31 projects which are matched by private sector moneys for
8 32 directed contract research or for nondirected research. The
8 33 match required of small businesses as defined in section
8 34 15.102, subsection 6, for directed contract research or for
8 35 nondirected research shall be \$1 for each \$3 of state funds.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

9 1 The match required for other businesses for directed contract
 9 2 research or for nondirected research shall be \$1 for each \$1
 9 3 of state funds. The match required of industrial foundations
 9 4 or trade associations shall be \$1 for each \$1 of state funds.
 9 5 Iowa state university of science and technology shall
 9 6 report annually to the joint appropriations subcommittee on
 9 7 economic development and the legislative services agency the
 9 8 total amount of private contributions, the proportion of
 9 9 contributions from small businesses and other businesses, and
 9 10 the proportion for directed contract research and nondirected
 9 11 research of benefit to Iowa businesses and industrial sectors.

9 12 Notwithstanding section 8.33, moneys appropriated in this
 9 13 section that remain unencumbered or unobligated at the close
 9 14 of the fiscal year shall not revert but shall remain available
 9 15 for expenditure for the purposes designated until the close of
 9 16 the succeeding fiscal year.

9 17 Sec. 12. UNIVERSITY OF IOWA.

9 18 1. There is appropriated from the general fund of the
 9 19 state to the state university of Iowa for the fiscal year
 9 20 beginning July 1, 2009, and ending June 30, 2010, the
 9 21 following amount, or so much thereof as is necessary, to be
 9 22 used for the state university of Iowa research park and for
 9 23 the advanced drug development program at the Oakdale research
 9 24 park, including salaries, support, maintenance, equipment,
 9 25 miscellaneous purposes, and for not more than the following
 9 26 full-time equivalent positions:

9 27	\$	247,080
9 28	FTEs	6.00

9 29 2. The state university of Iowa shall do all of the
 9 30 following:

9 31 a. Direct expenditures for research toward projects that
 9 32 will provide economic stimulus for Iowa.

9 33 b. Provide emphasis to providing services to Iowa-based
 9 34 companies.

9 35 3. Notwithstanding section 8.33, moneys appropriated in



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

10 1 this section that remain unencumbered or unobligated at the
10 2 close of the fiscal year shall not revert but shall remain
10 3 available for expenditure for the purposes designated until
10 4 the close of the succeeding fiscal year.

10 5 Sec. 13. UNIVERSITY OF NORTHERN IOWA.

10 6 1. There is appropriated from the general fund of the
10 7 state to the university of northern Iowa for the fiscal year
10 8 beginning July 1, 2009, and ending June 30, 2010, the
10 9 following amount, or so much thereof as is necessary, to be
10 10 used for the metal casting institute, for the MyEntreNet
10 11 internet application, and for the institute of decision
10 12 making, including salaries, support, maintenance,
10 13 miscellaneous purposes, and for not more than the following
10 14 full-time equivalent positions:

10 15	\$	539,638
10 16	FTEs	6.75

10 17 2. The university of northern Iowa shall do all of the
10 18 following:

10 19 a. Direct expenditures for research toward projects that
10 20 will provide economic stimulus for Iowa.

10 21 b. Provide emphasis to providing services to Iowa-based
10 22 companies.

10 23 3. Notwithstanding section 8.33, moneys appropriated in
10 24 this section that remain unencumbered or unobligated at the
10 25 close of the fiscal year shall not revert but shall remain
10 26 available for expenditure for the purposes designated until
10 27 the close of the succeeding fiscal year.

10 28 Sec. 14. BOARD OF REGENTS REPORT. The state board of
10 29 regents shall submit a report on the progress of regents
10 30 institutions in meeting the strategic plan for technology
10 31 transfer and economic development to the secretary of the
10 32 senate, the chief clerk of the house of representatives, and
10 33 the legislative services agency by January 15, 2010.

10 34 Sec. 15. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is
10 35 appropriated from the general fund of the state to the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

11 1 department of workforce development for the fiscal year
11 2 beginning July 1, 2009, and ending June 30, 2010, the
11 3 following amounts, or so much thereof as is necessary, for the
11 4 purposes designated:

11 5 1. DIVISION OF LABOR SERVICES

11 6 For the division of labor services, including salaries,
11 7 support, maintenance, miscellaneous purposes, and for not more
11 8 than the following full-time equivalent positions:

11 9	\$	3,851,643
11 10	FTEs	68.15

11 11 From the contractor registration fees, the division of
11 12 labor services shall reimburse the department of inspections
11 13 and appeals for all costs associated with hearings under
11 14 chapter 91C, relating to contractor registration.

11 15 2. DIVISION OF WORKERS' COMPENSATION

11 16 For the division of workers' compensation, including
11 17 salaries, support, maintenance, miscellaneous purposes, and
11 18 for not more than the following full-time equivalent
11 19 positions:

11 20	\$	2,884,187
11 21	FTEs	30.00

11 22 The division of workers' compensation shall continue
11 23 charging a \$65 filing fee for workers' compensation cases.
11 24 The filing fee shall be paid by the petitioner of a claim.
11 25 However, the fee can be taxed as a cost and paid by the losing
11 26 party, except in cases where it would impose an undue hardship
11 27 or be unjust under the circumstances. The moneys generated by
11 28 the filing fee allowed under this subsection are appropriated
11 29 to the department of workforce development to be used for
11 30 purposes of administering the division of workers'
11 31 compensation.

11 32 3. WORKFORCE DEVELOPMENT OPERATIONS

11 33 For the operation of field offices, the workforce
11 34 development board, and new Iowans centers, and for not more
11 35 than the following full-time equivalent positions:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

12 1 \$ 12,010,167
 12 2 FTEs 88.04
 12 3 Of the moneys appropriated in this subsection, the
 12 4 department shall allocate \$11,832,989 for the operation of
 12 5 field offices. The department shall not reduce the number of
 12 6 field offices below the number of field offices being operated
 12 7 as of January 1, 2009.
 12 8 The department of workforce development shall maintain new
 12 9 Iowans centers that offer one-stop services to deal with the
 12 10 multiple issues related to immigration and employment. The
 12 11 centers shall be designed to support workers, businesses, and
 12 12 communities with information, referrals, job placement
 12 13 assistance, translation, language training, and resettlement,
 12 14 as well as technical and legal assistance on such issues as
 12 15 forms and documentation. Through the coordination of local,
 12 16 state, and federal service providers, and through the
 12 17 development of partnerships with public, private, and
 12 18 nonprofit entities with established records of international
 12 19 service, these centers shall seek to provide a seamless
 12 20 service delivery system for new Iowans.
 12 21 4. OFFENDER REENTRY PROGRAM
 12 22 For the development and administration of an offender
 12 23 reentry program to provide offenders with employment skills,
 12 24 and for not more than the following full-time equivalent
 12 25 positions:
 12 26 \$ 367,447
 12 27 FTEs 2.00
 12 28 The department shall partner with the department of
 12 29 corrections to provide staff within the correctional
 12 30 facilities to improve offenders' abilities to find and retain
 12 31 productive employment.
 12 32 5. PILOT PROJECT
 12 33 For purposes of administration of a security employee pilot
 12 34 project training program:
 12 35 \$ 15,000



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

13 1 6. NONREVERSION OF MONEYS

13 2 Notwithstanding section 8.33, moneys appropriated in this
13 3 section that remain unencumbered or unobligated at the close
13 4 of the fiscal year shall not revert but shall remain available
13 5 for expenditure for the purposes designated until the close of
13 6 the succeeding fiscal year.

13 7 Sec. 16. ACCOUNTABILITY == AUDIT. The auditor of state
13 8 shall annually conduct an audit of the department of workforce
13 9 development and shall report the findings of such annual
13 10 audit, including the accountability of programs of the
13 11 department, to the chairpersons and ranking members of the
13 12 joint appropriations subcommittee on economic development.
13 13 The department shall pay for the costs associated with the
13 14 audit.

13 15 Sec. 17. EMPLOYMENT SECURITY CONTINGENCY FUND. There is
13 16 appropriated from the special employment security contingency
13 17 fund to the department of workforce development for the fiscal
13 18 year beginning July 1, 2009, and ending June 30, 2010, the
13 19 following amounts, or so much thereof as is necessary, for the
13 20 purposes designated:

13 21 For the division of workers' compensation, salaries,
13 22 support, maintenance, and miscellaneous purposes:
13 23 \$ 471,000

13 24 Any remaining additional penalty and interest revenue is
13 25 appropriated to and may be allocated and used to accomplish
13 26 the mission of the department.

13 27 Sec. 18. UNEMPLOYMENT COMPENSATION RESERVE FUND.
13 28 Notwithstanding section 96.9, subsection 8, paragraph "e",
13 29 there is appropriated from interest earned on the unemployment
13 30 compensation reserve fund to the department of workforce
13 31 development for the fiscal year beginning July 1, 2009, and
13 32 ending June 30, 2010, the following amount for the operation
13 33 of field offices:

13 34 \$ 6,500,000

13 35 Sec. 19. PUBLIC EMPLOYMENT RELATIONS BOARD. There is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

14 1 appropriated from the general fund of the state to the public
 14 2 employment relations board for the fiscal year beginning July
 14 3 1, 2009, and ending June 30, 2010, the following amount, or so
 14 4 much thereof as is necessary, for the purposes designated:
 14 5 For salaries, support, maintenance, miscellaneous purposes,
 14 6 and for not more than the following full-time equivalent
 14 7 positions:
 14 8 \$ 1,168,781
 14 9 FTEs 10.00
 14 10 Of the moneys appropriated in this section, the board shall
 14 11 allocate \$15,000 for maintaining a website that allows
 14 12 searchable access to a database of collective bargaining
 14 13 information.
 14 14 Sec. 20. VALUE-ADDED AGRICULTURE FINANCIAL ASSISTANCE.
 14 15 For the fiscal year beginning July 1, 2009, the office of
 14 16 renewable fuels and coproducts may apply to the department of
 14 17 economic development for moneys in the value-added
 14 18 agricultural products and processes financial assistance fund,
 14 19 if 2009 Iowa Acts, Senate File 344, is not enacted or for
 14 20 moneys in the grow Iowa values fund, if 2009 Iowa Acts, Senate
 14 21 File 344, is enacted, for deposit in the renewable fuels and
 14 22 coproducts fund created in section 159A.7.
 14 23 Sec. 21. IOWA FINANCE AUTHORITY AUDIT. The auditor of
 14 24 state is requested to review the audit of the Iowa finance
 14 25 authority performed by the auditor hired by the authority.
 14 26 Sec. 22. APPLICATION FOR DEPARTMENT OF ECONOMIC
 14 27 DEVELOPMENT MONEYS. For the fiscal year beginning July 1,
 14 28 2009, any entity that was specifically identified in 2001 Iowa
 14 29 Acts, chapter 188, to receive funding from the department of
 14 30 economic development, excluding any entity identified to
 14 31 receive a direct appropriation beginning July 1, 2009, may
 14 32 apply to the department for assistance through the appropriate
 14 33 program. The department shall provide application criteria
 14 34 necessary to implement this section.
 14 35 Sec. 23. SHELTER ASSISTANCE FUND. In providing moneys



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

16 1 development.

16 2 The bill appropriates moneys from the Iowa community
16 3 development loan fund to the department of economic
16 4 development for purposes of the community development program.

16 5 The bill appropriates moneys from the workforce development
16 6 fund account to the workforce development fund.

16 7 The bill provides that moneys appropriated or transferred
16 8 to or receipts credited to the workforce development fund may
16 9 be used for administration of workforce development
16 10 activities.

16 11 The bill provides that all moneys remaining in the job
16 12 training fund on July 1, 2009, and any moneys appropriated or
16 13 credited to the fund during the fiscal year beginning July 1,
16 14 2009, shall be transferred to the workforce development fund.

16 15 The bill requires the state board of regents to submit a
16 16 report on the progress of regents institutions in meeting the
16 17 strategic plan for technology transfer and economic
16 18 development.

16 19 The bill requires the auditor of state to conduct an audit
16 20 of the department of workforce development.

16 21 The bill appropriates moneys from the special employment
16 22 security contingency fund to the department of workforce
16 23 development for the division of workers' compensation.

16 24 The bill appropriates interest earned on the unemployment
16 25 compensation reserve fund to the department of workforce
16 26 development for the operation of field offices.

16 27 The bill allows the office of renewable fuels and
16 28 coproducts to apply to the department of economic development
16 29 for moneys in the value-added agricultural products and
16 30 processes financial assistance fund if Senate File 344 is not
16 31 enacted, or the grow Iowa values fund, if Senate File 344 is
16 32 enacted, for deposit in the renewable fuels and coproducts
16 33 fund.

16 34 The bill requests the auditor of state to review the audit
16 35 of the Iowa finance authority performed by the auditor hired



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1318 continued

17 1 by the authority.

17 2 The bill provides that, for the fiscal year beginning July
17 3 1, 2009, any entity that was specifically identified in 2001
17 4 Iowa Acts, chapter 188, to receive funding from the department
17 5 of economic development, excluding any entity identified to
17 6 receive a direct appropriation beginning July 1, 2009, may
17 7 apply to the department for assistance through the appropriate
17 8 program.

17 9 The bill provides that, in providing moneys from the
17 10 shelter assistance fund to homeless shelter programs, the
17 11 department of economic development shall explore the potential
17 12 of allocating moneys to programs based in part on their
17 13 ability to move their clients toward self-sufficiency.

17 14 The bill appropriates moneys from moneys credited to the
17 15 state by the secretary of the treasury of the United States
17 16 pursuant to the Social Security Act to the department of
17 17 workforce development for the administration of the
17 18 unemployment compensation program only.

17 19 LSB 1002JB 83

17 20 tw/tm:jp/5.1



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1319

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to and making appropriations involving state
- 2 government, by providing for agriculture, natural resources,
- 3 and environmental protection.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1001JB 83
- 6 da/jp/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

PAG LIN

1 1 DIVISION I

1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

1 3 GENERAL APPROPRIATIONS

1 4 Section 1. GENERAL FUND == DEPARTMENT.

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

1 6 state to the department of agriculture and land stewardship

1 7 for the fiscal year beginning July 1, 2009, and ending June

1 8 30, 2010, the following amount, or so much thereof as is

1 9 necessary, to be used for the purposes designated:

1 10 For purposes of supporting the department, including its

1 11 divisions, for administration, regulation, and programs; for

1 12 salaries, support, maintenance, and miscellaneous purposes;

1 13 and for not more than the following full-time equivalent

1 14 positions:

1 15	\$ 18,747,009
1 16	FTEs 408.00

1 17 2. The department shall submit a report each quarter of

1 18 the fiscal year to the legislative services agency, the

1 19 department of management, the members of the joint

1 20 appropriations subcommittee on agriculture and natural

1 21 resources, and the co-chairpersons and ranking members of the

1 22 senate and house committees on appropriations. The report

1 23 shall describe in detail the expenditure of moneys

1 24 appropriated in this section to support the department's

1 25 administration, regulation, and programs.

1 26 DESIGNATED APPROPRIATIONS == ANIMAL HUSBANDRY

1 27 Sec. 2. UNCLAIMED PARI=MUTUEL WAGERING WINNINGS == HORSE

1 28 AND DOG RACING. There is appropriated from the moneys

1 29 available under section 99D.13 to the department of

1 30 agriculture and land stewardship for the fiscal year beginning

1 31 July 1, 2009, and ending June 30, 2010, the following amount,

1 32 or so much thereof as is necessary, to be used for the

1 33 purposes designated:

1 34 For purposes of supporting the department's administration

1 35 and enforcement of horse and dog racing law pursuant to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

2 1 section 99D.22, including for salaries, support, maintenance,
 2 2 and miscellaneous purposes:
 2 3 \$ 305,516
 2 4 DESIGNATED APPROPRIATIONS == MOTOR FUEL
 2 5 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND == MOTOR FUEL
 2 6 INSPECTION. There is appropriated from the renewable fuel
 2 7 infrastructure fund created in section 15G.205 to the
 2 8 department of agriculture and land stewardship for the fiscal
 2 9 year beginning July 1, 2009, and ending June 30, 2010, the
 2 10 following amount, or so much thereof as is necessary, to be
 2 11 used for the purposes designated:
 2 12 For purposes of the inspection of motor fuel, including
 2 13 salaries, support, maintenance, and miscellaneous purposes:
 2 14 \$ 300,000
 2 15 The department shall establish and administer programs for
 2 16 the auditing of motor fuel including biofuel processing and
 2 17 production plants, for screening and testing motor fuel,
 2 18 including renewable fuel, and for the inspection of motor fuel
 2 19 sold by dealers including retail dealers who sell and dispense
 2 20 motor fuel from motor fuel pumps.
 2 21 DESIGNATED APPROPRIATIONS == AGRICULTURAL REMEDIATION FUND
 2 22 Sec. 4. AGRICHEMICAL REMEDIATION FUND == DEPARTMENTAL
 2 23 SUPPORT. There is appropriated from the agrichemical
 2 24 remediation fund created in section 161.7 all unobligated or
 2 25 unencumbered moneys to the department of agriculture and land
 2 26 stewardship for the fiscal year beginning July 1, 2009, and
 2 27 ending June 30, 2010, to be used for the purposes to support
 2 28 the department, including its divisions, for administration
 2 29 regulation, and programs for salaries, support, maintenance,
 2 30 and miscellaneous purposes, and full-time equivalent
 2 31 positions.
 2 32 DIVISION II
 2 33 DEPARTMENT OF NATURAL RESOURCES
 2 34 GENERAL APPROPRIATIONS
 2 35 Sec. 5. GENERAL FUND == DEPARTMENT. There is appropriated



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

3 1 from the general fund of the state to the department of
3 2 natural resources for the fiscal year beginning July 1, 2009,
3 3 and ending June 30, 2010, the following amount, or so much
3 4 thereof as is necessary, to be used for the purposes
3 5 designated:

3 6 1. For purposes of supporting the department, including
3 7 its divisions, for administration, regulation, and programs;
3 8 for salaries, support, maintenance, and miscellaneous
3 9 purposes; and for not more than the following full-time
3 10 equivalent positions:
3 11 \$ 17,742,678
3 12 FTEs 1,168.95

3 13 2. The department shall submit a report each quarter of
3 14 the fiscal year to the legislative services agency, the
3 15 department of management, the members of the joint
3 16 appropriations subcommittee on agriculture and natural
3 17 resources, and the co-chairpersons and ranking members of the
3 18 senate and house committees on appropriations. The report
3 19 shall describe in detail the expenditure of moneys
3 20 appropriated under this section to support the department's
3 21 administration, regulation, and programs.

3 22 Sec. 6. STATE FISH AND GAME PROTECTION FUND == DIVISION OF
3 23 FISH AND WILDLIFE.

3 24 1. a. There is appropriated from the state fish and game
3 25 protection fund to the department of natural resources for the
3 26 fiscal year beginning July 1, 2009, and ending June 30, 2010,
3 27 the following amount, or so much thereof as is necessary, to
3 28 be used for the purposes designated:

3 29 For purposes of supporting the division of fish and
3 30 wildlife, including for administration, regulation, and
3 31 programs; and for salaries, support, maintenance, equipment,
3 32 and miscellaneous purposes:
3 33 \$ 38,793,154

3 34 b. Notwithstanding section 455A.10, the department may use
3 35 the unappropriated balance remaining in the state fish and



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

4 1 game protection fund to provide for the funding of health and
 4 2 life insurance premium payments from unused sick leave
 4 3 balances of conservation peace officers employed in a
 4 4 protection occupation who retire, pursuant to section 97B.49B.

4 5 2. The department shall not expend more moneys from the
 4 6 state fish and game protection fund than provided in this
 4 7 section, unless the expenditure derives from contributions
 4 8 made by a private entity, or a grant or moneys received from
 4 9 the federal government, and is approved by the natural
 4 10 resource commission. The department of natural resources
 4 11 shall promptly notify the legislative services agency and the
 4 12 chairpersons and ranking members of the joint appropriations
 4 13 subcommittee on agriculture and natural resources concerning
 4 14 the commission's approval.

4 15 Sec. 7. GROUNDWATER PROTECTION FUND == WATER QUALITY.
 4 16 There is appropriated from the groundwater protection fund
 4 17 created in section 455E.11 to the department of natural
 4 18 resources for the fiscal year beginning July 1, 2009, and
 4 19 ending June 30, 2010, from those moneys which are not
 4 20 allocated pursuant to that section, the following amount, or
 4 21 so much thereof as is necessary, to be used for the purposes
 4 22 designated:

4 23 For purposes of supporting the department's protection of
 4 24 the state's groundwater, including for administration,
 4 25 regulation, and programs, and for salaries, support,
 4 26 maintenance, equipment, and miscellaneous purposes:
 4 27 \$ 3,455,832

4 28 DESIGNATED APPROPRIATIONS == MISCELLANEOUS

4 29 Sec. 8. SPECIAL SNOWMOBILE FUND == SNOWMOBILE PROGRAM.
 4 30 There is appropriated from the special snowmobile fund created
 4 31 under section 321G.7 to the department of natural resources
 4 32 for the fiscal year beginning July 1, 2009, and ending June
 4 33 30, 2010, the following amount, or so much thereof as is
 4 34 necessary, to be used for the purpose designated:

4 35 For purposes of administering and enforcing the state



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

5 1 snowmobile program:
5 2 \$ 100,000
5 3 Sec. 9. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE
5 4 TANK SECTION EXPENSES. There is appropriated from the
5 5 unassigned revenue fund administered by the Iowa comprehensive
5 6 underground storage tank fund board to the department of
5 7 natural resources for the fiscal year beginning July 1, 2009,
5 8 and ending June 30, 2010, the following amount, or so much
5 9 thereof as is necessary, to be used for the purpose
5 10 designated:
5 11 For purposes of paying for administration expenses of the
5 12 department's underground storage tank section:
5 13 \$ 200,000
5 14 Sec. 10. STORM WATER DISCHARGE PERMIT FEES == SUPPORT FOR
5 15 SPECIAL PURPOSES. Notwithstanding any contrary provision of
5 16 state law, for the fiscal year beginning July 1, 2009, and
5 17 ending June 30, 2010, the department of natural resources may
5 18 use additional moneys available to the department collected
5 19 from storm water discharge permit fees as provided in section
5 20 455B.103A or 455B.197 for the staffing of the following
5 21 additional full-time equivalent positions for the purposes
5 22 designated:
5 23 1. For purposes of reducing the department's floodplain
5 24 permit backlog:
5 25 FTEs 2.00
5 26 2. For purposes of implementing the federal total maximum
5 27 daily load program:
5 28 FTEs 2.00
5 29 DIVISION III
5 30 IOWA STATE UNIVERSITY
5 31 Sec. 11. GENERAL FUND == VETERINARY DIAGNOSTIC LABORATORY.
5 32 1. There is appropriated from the general fund of the
5 33 state to Iowa state university of science and technology for
5 34 the fiscal year beginning July 1, 2009, and ending June 30,
5 35 2010, the following amount, or so much thereof as is



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

6 1 necessary, to be used for the purposes designated:
 6 2 For purposes of supporting the college of veterinary
 6 3 medicine for the operation of the veterinary diagnostic
 6 4 laboratory and for not more than the following full-time
 6 5 equivalent positions:
 6 6 \$ 2,910,313
 6 7 FTEs 24.36
 6 8 2. Iowa state university of science and technology shall
 6 9 not reduce the amount that it allocates to support the college
 6 10 of veterinary medicine from any other source due to the
 6 11 appropriation made in this section.
 6 12 3. If by the end of the fiscal year, Iowa state university
 6 13 of science and technology fails to allocate the moneys
 6 14 appropriated in this section to the college of veterinary
 6 15 medicine in accordance with this section, the moneys
 6 16 appropriated in this section for that fiscal year shall revert
 6 17 to the general fund of the state.
 6 18 Sec. 12. VETERINARY DIAGNOSTIC LABORATORY == FUTURE YEAR.
 6 19 This section applies if appropriations made in this Act and
 6 20 all other Acts enacted by the Eighty-third General Assembly
 6 21 during the 2009 regular session and all extraordinary
 6 22 sessions, for the fiscal year beginning July 1, 2009, and
 6 23 ending June 30, 2010, for purposes of supporting the operation
 6 24 of the veterinary diagnostic laboratory associated with the
 6 25 college of veterinary medicine at Iowa state university, total
 6 26 less than \$4,000,000. It is the intent of the general
 6 27 assembly that the amount of any deficit will be appropriated
 6 28 by the general assembly during its 2010 regular session for
 6 29 purposes of supporting the operation of the veterinary
 6 30 diagnostic laboratory for the fiscal year beginning July 1,
 6 31 2010, and ending June 30, 2011.
 6 32 DIVISION IV
 6 33 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS
 6 34 Sec. 13. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.
 6 35 There is appropriated from the environment first fund created



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

7 1 in section 8.57A to the department of agriculture and land
 7 2 stewardship for the fiscal year beginning July 1, 2009, and
 7 3 ending June 30, 2010, the following amounts, or so much
 7 4 thereof as is necessary, to be used for the purposes
 7 5 designated:

7 6 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

7 7 a. For the conservation reserve enhancement program to
 7 8 restore and construct wetlands for the purposes of
 7 9 intercepting tile line runoff, reducing nutrient loss,
 7 10 improving water quality, and enhancing agricultural production
 7 11 practices:
 7 12 \$ 1,500,000

7 13 b. Not more than 10 percent of the moneys appropriated in
 7 14 paragraph "a" may be used for costs of administration and
 7 15 implementation of soil and water conservation practices.

7 16 2. WATERSHED PROTECTION

7 17 a. For continuation of a program that provides
 7 18 multiobjective resource protections for flood control, water
 7 19 quality, erosion control, and natural resource conservation:
 7 20 \$ 2,550,000

7 21 b. Not more than 10 percent of the moneys appropriated in
 7 22 paragraph "a" may be used for costs of administration and
 7 23 implementation of soil and water conservation practices.

7 24 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

7 25 a. For continuation of a statewide voluntary farm
 7 26 management demonstration program to demonstrate the
 7 27 effectiveness and adaptability of emerging practices in
 7 28 agronomy that protect water resources and provide other
 7 29 environmental benefits:
 7 30 \$ 800,000

7 31 b. Not more than 10 percent of the moneys appropriated in
 7 32 paragraph "a" may be used for costs of administration and
 7 33 implementation of soil and water conservation practices.

7 34 c. Of the amount appropriated in paragraph "a", \$400,000
 7 35 shall be allocated to an organization representing soybean



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

8 1 growers to provide for an agriculture and environment
 8 2 performance program in order to carry out the purposes of this
 8 3 subsection as specified in paragraph "a".
 8 4 4. AGRICULTURE DRAINAGE WELL WATER QUALITY ASSISTANCE FUND
 8 5 a. For deposit in the agricultural drainage well water
 8 6 quality assistance fund created in section 460.303 to be used
 8 7 for purposes of supporting the agricultural drainage well
 8 8 water quality assistance program as provided in section
 8 9 460.304:
 8 10 \$ 1,500,000
 8 11 b. Not more than 10 percent of the moneys appropriated in
 8 12 paragraph "a" may be used for costs of administration and
 8 13 implementation of soil and water conservation practices.
 8 14 5. SOIL AND WATER CONSERVATION PRACTICES
 8 15 a. For use by the soil conservation division, to provide
 8 16 financial assistance for the establishment of permanent soil
 8 17 and water conservation practices:
 8 18 \$ 7,000,000
 8 19 b. Not more than 5 percent of the moneys appropriated in
 8 20 paragraph "a" may be allocated for cost sharing to abate
 8 21 complaints filed under section 161A.47.
 8 22 c. Of the moneys appropriated in paragraph "a", 5 percent
 8 23 shall be allocated for financial incentives to establish
 8 24 practices to protect watersheds above publicly owned lakes of
 8 25 the state from soil erosion and sediment as provided in
 8 26 section 161A.73.
 8 27 d. Not more than 30 percent of a soil and water
 8 28 conservation district's allocation of moneys as financial
 8 29 incentives may be provided for the purpose of establishing
 8 30 management practices to control soil erosion on land that is
 8 31 row cropped, including but not limited to no-till planting,
 8 32 ridge-till planting, contouring, and contour strip-cropping as
 8 33 provided in section 161A.73.
 8 34 e. The state soil conservation committee created in
 8 35 section 161A.4 may allocate moneys appropriated in paragraph



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

9 1 "a" to conduct research and demonstration projects to promote
 9 2 conservation tillage and nonpoint source pollution control
 9 3 practices.
 9 4 f. The allocation of moneys as financial incentives as
 9 5 provided in section 161A.73 may be used in combination with
 9 6 moneys allocated by the department of natural resources.
 9 7 g. Not more than 15 percent of the moneys appropriated in
 9 8 paragraph "a" may be used for costs of administration and
 9 9 implementation of soil and water conservation practices.
 9 10 6. CONSERVATION RESERVE PROGRAM (CRP)
 9 11 a. To encourage and assist farmers in enrolling in and the
 9 12 implementation of the federal conservation program and to work
 9 13 with them to enhance their revegetation efforts to improve
 9 14 water quality and habitat:
 9 15 \$ 1,500,000
 9 16 b. Not more than 10 percent of the moneys appropriated in
 9 17 paragraph "a" may be used for costs of administration and
 9 18 implementation of soil and water conservation practices.
 9 19 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND
 9 20 a. For deposit in the loess hills development and
 9 21 conservation fund created in section 161D.2:
 9 22 \$ 600,000
 9 23 b. (1) Of the amount appropriated in paragraph "a",
 9 24 \$400,000 shall be allocated to the fund's hungry canyons
 9 25 account.
 9 26 (2) Not more than 10 percent of the moneys allocated to
 9 27 the hungry canyons account as provided in subparagraph (1) may
 9 28 be used for administrative costs.
 9 29 c. (1) Of the amount appropriated in paragraph "a",
 9 30 \$200,000 shall be allocated to the fund's loess hills alliance
 9 31 account.
 9 32 (2) Not more than 10 percent of the moneys allocated to
 9 33 the loess hills alliance account as provided in subparagraph
 9 34 (1) may be used for administrative costs.
 9 35 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

10 1 a. For deposit in the southern Iowa development and
 10 2 conservation fund created in section 161D.12:
 10 3 \$ 300,000
 10 4 b. Not more than 5 percent of the moneys appropriated in
 10 5 paragraph "a" may be used for administrative costs.
 10 6 Sec. 14. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 10 7 appropriated from the environment first fund created in
 10 8 section 8.57A to the department of economic development for
 10 9 the fiscal year beginning July 1, 2009, and ending June 30,
 10 10 2010, the following amount, or so much thereof as is
 10 11 necessary, to be used for the purposes designated:
 10 12 For deposit in the brownfield redevelopment fund created in
 10 13 section 15.293 to provide financial and technical assistance
 10 14 under the brownfield redevelopment program as provided in
 10 15 section 15.292:
 10 16 \$ 500,000
 10 17 Sec. 15. DEPARTMENT OF NATURAL RESOURCES. There is
 10 18 appropriated from the environment first fund created in
 10 19 section 8.57A to the department of natural resources for the
 10 20 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 10 21 the following amounts, or so much thereof as is necessary, to
 10 22 be used for the purposes designated:
 10 23 1. KEEPERS OF THE LAND
 10 24 For statewide coordination of volunteer efforts under the
 10 25 water quality and keepers of the land programs:
 10 26 \$ 100,000
 10 27 2. STATE PARKS MAINTENANCE AND OPERATIONS
 10 28 For regular maintenance of state parks and staff time
 10 29 associated with these activities:
 10 30 \$ 2,470,000
 10 31 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)
 10 32 To provide local watershed managers with geographic
 10 33 information system data for their use in developing,
 10 34 monitoring, and displaying results of their watershed work:
 10 35 \$ 195,000



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

11 1 4. WATER QUALITY MONITORING
 11 2 For continuing the establishment and operation of water
 11 3 quality monitoring stations:
 11 4 \$ 2,955,000
 11 5 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT
 11 6 For deposit in the public water supply system account of
 11 7 the water quality protection fund created in section
 11 8 455B.183A:
 11 9 \$ 500,000
 11 10 6. REGULATION OF ANIMAL FEEDING OPERATIONS
 11 11 For the regulation of animal feeding operations, including
 11 12 as provided for in chapters 459 and 459A:
 11 13 \$ 360,000
 11 14 7. AMBIENT AIR QUALITY
 11 15 For the abatement, control, and prevention of ambient air
 11 16 pollution in this state, including measures as necessary to
 11 17 assure attainment and maintenance of ambient air quality
 11 18 standards from particulate matter:
 11 19 \$ 425,000
 11 20 8. WATER QUANTITY REGULATION
 11 21 For regulating water quantity from surface and subsurface
 11 22 sources by providing for the allocation and use of water
 11 23 resources, the protection and management of water resources,
 11 24 and the preclusion of conflicts among users of water
 11 25 resources, including as provided in chapter 455B, division
 11 26 III, part 4:
 11 27 \$ 495,000
 11 28 9. RESOURCE CONSERVATION AND DEVELOPMENT (RCD)
 11 29 a. For resource conservation and development associated
 11 30 with the development of projects relating to natural
 11 31 resource-based business opportunities:
 11 32 \$ 250,000
 11 33 b. Local resource conservation and development groups
 11 34 sponsored by county governments or sponsored by soil and water
 11 35 conservation districts shall be eligible to receive moneys



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1319 continued

12 1 appropriated in paragraph "a" on the condition that such
12 2 groups receive the moneys on a dollar-for-dollar matching
12 3 basis.

12 4 c. Not more than 5 percent of the moneys appropriated in
12 5 paragraph "a" may be used for the costs of implementing and
12 6 administering this subsection.

12 7 Sec. 16. REVERSION.

12 8 1. Except as provided in subsection 2, and notwithstanding
12 9 section 8.33, moneys appropriated for the fiscal year
12 10 beginning July 1, 2009, in this division of this Act that
12 11 remain unencumbered or unobligated at the close of the fiscal
12 12 year shall not revert but shall remain available for the
12 13 purposes designated until the close of the fiscal year
12 14 beginning July 1, 2010, or until the project for which the
12 15 appropriation was made is completed, whichever is earlier.

12 16 2. Notwithstanding section 8.33, moneys appropriated in
12 17 this division of this Act to the department of agriculture and
12 18 land stewardship to provide financial assistance for the
12 19 establishment of permanent soil and water conservation
12 20 practices that remain unencumbered or unobligated at the close
12 21 of the fiscal year shall not revert but shall remain available
12 22 for expenditure for the purposes designated until the close of
12 23 the fiscal year beginning July 1, 2012.

12 24 DIVISION V

12 25 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT
12 26 AND PROTECTION (REAP)

12 27 Sec. 17. IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND.

12 28 Notwithstanding the amount of the standing appropriation from
12 29 the general fund of the state to the Iowa resources
12 30 enhancement and protection fund as provided in section
12 31 455A.18, there is appropriated from the environment first fund
12 32 created in section 8.57A to the Iowa resources enhancement and
12 33 protection fund, in lieu of the appropriation made in section
12 34 455A.18, for the fiscal year beginning July 1, 2009, and
12 35 ending June 30, 2010, the following amount, to be allocated as



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009

Senate Study Bill 1319 continued

13 1 provided in section 455A.19:
13 2 \$ 18,000,000

13 3 DIVISION VI
13 4 CODE CHANGES

13 5 Sec. 18. Section 455B.196, subsections 1 and 2, Code 2009,
13 6 are amended to read as follows:

13 7 1. A national pollutant discharge elimination system
13 8 permit fund is created as a separate fund in the state
13 9 treasury under the control of the department. The fund is
13 10 composed of moneys appropriated by the general assembly to the
13 11 department for deposit into the fund and moneys available to
13 12 and obtained or accepted by the department from the United
13 13 States or private sources for placement in the fund. The fund
13 14 shall include moneys deposited into the fund from fees charged
13 15 for the processing of applications for the issuance of permits
13 16 related to the national pollutant discharge elimination system
13 17 as provided in section 455B.197.

13 18 2. Moneys in the national pollutant discharge elimination
13 19 system permit fund shall be used only as provided in
13 20 appropriations made from the fund by the general assembly
13 21 which may include are appropriated to the department each
13 22 fiscal year for purposes relating to of administering section
13 23 455B.197 and expediting the department's processing of
13 24 national pollutant discharge elimination system applications
13 25 and the issuance of permits, including for salaries, support,
13 26 maintenance, and other costs of administering section
13 27 455B.197.

13 28 EXPLANATION

13 29 GENERAL. This bill relates to agriculture and natural
13 30 resources by making appropriations for the 2009=2010 fiscal
13 31 year to support related entities, including the department of
13 32 agriculture and land stewardship, the department of natural
13 33 resources, the department of economic development, and Iowa
13 34 state university.

13 35 The bill appropriates moneys to the department of



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

14 1 agriculture and land stewardship and the department of natural
14 2 resources. The appropriations are made to support those
14 3 departments for administration, regulation, and programs. The
14 4 bill requires the departments to submit quarterly reports to
14 5 the general assembly and department of management regarding
14 6 the expenditure of appropriated moneys. The bill also
14 7 provides moneys to support specific programs or projects
14 8 administered by those departments. The bill appropriates
14 9 moneys from a number of sources, including the general fund of
14 10 the state, the state fish and game protection fund, and the
14 11 groundwater protection fund. The bill is organized into
14 12 divisions.

14 13 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the
14 14 department of agriculture and land stewardship, moneys are
14 15 appropriated in order to support its divisions.

14 16 The bill appropriates moneys from the general fund to
14 17 support designated programs, including horse and dog racing,
14 18 and motor fuel inspection. The bill appropriates moneys from
14 19 the agricultural remediation fund to support departmental
14 20 operations.

14 21 DEPARTMENT OF NATURAL RESOURCES. For the department of
14 22 natural resources, moneys are appropriated from the general
14 23 fund in order to support its divisions.

14 24 The bill makes appropriations from other funds. The bill
14 25 appropriates moneys to the department of natural resources
14 26 from the state fish and game protection fund to support
14 27 programs related to fish and wildlife. The bill appropriates
14 28 moneys from the groundwater protection fund to support
14 29 groundwater quality. The bill appropriates moneys from the
14 30 snowmobile fund to the department for snowmobile programs.

14 31 The bill includes miscellaneous provisions. An
14 32 appropriation is made from the unassigned revenue fund
14 33 administered by the Iowa comprehensive underground storage
14 34 tank fund board to the department of natural resources for
14 35 administration and expenses of the underground storage tank



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 30, 2009**

Senate Study Bill 1319 continued

15 1 section.

15 2 The bill provides that the department of natural resources
15 3 may use additional funds for staffing to reduce the
15 4 department's floodplain permit backlog and implementing the
15 5 federal maximum daily load program.

15 6 IOWA STATE UNIVERSITY. The bill appropriates moneys from
15 7 the general fund of the state for the operation of the Iowa
15 8 state university's veterinary diagnostic laboratory. It
15 9 includes provisions expressing legislative intent for a future
15 10 appropriation for the diagnostic laboratory.

15 11 ENVIRONMENT FIRST FUND == GENERAL APPROPRIATIONS. The bill
15 12 appropriates funding from the environment first fund to the
15 13 departments of agriculture and land stewardship, economic
15 14 development, and natural resources to support a number of
15 15 programs and projects. Nonreversion clauses authorize the
15 16 appropriations made in this division to be carried forward
15 17 into the succeeding fiscal year and allows the appropriation
15 18 for permanent soil and water conservation practices to be
15 19 available through fiscal year 2012=2013.

15 20 ENVIRONMENT FIRST FUND == RESOURCE ENHANCEMENT AND
15 21 PROTECTION. The bill appropriates moneys from the environment
15 22 first fund to the resources enhancement and protection fund in
15 23 lieu of the \$20 million appropriated by statute from the
15 24 general fund of the state.

15 25 CODE CHANGES. The bill amends Code section 455B.196 which
15 26 establishes the pollutant discharge elimination system permit
15 27 fund to support the DNR's processing of applications and
15 28 issuance of permits under Code section 455B.197. The bill
15 29 provides a standing appropriation from the fund to the
15 30 department each fiscal year. Currently, the general assembly
15 31 appropriates moneys from the fund to support the department's
15 32 efforts each year.

15 33 LSB 1001JB 83

15 34 da/jp/8