



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371

PAG LIN

1 1 Amend the amendment, H=1145, to House File 712, as
1 2 follows:
1 3 #1. By striking page 1, line 1, through page 3,
1 4 line 18, and inserting the following:
1 5 <Amend House File 712 as follows:
1 6 #__. By striking everything after the enacting
1 7 clause and inserting the following:
1 8 <Section 1. NEW SECTION. 714H.1 TITLE.
1 9 This chapter shall be known and may be cited as the
1 10 "Private Right of Action for Consumer Frauds Act".
1 11 Sec. 2. NEW SECTION. 714H.2 DEFINITIONS.
1 12 1. "Actual damages" means all economic damages
1 13 proximately caused by the prohibited practice or act
1 14 that are reasonably ascertainable in amount.
1 15 2. "Advertisement" means the same as defined in
1 16 section 714.16.
1 17 3. "Consumer" means a natural person or the
1 18 person's legal representative.
1 19 4. "Consumer merchandise" means merchandise
1 20 offered for sale or lease, or sold or leased,
1 21 primarily for personal, family, or household purposes.
1 22 5. "Deception" means an act or practice that is
1 23 likely to mislead a substantial number of consumers as
1 24 to a material fact or facts.
1 25 6. "Merchandise" means the same as defined in
1 26 section 714.16.
1 27 7. "Person" means the same as defined in section
1 28 714.16.
1 29 8. "Sale" means any sale or offer for sale of
1 30 consumer merchandise for cash or credit.
1 31 9. "Unfair practice" means the same as defined in
1 32 section 714.16.
1 33 Sec. 3. NEW SECTION. 714H.3 PROHIBITED PRACTICES
1 34 AND ACTS.
1 35 1. A person shall not engage in a practice or act
1 36 the person knows or reasonably should know is an
1 37 unfair practice, deception, fraud, false pretense, or
1 38 false promise, or the misrepresentation, concealment,
1 39 suppression, or omission of a material fact, with the
1 40 intent that others rely upon the unfair practice,
1 41 deception, fraud, false pretense, false promise,
1 42 misrepresentation, concealment, suppression, or
1 43 omission in connection with the advertisement, sale,
1 44 or lease of consumer merchandise, or the solicitation
1 45 of contributions for charitable purposes. For the
1 46 purposes of this chapter, a claimant alleging an
1 47 unfair practice, deception, fraud, false pretense,
1 48 false promise, or misrepresentation must prove that
1 49 the prohibited practice related to a material fact or
1 50 facts. "Solicitations of contributions for charitable



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371 continued

2 1 purposes" does not include solicitations made on
2 2 behalf of a political organization as defined in
2 3 section 13C.1, solicitations made on behalf of a
2 4 religious organization as defined in section 13C.1,
2 5 solicitations made on behalf of a state, regionally,
2 6 or nationally accredited college or university, or
2 7 solicitations made on behalf of a nonprofit foundation
2 8 benefiting a state, regionally, or nationally
2 9 accredited college or university subject to section
2 10 509(a)(1) or 509(a)(3) of the Internal Revenue Code of
2 11 1986.

2 12 2. A person shall not engage in any practice or
2 13 act that is in violation of any of the following:

2 14 a. Section 321.69.
2 15 b. Chapter 516D.
2 16 c. Section 516E.5, 516E.9, or 516E.10.
2 17 d. Chapter 555A.
2 18 e. Section 714.16, subsection 2, paragraphs "b"
2 19 through "n".
2 20 f. Chapter 714A.

2 21 Sec. 4. NEW SECTION. 714H.4 EXCLUSIONS.

2 22 1. This chapter shall not apply to any of the
2 23 following:

2 24 a. Services offered or provided by any of the
2 25 following persons, including business entities
2 26 organized under Title XII by those persons and the
2 27 officers, directors, employees, and agents of those
2 28 persons or business entities, pursuant to a profession
2 29 or business for which they are licensed or registered:

2 30 (1) Insurance companies subject to Title XIII.
2 31 (2) Attorneys licensed to practice law in this
2 32 state.
2 33 (3) Financial institutions which includes any bank
2 34 incorporated under the provisions of any state or
2 35 federal law, any savings and loan association or
2 36 savings bank incorporated under the provisions of any
2 37 state or federal law, any credit union organized under
2 38 the provisions of any state or federal law, and any
2 39 affiliate or subsidiary of a bank, savings and loan
2 40 association, savings bank, or credit union, and any
2 41 industrial loan licensee under chapter 536A or
2 42 regulated loan licensee under chapter 536.
2 43 (4) Persons or facilities licensed, certified, or
2 44 registered under chapters 135B, 135C, 135J, 148, 148A,
2 45 148B, 148C, 149, 151, 152, 152A, 152B, 153, 154, 154B,
2 46 154C, 154D, 155A, 156, 169, 522B, 542, 542B, 543B,
2 47 544A, or 544B.

2 48 b. Advertising by a retailer for a product, other
2 49 than a drug or other product claiming to have a
2 50 health-related benefit or use, if the advertising is



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371 continued

3 1 prepared by a supplier, unless the retailer
3 2 participated in the preparation of the advertisement
3 3 or knew or should have known that the advertisement
3 4 was deceptive, false, or misleading.
3 5 c. In connection with an advertisement that
3 6 violates this chapter, the newspaper, magazine,
3 7 publication, or other print media in which the
3 8 advertisement appears, or the radio station,
3 9 television station, or other electronic media which
3 10 disseminates the advertisement, including an employee,
3 11 agent, or representative of the newspaper, magazine,
3 12 publication or other print media, or the radio
3 13 station, television station, or other electronic
3 14 media.
3 15 d. Any advertisement that complies with the
3 16 statutes, rules, and regulations of the federal trade
3 17 commission.
3 18 e. The provision of local exchange carrier
3 19 telephone service pursuant to a certificate issued
3 20 under section 476.29.
3 21 f. Public utilities as defined in section 476.1
3 22 that furnish gas by a piped distribution system or
3 23 electricity to the public for compensation.
3 24 g. The provision of cable television service or
3 25 video service pursuant to a franchise under section
3 26 364.2 or 477A.2.
3 27 h. Conduct in compliance with the orders or rules
3 28 of, or a statute administered by, a federal, state, or
3 29 local governmental agency.
3 30 i. Actions alleging bodily injury.
3 31 j. In any action relating to a charitable
3 32 solicitation, an individual who has engaged in the
3 33 charitable solicitation as an unpaid, uncompensated
3 34 volunteer and who does not receive monetary gain of
3 35 any sort from engaging in the solicitation.
3 36 k. An affirmative act that violates this chapter
3 37 but is specifically required by other applicable law,
3 38 to the extent that the actor could not reasonably
3 39 avoid a violation of this chapter.
3 40 2. "Material fact" as used in this chapter does
3 41 not include repairs of damage to, adjustments on, or
3 42 replacements of parts with new parts of otherwise new
3 43 merchandise if the repairs, adjustments, or
3 44 replacements are made to achieve compliance with
3 45 factory specifications and are made before sale of the
3 46 merchandise at retail and the actual cost of any labor
3 47 and parts charged to or performed by a retailer for
3 48 any such repairs, adjustments, and parts does not
3 49 exceed three hundred dollars or ten percent of the
3 50 actual cost to a retailer including freight of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371 continued

4 1 merchandise, whichever is less, provided that the
4 2 seller posts in a conspicuous place notice that
4 3 repairs, adjustments, or replacements will be
4 4 disclosed upon request. The exclusion provided in
4 5 this subsection does not apply to the concealment,
4 6 suppression, or omission of a material fact if the
4 7 purchaser requests disclosure of any repair,
4 8 adjustment, or replacement.

4 9 Sec. 5. NEW SECTION. 714H.5 PRIVATE RIGHT OF
4 10 ACTION.

4 11 1. A consumer who suffers an ascertainable loss of
4 12 money or property as the result of such prohibited
4 13 practice or act may bring an action at law to recover
4 14 actual damages. The court may order such equitable
4 15 relief as it deems necessary to protect the public
4 16 from further violations, including temporary and
4 17 permanent injunctive relief.

4 18 2. If the court finds that a person has violated
4 19 this chapter and the consumer is awarded actual
4 20 damages, the court shall award to the consumer the
4 21 costs of the action and to the consumer's attorney
4 22 reasonable fees. Reasonable attorney fees shall be
4 23 determined by the value of the time reasonably
4 24 expended by the attorney including but not limited to
4 25 consideration of the following factors:

4 26 a. The time and labor required.
4 27 b. The novelty and difficulty of the issues in the
4 28 case.
4 29 c. The skills required to perform the legal
4 30 services properly.
4 31 d. The preclusion of other employment by the
4 32 attorney due to the attorney's acceptance of the case.
4 33 e. The customary fee.
4 34 f. Whether the fee is fixed or contingent.
4 35 g. The time limitations imposed by the client or
4 36 the circumstances of the case.
4 37 h. The amount of money involved in the case and
4 38 the results obtained.
4 39 i. The experience, reputation, and ability of the
4 40 attorney.
4 41 j. The undesirability of the case.
4 42 k. The nature and length of the professional
4 43 relationship between the attorney and the client.

4 44 1. Attorney fee awards in similar cases.

4 45 3. In order to recover damages, a claim under this
4 46 section shall be proved by a preponderance of the
4 47 evidence.

4 48 4. If the finder of fact finds by a preponderance
4 49 of clear, convincing, and satisfactory evidence that a
4 50 prohibited practice or act in violation of this



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371 continued

5 1 chapter constitutes willful and wanton disregard for
5 2 the rights or safety of another, in addition to an
5 3 award of actual damages, statutory damages up to three
5 4 times the amount of actual damages may be awarded to a
5 5 prevailing consumer.

5 6 5. An action pursuant to this chapter must be
5 7 brought within two years of the occurrence of the last
5 8 event giving rise to the cause of action under this
5 9 chapter or within two years of the discovery of the
5 10 violation of this chapter by the person bringing the
5 11 action, whichever is later.

5 12 6. This section shall not affect a consumer's
5 13 right to seek relief under any other theory of law.

5 14 Sec. 6. NEW SECTION. 714H.6 ATTORNEY GENERAL
5 15 NOTIFICATION.

5 16 1. A party filing a petition, counterclaim,
5 17 cross-petition, or pleading, or any count thereof, in
5 18 intervention alleging a violation under this chapter,
5 19 within seven days following the date of filing such
5 20 pleading, shall provide a copy to the attorney general
5 21 and, within seven days following entry of any final
5 22 judgment in the action, shall provide a copy of the
5 23 judgment to the attorney general.

5 24 2. A party appealing to district court a small
5 25 claims order or judgment involving an issue raised
5 26 under this chapter, within seven days of providing
5 27 notice of the appeal, shall notify the attorney
5 28 general in writing and provide a copy of the pleading
5 29 raising the issue and a copy of the small claims court
5 30 order or judgment.

5 31 3. A party appealing an order or judgment
5 32 involving an issue raised under this chapter, within
5 33 seven days following the date such notice of appeal is
5 34 filed with the court, shall notify the attorney
5 35 general in writing and provide a copy of the pleading
5 36 raising the issue and a copy of the court order or
5 37 judgment being appealed.

5 38 4. Upon timely application to the court in which
5 39 an action involving an issue raised under this chapter
5 40 is pending, the attorney general may intervene as a
5 41 party at any time or may be heard at any time. The
5 42 attorney general's failure to intervene shall not
5 43 preclude the attorney general from bringing a separate
5 44 enforcement action.

5 45 5. All copies of pleadings, orders, judgments, and
5 46 notices required by this section to be sent to the
5 47 attorney general shall be sent by certified mail
5 48 unless the attorney general has previously been
5 49 provided such copies of pleadings, orders, judgments,
5 50 or notices in the same action by certified mail, in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1371 continued

6 1 which case subsequent mailings may be made by regular
6 2 mail. Failure to provide the required mailings to the
6 3 attorney general shall not be grounds for dismissal of
6 4 an action under this chapter, but shall be grounds for
6 5 a subsequent action by the attorney general to vacate
6 6 or modify the judgment.

6 7 Sec. 7. NEW SECTION. 714H.7 CLASS ACTIONS
6 8 BARRED.

6 9 A class action lawsuit alleging violations of this
6 10 chapter shall not be available. Nothing in this
6 11 chapter shall be construed to limit the attorney
6 12 general from bringing a class action lawsuit pursuant
6 13 to section 714.16.

6 14 Sec. 8. NEW SECTION. 714H.8 SEVERABILITY CLAUSE.

6 15 If any provision of this chapter or its application
6 16 to any person or circumstances is held invalid, the
6 17 invalidity does not affect other provisions or
6 18 applications of this chapter that can be given effect
6 19 without the invalid provision or application, and to
6 20 this end the provisions of this chapter are severable.

6 21 Sec. 9. APPLICABILITY. This Act applies to causes
6 22 of actions accruing on or after the effective date of
6 23 this Act.>

6 24 #____. Title page, line 1, by striking the word
6 25 <cause> and inserting the following: <right>.

6 26 #____. Title page, line 2, by striking the word
6 27 <providing> and inserting the following:
6 28 <including>.>

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6 32 HUSER of Polk

6 33 HF 712.704 83

6 34 rh/sc/23299



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1372

PAG LIN

1 1 Amend Senate File 226, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking page 1, line 1, through page 2,
1 4 line 3, and inserting the following:
1 5 <Section 1. Section 411.1, Code 2009, is amended
1 6 by adding the following new subsections:
1 7 NEW SUBSECTION. 5A. "Cancer" means prostate
1 8 cancer, primary brain cancer, breast cancer, ovarian
1 9 cancer, cervical cancer, uterine cancer, malignant
1 10 melanoma, leukemia, non-Hodgkin's lymphoma, bladder
1 11 cancer, colorectal cancer, multiple myeloma,
1 12 testicular cancer, and kidney cancer.
1 13 NEW SUBSECTION. 9A. "Infectious disease" means
1 14 HIV or AIDS as defined in section 141A.1, all strains
1 15 of hepatitis, meningococcal meningitis, and
1 16 mycobacterium tuberculosis.
1 17 Sec. _____. Section 411.6, subsection 5, paragraph
1 18 c, Code 2009, is amended to read as follows:
1 19 c. (1) Disease under this ~~section~~ subsection
1 20 shall mean heart disease or any disease of the lungs
1 21 or respiratory tract and shall be presumed to have
1 22 been contracted while on active duty as a result of
1 23 strain or the inhalation of noxious fumes, poison, or
1 24 gases.
1 25 (2) Disease under this subsection shall also mean
1 26 cancer or infectious disease and shall be presumed to
1 27 have been contracted while on active duty as a result
1 28 of that duty.
1 29 (3) However, if a person's membership in the
1 30 system first commenced on or after July 1, 1992, and
1 31 the heart disease, ~~or~~ disease of the lungs or
1 32 respiratory tract, ~~cancer, or infectious disease~~ would
1 33 not exist, but for a medical condition that was known
1 34 to exist on the date that membership commenced, the
1 35 presumption established in this paragraph "c" shall
1 36 not apply.
1 37 Sec. _____. Section 411.6, subsection 9, paragraph
1 38 a, Code 2009, is amended to read as follows:
1 39 a. (1) If, upon the receipt of evidence and proof
1 40 from the chief of the police or fire department that
1 41 the death of a member in service was the natural and
1 42 proximate result of an injury or disease incurred in
1 43 or aggravated by the actual performance of duty at
1 44 some definite time and place, or while acting pursuant
1 45 to order, outside of the city by which the member is
1 46 regularly employed, the system decides that death was
1 47 so caused in the performance of duty, there shall be
1 48 paid, in lieu of the ordinary death benefit provided
1 49 in subsection 8, an accidental death benefit as set
1 50 forth in this subsection.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1372 continued

2 1 (2) (a) Disease under this subsection shall mean
2 2 heart disease or any disease of the lungs or
2 3 respiratory tract and shall be presumed to have been
2 4 contracted while on active duty as a result of strain
2 5 or the inhalation of noxious fumes, poison, or gases.

2 6 (b) Disease under this subsection shall also mean
2 7 cancer or infectious disease and shall be presumed to
2 8 have been contracted while on active duty as a result
2 9 of that duty.>

2 10 #2. Page 3, line 6, by inserting after the word
2 11 and figure <and 9.> the following: <In collecting and
2 12 reporting data, the system shall provide information
2 13 as to the actuarial cost to the system of the
2 14 requirements of this Act and shall collect data from
2 15 the cities relative to any associated medical,
2 16 insurance, or other costs incurred by the cities as a
2 17 result of this Act.>

2 18 #3. Page 3, line 8, by striking the word and
2 19 figures <January 1, 2014,> and inserting the
2 20 following: <October 1, 2013,>.

2 21 #4. By renumbering as necessary.

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2 25 FREVERT of Palo Alto

2 26 SF 226.703 83

2 27 ec/sc/23280



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1373

PAG LIN

1 1 Amend the amendment, H=1327, to Senate File 323, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by inserting after line 7 the
1 5 following:
1 6 <Sec. ____ . DEPARTMENT REPORT. The department of
1 7 human services shall track the amount of time taken to
1 8 supply child health records to foster care providers,
1 9 including but not limited to instances when the
1 10 records are incomplete and when the provider requests
1 11 additional information, in accordance with section
1 12 237.3, subsection 2, paragraph "f", subparagraph (2),
1 13 as amended by this Act. The department shall report
1 14 to the general assembly on or before January 15, 2010,
1 15 regarding the results of the tracking.>>
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1 19 HEATON of Henry
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1 23 WESSEL-KROESCHELL of Story
1 24 SF 323.504 83
1 25 jp/nh/11734
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1374

PAG LIN

1 1 Amend Senate File 404, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 23, by striking the word
1 4 <vegetable,>.
1 5 #2. By renumbering as necessary.
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1 9 DRAKE of Cass
1 10 SF 404.202 83
1 11 da/nh/23516
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375

PAG LIN

1 1 Amend House File 712 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 714H.1 TITLE.
1 5 This chapter shall be known and may be cited as the
1 6 "Private Right of Action for Consumer Frauds Act".
1 7 Sec. 2. NEW SECTION. 714H.2 DEFINITIONS.
1 8 1. "Actual damages" means all economic damages
1 9 proximately caused by the prohibited practice or act
1 10 that are reasonably ascertainable in amount.
1 11 2. "Advertisement" means the same as defined in
1 12 section 714.16.
1 13 3. "Consumer" means a natural person or the
1 14 person's legal representative.
1 15 4. "Consumer merchandise" means merchandise
1 16 offered for sale or lease, or sold or leased,
1 17 primarily for personal, family, or household purposes.
1 18 5. "Deception" means an act or practice that is
1 19 likely to mislead a substantial number of consumers as
1 20 to a material fact or facts.
1 21 6. "Merchandise" means the same as defined in
1 22 section 714.16.
1 23 7. "Person" means the same as defined in section
1 24 714.16.
1 25 8. "Sale" means any sale or offer for sale of
1 26 consumer merchandise for cash or credit.
1 27 9. "Unfair practice" means the same as defined in
1 28 section 714.16.
1 29 Sec. 3. NEW SECTION. 714H.3 PROHIBITED PRACTICES
1 30 AND ACTS.
1 31 1. A person shall not engage in a practice or act
1 32 the person knows or reasonably should know is an
1 33 unfair practice, deception, fraud, false pretense, or
1 34 false promise, or the misrepresentation, concealment,
1 35 suppression, or omission of a material fact, with the
1 36 intent that others rely upon the unfair practice,
1 37 deception, fraud, false pretense, false promise,
1 38 misrepresentation, concealment, suppression, or
1 39 omission in connection with the advertisement, sale,
1 40 or lease of consumer merchandise, or the solicitation
1 41 of contributions for charitable purposes. For the
1 42 purposes of this chapter, a claimant alleging an
1 43 unfair practice, deception, fraud, false pretense,
1 44 false promise, or misrepresentation must prove that
1 45 the prohibited practice related to a material fact or
1 46 facts. "Solicitations of contributions for charitable
1 47 purposes" does not include solicitations made on
1 48 behalf of a political organization as defined in
1 49 section 13C.1, solicitations made on behalf of a
1 50 religious organization as defined in section 13C.1,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375 continued

2 1 solicitations made on behalf of a state, regionally,
2 2 or nationally accredited college or university, or
2 3 solicitations made on behalf of a nonprofit foundation
2 4 benefiting a state, regionally, or nationally
2 5 accredited college or university subject to section
2 6 509(a)(1) or 509(a)(3) of the Internal Revenue Code of
2 7 1986.

2 8 2. A person shall not engage in any practice or
2 9 act that is in violation of any of the following:

2 10 a. Section 321.69.
2 11 b. Chapter 516D.
2 12 c. Section 516E.5, 516E.9, or 516E.10.
2 13 d. Chapter 555A.
2 14 e. Section 714.16, subsection 2, paragraphs "b"
2 15 through "n".
2 16 f. Chapter 714A.

2 17 Sec. 4. NEW SECTION. 714H.4 EXCLUSIONS.
2 18 1. This chapter shall not apply to any of the
2 19 following:

2 20 a. Services offered or provided by any of the
2 21 following persons, including business entities
2 22 organized under Title XII by those persons and the
2 23 officers, directors, employees, and agents of those
2 24 persons or business entities, pursuant to a profession
2 25 or business for which they are licensed or registered:

2 26 (1) Insurance companies subject to Title XIII.
2 27 (2) Attorneys licensed to practice law in this
2 28 state.

2 29 (3) Financial institutions which includes any bank
2 30 incorporated under the provisions of any state or
2 31 federal law, any savings and loan association or
2 32 savings bank incorporated under the provisions of any
2 33 state or federal law, any credit union organized under
2 34 the provisions of any state or federal law, and any
2 35 affiliate or subsidiary of a bank, savings and loan
2 36 association, savings bank, or credit union, and any
2 37 industrial loan licensee under chapter 536A or
2 38 regulated loan licensee under chapter 536.

2 39 (4) Persons or facilities licensed, certified, or
2 40 registered under chapters 135B, 135C, 135J, 148, 148A,
2 41 148B, 148C, 149, 151, 152, 152A, 152B, 153, 154, 154B,
2 42 154C, 154D, 155A, 156, 169, 522B, 542, 542B, 543B,
2 43 544A, or 544B.

2 44 b. Advertising by a retailer for a product, other
2 45 than a drug or other product claiming to have a
2 46 health-related benefit or use, if the advertising is
2 47 prepared by a supplier, unless the retailer
2 48 participated in the preparation of the advertisement
2 49 or knew or should have known that the advertisement
2 50 was deceptive, false, or misleading.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375 continued

3 1 c. In connection with an advertisement that
3 2 violates this chapter, the newspaper, magazine,
3 3 publication, or other print media in which the
3 4 advertisement appears, or the radio station,
3 5 television station, or other electronic media which
3 6 disseminates the advertisement, including an employee,
3 7 agent, or representative of the newspaper, magazine,
3 8 publication or other print media, or the radio
3 9 station, television station, or other electronic
3 10 media.

3 11 d. Any advertisement that complies with the
3 12 statutes, rules, and regulations of the federal trade
3 13 commission.

3 14 e. The provision of local exchange carrier
3 15 telephone service pursuant to a certificate issued
3 16 under section 476.29.

3 17 f. Public utilities as defined in section 476.1
3 18 that furnish gas by a piped distribution system or
3 19 electricity to the public for compensation.

3 20 g. The provision of cable television service or
3 21 video service pursuant to a franchise under section
3 22 364.2 or 477A.2.

3 23 h. Conduct in compliance with the orders or rules
3 24 of, or a statute administered by, a federal, state, or
3 25 local governmental agency.

3 26 i. Actions alleging bodily injury.

3 27 j. In any action relating to a charitable
3 28 solicitation, an individual who has engaged in the
3 29 charitable solicitation as an unpaid, uncompensated
3 30 volunteer and who does not receive monetary gain of
3 31 any sort from engaging in the solicitation.

3 32 k. An affirmative act that violates this chapter
3 33 but is specifically required by other applicable law,
3 34 to the extent that the actor could not reasonably
3 35 avoid a violation of this chapter.

3 36 2. "Material fact" as used in this chapter does
3 37 not include repairs of damage to, adjustments on, or
3 38 replacements of parts with new parts of otherwise new
3 39 merchandise if the repairs, adjustments, or
3 40 replacements are made to achieve compliance with
3 41 factory specifications and are made before sale of the
3 42 merchandise at retail and the actual cost of any labor
3 43 and parts charged to or performed by a retailer for
3 44 any such repairs, adjustments, and parts does not
3 45 exceed three hundred dollars or ten percent of the
3 46 actual cost to a retailer including freight of the
3 47 merchandise, whichever is less, provided that the
3 48 seller posts in a conspicuous place notice that
3 49 repairs, adjustments, or replacements will be
3 50 disclosed upon request. The exclusion provided in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375 continued

4 1 this subsection does not apply to the concealment,
4 2 suppression, or omission of a material fact if the
4 3 purchaser requests disclosure of any repair,
4 4 adjustment, or replacement.
4 5 Sec. 5. NEW SECTION. 714H.5 PRIVATE RIGHT OF
4 6 ACTION.
4 7 1. A consumer who suffers an ascertainable loss of
4 8 money or property as the result of such prohibited
4 9 practice or act may bring an action at law to recover
4 10 actual damages. The court may order such equitable
4 11 relief as it deems necessary to protect the public
4 12 from further violations, including temporary and
4 13 permanent injunctive relief.
4 14 2. If the court finds that a person has violated
4 15 this chapter and the consumer is awarded actual
4 16 damages, the court shall award to the consumer the
4 17 costs of the action and to the consumer's attorney
4 18 reasonable fees. Reasonable attorney fees shall be
4 19 determined by the value of the time reasonably
4 20 expended by the attorney including but not limited to
4 21 consideration of the following factors:
4 22 a. The time and labor required.
4 23 b. The novelty and difficulty of the issues in the
4 24 case.
4 25 c. The skills required to perform the legal
4 26 services properly.
4 27 d. The preclusion of other employment by the
4 28 attorney due to the attorney's acceptance of the case.
4 29 e. The customary fee.
4 30 f. Whether the fee is fixed or contingent.
4 31 g. The time limitations imposed by the client or
4 32 the circumstances of the case.
4 33 h. The amount of money involved in the case and
4 34 the results obtained.
4 35 i. The experience, reputation, and ability of the
4 36 attorney.
4 37 j. The undesirability of the case.
4 38 k. The nature and length of the professional
4 39 relationship between the attorney and the client.
4 40 l. Attorney fee awards in similar cases.
4 41 3. In order to recover damages, a claim under this
4 42 section shall be proved by a preponderance of the
4 43 evidence.
4 44 4. If the finder of fact finds by a preponderance
4 45 of clear, convincing, and satisfactory evidence that a
4 46 prohibited practice or act in violation of this
4 47 chapter constitutes willful and wanton disregard for
4 48 the rights or safety of another, in addition to an
4 49 award of actual damages, statutory damages up to three
4 50 times the amount of actual damages may be awarded to a



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375 continued

5 1 prevailing consumer.
5 2 5. An action pursuant to this chapter must be
5 3 brought within two years of the occurrence of the last
5 4 event giving rise to the cause of action under this
5 5 chapter or within two years of the discovery of the
5 6 violation of this chapter by the person bringing the
5 7 action, whichever is later.
5 8 6. This section shall not affect a consumer's
5 9 right to seek relief under any other theory of law.
5 10 Sec. 6. NEW SECTION. 714H.6 ATTORNEY GENERAL
5 11 NOTIFICATION.
5 12 1. A party filing a petition, counterclaim,
5 13 cross-petition, or pleading, or any count thereof, in
5 14 intervention alleging a violation under this chapter,
5 15 within seven days following the date of filing such
5 16 pleading, shall provide a copy to the attorney general
5 17 and, within seven days following entry of any final
5 18 judgment in the action, shall provide a copy of the
5 19 judgment to the attorney general.
5 20 2. A party appealing to district court a small
5 21 claims order or judgment involving an issue raised
5 22 under this chapter, within seven days of providing
5 23 notice of the appeal, shall notify the attorney
5 24 general in writing and provide a copy of the pleading
5 25 raising the issue and a copy of the small claims court
5 26 order or judgment.
5 27 3. A party appealing an order or judgment
5 28 involving an issue raised under this chapter, within
5 29 seven days following the date such notice of appeal is
5 30 filed with the court, shall notify the attorney
5 31 general in writing and provide a copy of the pleading
5 32 raising the issue and a copy of the court order or
5 33 judgment being appealed.
5 34 4. Upon timely application to the court in which
5 35 an action involving an issue raised under this chapter
5 36 is pending, the attorney general may intervene as a
5 37 party at any time or may be heard at any time. The
5 38 attorney general's failure to intervene shall not
5 39 preclude the attorney general from bringing a separate
5 40 enforcement action.
5 41 5. All copies of pleadings, orders, judgments, and
5 42 notices required by this section to be sent to the
5 43 attorney general shall be sent by certified mail
5 44 unless the attorney general has previously been
5 45 provided such copies of pleadings, orders, judgments,
5 46 or notices in the same action by certified mail, in
5 47 which case subsequent mailings may be made by regular
5 48 mail. Failure to provide the required mailings to the
5 49 attorney general shall not be grounds for dismissal of
5 50 an action under this chapter, but shall be grounds for



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1375 continued

6 1 a subsequent action by the attorney general to vacate
6 2 or modify the judgment.

6 3 Sec. 7. NEW SECTION. 714H.7 CLASS ACTIONS
6 4 BARRED.

6 5 A class action lawsuit alleging violations of this
6 6 chapter shall not be available. Nothing in this
6 7 chapter shall be construed to limit the attorney
6 8 general from bringing a class action lawsuit pursuant
6 9 to section 714.16.

6 10 Sec. 8. NEW SECTION. 714H.8 SEVERABILITY CLAUSE.
6 11 If any provision of this chapter or its application
6 12 to any person or circumstances is held invalid, the
6 13 invalidity does not affect other provisions or
6 14 applications of this chapter that can be given effect
6 15 without the invalid provision or application, and to
6 16 this end the provisions of this chapter are severable.

6 17 Sec. 9. APPLICABILITY. This Act applies to causes
6 18 of actions accruing on or after the effective date of
6 19 this Act.>

6 20 #2. Title page, line 1, by striking the word
6 21 <cause> and inserting the following: <right>.

6 22 #3. Title page, line 2, by striking the word
6 23 <providing> and inserting the following: <including>.

6 24

6 25

6 26

6 27 HUSER of Polk

6 28 HF 712.503 83

6 29 rh/rj/23311



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1376

PAG LIN

1 1 Amend Senate File 323, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 27 the
1 4 following:
1 5 <Sec. _____. Section 237.3, Code 2009, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 11. The department shall adopt
1 8 rules prohibiting an individual foster parent licensee
1 9 from providing child care to children as a child care
1 10 home or child development home provider registered
1 11 under chapter 237A at times when a child is present
1 12 who is receiving foster care from the licensee and who
1 13 has been found by the department to have committed
1 14 abuse of another child.>
1 15 #2. By renumbering as necessary.
1 16
1 17
1 18
1 19 VAN ENGELLENHOVEN of Marion
1 20 SF 323.301 83
1 21 jp/nh/11735
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1377

PAG LIN

1 1 Amend House File 712 as follows:
1 2 #1. Page 3, by striking lines 26 through 28 and
1 3 inserting the following:
1 4 <2. A losing party in an action under this chapter
1 5 shall pay the prevailing party's reasonable attorney
1 6 fees.>
1 7 #2. By renumbering as necessary.
1 8
1 9
1 10
1 11 ALONS of Sioux
1 12 HF 712.303 83
1 13 rh/rj/23537
1 14
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1378

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 4, line 35, by striking the word <ten>
1 3 and inserting the following: ~~<ten>~~ <twenty>.
1 4 #2. Page 5, line 2, by striking the word <ten> and
1 5 inserting the following: ~~<ten>~~ <twenty>.
1 6 #3. Page 5, line 3, by striking the word <twenty>
1 7 and inserting the following: ~~<twenty>~~ <twenty=five>.
1 8 #4. Page 5, line 5, by striking the word <twenty>
1 9 and inserting the following: ~~<twenty>~~ <twenty=five>.
1 10 #5. Page 5, line 6, by striking the word
1 11 <twenty=five> and inserting the following:
1 12 ~~<twenty=five>~~ <thirty=five>.
1 13 #6. Page 5, line 8, by striking the word
1 14 <twenty=five> and inserting the following:
1 15 ~~<twenty=five>~~ <thirty=five>.
1 16 #7. Page 5, line 9, by striking the word
1 17 <thirty=five> and inserting the following:
1 18 ~~<thirty=five>~~ <forty=five>.
1 19 #8. Page 5, line 11, by striking the word
1 20 <thirty=five> and inserting the following:
1 21 ~~<thirty=five>~~ <forty=five>.
1 22 #9. Page 5, line 12, by striking the word <forty>
1 23 and inserting the following: ~~<forty>~~ <fifty=five>.
1 24 #10. Page 5, line 14, by striking the word <forty>
1 25 and inserting the following: ~~<forty>~~ <fifty=five>.
1 26 #11. Page 5, line 15, by striking the word
1 27 <forty=five> and inserting the following: ~~<forty=five>~~
1 28 <sixty=five>.
1 29 #12. Page 5, line 17, by striking the word
1 30 <forty=five> and inserting the following: ~~<forty=five>~~
1 31 <sixty=five>.
1 32 #13. Page 5, line 18, by striking the word ~~<fifty>~~
1 33 and inserting the following: ~~<fifty>~~ <seventy=five>.
1 34 #14. Page 5, line 20, by striking the word ~~<fifty>~~
1 35 and inserting the following: ~~<fifty>~~ <seventy=five>.
1 36 #15. By renumbering as necessary.
1 37
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1 40 LUKAN of Dubuque
1 41 HF 807.703 83
1 42 tw/mg:sc/23519
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1379

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 6, by inserting before line 31 the
1 3 following:
1 4 <Sec. _____. Section 422.13, subsection 1, paragraph
1 5 a, Code 2009, is amended to read as follows:
1 6 a. The individual has net income of ~~nine~~ eleven
1 7 thousand dollars or more for the tax year from sources
1 8 taxable under this division.>
1 9 #2. Title page, line 2, by inserting after the
1 10 word <rates,> the following: <an increased filing
1 11 threshold,>.
1 12
1 13
1 14
1 15 COWNIE of Polk
1 16 HF 807.504 83
1 17 tw/mg:sc/23521
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1380

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 7, by inserting after line 17 the
1 3 following:
1 4 <Sec. _____. CONTINGENT EFFECTIVE DATE. The
1 5 sections of this Act amending section 422.4,
1 6 subsection 16, and section 422.9, subsection 2, take
1 7 effect upon ratification of an amendment to the
1 8 Constitution of the State of Iowa prohibiting the
1 9 deduction of federal taxes when computing taxable
1 10 income for state individual income tax purposes.>
1 11 #2. Page 7, line 18, by striking the word <This>
1 12 and inserting the following: <Except for those
1 13 sections of this Act that have contingent effective
1 14 dates, this>.
1 15 #3. Title page, line 7, by inserting after the
1 16 word <including> the following: <a contingent
1 17 effective date provision and>.
1 18
1 19
1 20
1 21 HAGENOW of Polk
1 22 HF 807.205 83
1 23 tw/mg:sc/22945
1 24
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1381

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 3, by inserting before line 16 the
1 3 following:
1 4 <Sec. _____. Section 422.5, Code 2009, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 11. A bill enacted on or after
1 7 January 1, 2010, containing provisions enacting,
1 8 amending, or repealing the income tax or income tax
1 9 rates imposed in this section, in which the aggregate
1 10 fiscal impact of the provisions results in a net
1 11 increase in state tax revenues, as determined by the
1 12 general assembly, shall require the affirmative votes
1 13 of at least two-thirds of the whole membership of each
1 14 house of the general assembly for passage and the
1 15 signature of the governor. This subsection does not
1 16 apply to income tax imposed at the option of a local
1 17 government.>
1 18 #2. By renumbering as necessary.
1 19
1 20
1 21
1 22 GRASSLEY of Butler
1 23 HF 807.302 83
1 24 tw/mg:sc/23477
1 25
1 26
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1382

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 1, by striking lines 12 through 23.
1 3 #2. By striking page 3, line 16, through page 4,
1 4 line 1.
1 5 #3. Title page, line 2, by striking the words <the
1 6 elimination of federal deductibility,>.
1 7
1 8
1 9
1 10 SANDS of Louisa
1 11 HF 807.301 83
1 12 tw/mg:sc/23293
1 13
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1 15
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1383

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 3, by inserting before line 16 the
1 3 following:
1 4 <Sec. _____. Section 422.5, Code 2009, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 11. For the tax year beginning
1 7 January 1, 2009, and the tax year beginning January 1,
1 8 2010, if an individual taxpayer's taxable income is
1 9 forty thousand dollars or less, or if a married
1 10 persons', filing jointly or filing separately on a
1 11 combined return, head of household's, or surviving
1 12 spouse's taxable income is eighty thousand dollars or
1 13 less, the taxpayer's tax liability shall be the lesser
1 14 of the following:
1 15 a. The tax liability computed under the tax rates
1 16 that were in effect, including the deductions from net
1 17 income and credits allowed, for the tax year beginning
1 18 January 1, 2008.
1 19 b. The tax liability computed pursuant to the
1 20 rates in effect in this section, including the
1 21 deductions from net income and credits allowed in this
1 22 division, for the appropriate tax year.>
1 23 #2. By renumbering as necessary.
1 24
1 25
1 26
1 27 L. MILLER of Scott
1 28 HF 807.207 83
1 29 tw/mg:sc/23316
1 30
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1384

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 3, by inserting before line 16 the
1 3 following:
1 4 <Sec. _____. Section 422.7, Code 2009, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 54. Subtract, to the extent
1 7 included, active duty pay received by a person as a
1 8 member on federal active duty of the armed forces or
1 9 as a member in the armed forces military reserve or
1 10 national guard serving on federal active duty other
1 11 than for training.>
1 12 #2. Title page, line 2, by inserting after the
1 13 word <rates,> the following: <the exclusion of active
1 14 duty military pay,>.
1 15
1 16
1 17
1 18 TYMESON of Madison
1 19 HF 807.305 83
1 20 tw/mg:sc/23493
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1385

PAG LIN

1 1 Amend House File 807 as follows:

1 2 #1. By striking everything after the enacting

1 3 clause and inserting the following:

1 4 <Section 1. Section 422.4, subsection 1,

1 5 paragraphs b and c, Code 2009, are amended to read as

1 6 follows:

1 7 b. "Cumulative inflation factor" means the product

1 8 of the annual inflation factor for the ~~1988~~ 2009

1 9 calendar year and all annual inflation factors for

1 10 subsequent calendar years as determined pursuant to

1 11 this subsection. The cumulative inflation factor

1 12 applies to all tax years beginning on or after January

1 13 1 of the calendar year for which the latest annual

1 14 inflation factor has been determined.

1 15 c. The annual inflation factor for the ~~1988~~ 2009

1 16 calendar year is one hundred percent.

1 17 Sec. 2. Section 422.5, subsection 1, paragraphs a

1 18 through i, Code 2009, are amended to read as follows:

1 19 For tax years beginning

1 20 in the calendar year:

1 21 2009 2010 and

1 22 subsequent

1 23 calendar years

1 24 a. On all taxable income from

1 25 zero through one thousand four

1 26 hundred seven dollars, ~~thirty-six~~

1 27 hundredths of one percent.: 0.30% 0.31%

1 28 b. On all taxable income

1 29 exceeding one thousand four hundred

1 30 seven dollars but not exceeding two

1 31 thousand eight hundred fourteen

1 32 dollars, ~~seventy-two hundredths~~ of

1 33 one percent.: 0.59% 0.60%

1 34 c. On all taxable income

1 35 exceeding two thousand eight hundred

1 36 fourteen dollars but not exceeding

1 37 four five thousand six hundred

1 38 twenty-eight dollars,

1 39 ~~two and forty-three hundredths~~

1 40 percent.: 1.95% 2.00%

1 41 d. On all taxable income

1 42 exceeding ~~four~~ five thousand six

1 43 hundred twenty-eight dollars but

1 44 not exceeding ~~nine~~ twelve thousand

1 45 six hundred sixty-three dollars,

1 46 ~~four and one-half percent.~~: 4.18% 4.28%

1 47 e. On all taxable income

1 48 exceeding ~~nine~~ twelve thousand

1 49 six hundred sixty-three dollars but

1 50 not exceeding ~~fifteen~~ twenty-one



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1385 continued

2	1 thousand <u>one hundred five</u> dollars 7	
2	2 six and twelve hundredths	
2	3 percent.:	5.42%
		5.56%
2	4 f. On all taxable income	
2	5 exceeding <u>fifteen</u> <u>twenty=one</u>	
2	6 thousand <u>one hundred five</u> dollars	
2	7 but not exceeding twenty <u>twenty=eight</u>	
2	8 thousand <u>one hundred forty</u> dollars 7	
2	9 six and forty=eight hundredths	
2	10 percent.:	5.42%
		5.56%
2	11 g. On all taxable income	
2	12 exceeding twenty <u>twenty=eight</u>	
2	13 thousand <u>one hundred forty</u> dollars	
2	14 but not exceeding thirty <u>forty=two</u>	
2	15 thousand <u>two hundred ten</u> dollars 7	
2	16 six and eight=tenths percent.:	5.73%
		5.87%
2	17 h. On all taxable income	
2	18 exceeding thirty <u>forty=two</u> thousand	
2	19 <u>two hundred ten</u> dollars but not	
2	20 exceeding forty=five <u>sixty=three</u>	
2	21 thousand <u>three hundred fifteen</u>	
2	22 dollars, seven and ninety=two	
2	23 hundredths percent.:	6.16%
		6.30%
2	24 i. On all taxable income	
2	25 exceeding forty=five <u>sixty=three</u>	
2	26 thousand <u>three hundred fifteen</u>	
2	27 dollars, eight and ninety=eight	
2	28 hundredths percent.:	6.98%
		6.98%
2	29 Sec. 3. Section 422.12, subsection 1, paragraphs d	
2	30 and e, Code 2009, are amended to read as follows:	
2	31 d. For a single individual, husband, wife, or head	
2	32 of household, an additional exemption of twenty <u>forty</u>	
2	33 dollars for each of said individuals who has attained	
2	34 the age of <u>sixty=five</u> years before the close of the	
2	35 tax year or on the first day following the end of the	
2	36 tax year.	
2	37 e. For a single individual, husband, wife, or head	
2	38 of household, an additional exemption of twenty <u>forty</u>	
2	39 dollars for each of said individuals who is blind at	
2	40 the close of the tax year. For the purposes of this	
2	41 paragraph, an individual is blind only if the	
2	42 individual's central visual acuity does not exceed	
2	43 <u>twenty=two</u> hundredths in the better eye with	
2	44 correcting lenses, or if the individual's visual	
2	45 acuity is greater than <u>twenty=two</u> hundredths but is	
2	46 accompanied by a limitation in the fields of vision	
2	47 such that the widest diameter of the visual field	
2	48 subtends an angle no greater than twenty degrees.	
2	49 Sec. 4. Section 422.12B, subsection 1, Code 2009,	
2	50 is amended to read as follows:	



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1385 continued

3 1 1. The taxes imposed under this division less the
3 2 credits allowed under section 422.12 shall be reduced
3 3 by an earned income credit equal to ~~seven~~ eight
3 4 percent of the federal earned income credit provided
3 5 in section 32 of the Internal Revenue Code. Any
3 6 credit in excess of the tax liability is refundable.

3 7 Sec. 5. Section 422.12C, subsection 1, Code 2009,
3 8 is amended to read as follows:

3 9 1. a. The taxes imposed under this division, less
3 10 the amounts of nonrefundable credits allowed under
3 11 this division, shall be reduced by a child and
3 12 dependent care credit equal to the following
3 13 percentages of the federal child and dependent care
3 14 credit provided in section 21 of the Internal Revenue
3 15 Code:

3 16 ~~a.~~ (1) For a taxpayer with net income of less
3 17 than ten thousand dollars, ~~seventy-five~~ eighty
3 18 percent.

3 19 ~~b.~~ (2) For a taxpayer with net income of ten
3 20 thousand dollars or more but less than twenty thousand
3 21 dollars, ~~sixty-five~~ seventy percent.

3 22 ~~c.~~ (3) For a taxpayer with net income of twenty
3 23 thousand dollars or more but less than twenty-five
3 24 thousand dollars, ~~fifty-five~~ sixty percent.

3 25 ~~d.~~ (4) For a taxpayer with net income of
3 26 twenty-five thousand dollars or more but less than
3 27 thirty-five thousand dollars, ~~fifty~~ fifty-five
3 28 percent.

3 29 ~~e.~~ (5) For a taxpayer with net income of
3 30 thirty-five thousand dollars or more but less than
3 31 forty thousand dollars, ~~forty~~ forty-five percent.

3 32 ~~f.~~ (6) For a taxpayer with net income of forty
3 33 thousand dollars or more but less than forty-five
3 34 thousand dollars, ~~thirty~~ thirty-five percent.

3 35 ~~g.~~ (7) For a taxpayer with net income of
3 36 forty-five thousand dollars or more, ~~zero~~ but less
3 37 than fifty thousand dollars, thirty percent.

3 38 (8) For a taxpayer with net income of fifty
3 39 thousand dollars or more, zero percent.

3 40 b. (1) For the tax year beginning in the 2010
3 41 calendar year and for each subsequent tax year, the
3 42 dollar amounts set forth in paragraph "a",
3 43 subparagraphs (1) through (8), shall be multiplied by
3 44 the cumulative adjustment factor for that tax year.
3 45 "Cumulative adjustment factor" means the product of
3 46 the annual adjustment factor for the 2009 tax year and
3 47 all annual adjustment factors for subsequent tax
3 48 years. The cumulative adjustment factor applies to
3 49 the tax year beginning in the calendar year for which
3 50 the latest annual adjustment factor has been



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1385 continued

4 1 determined.

4 2 (2) The annual adjustment factor for the 2009 tax
4 3 year is one hundred percent. For each subsequent tax
4 4 year, the annual adjustment factor equals the annual
4 5 inflation factor for the calendar year, in which the
4 6 tax year begins, as computed in section 422.4 for
4 7 purposes of the individual income tax.

4 8 (3) The director shall determine for the 2010 tax
4 9 year and each subsequent tax year the annual and
4 10 cumulative adjustment factor for that tax year. The
4 11 annual and cumulative adjustment factors determined by
4 12 the director are not rules as defined in section
4 13 17A.2, subsection 11.

4 14 Sec. 6. Section 422.12C, subsection 2, unnumbered
4 15 paragraph 1, Code 2009, is amended to read as follows:

4 16 The taxes imposed under this division, less the
4 17 amounts of nonrefundable credits allowed under this
4 18 division, may be reduced by an early childhood
4 19 development tax credit equal to twenty-five percent of
4 20 the first one thousand dollars which the taxpayer has
4 21 paid to others for each dependent, as defined in the
4 22 Internal Revenue Code, ages three through five for
4 23 early childhood development expenses. In determining
4 24 the amount of early childhood development expenses for
4 25 the tax year beginning in the 2006 calendar year only,
4 26 such expenses paid during November and December of the
4 27 previous tax year shall be considered paid in the tax
4 28 year for which the tax credit is claimed. This credit
4 29 is available to a taxpayer whose net income is less
4 30 than ~~forty-five thousand dollars~~ the dollar amount
4 31 specified in subsection 1, paragraph "a", subparagraph
4 32 (8), as adjusted for inflation pursuant to subsection
4 33 1, paragraph "b". If the early childhood development
4 34 tax credit is claimed for a tax year, the taxpayer and
4 35 the taxpayer's spouse shall not claim the child and
4 36 dependent care credit under subsection 1. As used in
4 37 this subsection, "early childhood development
4 38 expenses" means services provided to the dependent by
4 39 a preschool, as defined in section 237A.1, materials,
4 40 and other activities as follows:

4 41 Sec. 7. Section 422.21, unnumbered paragraph 5,
4 42 Code 2009, is amended to read as follows:

4 43 The director shall determine for the ~~1989~~ 2010 and
4 44 each subsequent calendar year the annual and
4 45 cumulative inflation factors for each calendar year to
4 46 be applied to tax years beginning on or after January
4 47 1 of that calendar year. The director shall compute
4 48 the new dollar amounts as specified to be adjusted in
4 49 section 422.5 by the latest cumulative inflation
4 50 factor and round off the result to the nearest one



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1385 continued

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

5 16 Sec. 8. RETROACTIVE APPLICABILITY. This Act
5 17 applies retroactively to January 1, 2009, for tax
5 18 years beginning on or after that date.>

5 19 #2. Title page, line 2, by striking the words <the
5 20 elimination of federal deductibility,>.

5 21 #3. By renumbering as necessary.

5 22

5 23

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5 25 SANDS of Louisa

5 26 HF 807.202 83

5 27 tw/mg:sc/23292



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1386

PAG LIN

1 1 Amend House File 807 as follows:
 1 2 #1. Page 4, by inserting before line 2 the
 1 3 following:
 1 4 <Sec. _____. NEW SECTION. 422.11X TEACHER EXPENSE
 1 5 TAX CREDIT.
 1 6 1. The taxes imposed under this division, less the
 1 7 credits allowed under section 422.12, shall be reduced
 1 8 by a teacher expense credit equal to the first two
 1 9 hundred fifty dollars of the cost incurred to purchase
 1 10 supplies by the taxpayer to assist the taxpayer in
 1 11 teaching at an elementary or secondary school situated
 1 12 in Iowa, which school is accredited under section
 1 13 256.11. To qualify for the credit, the costs must be
 1 14 nonreimbursable from any source. If the cost incurred
 1 15 has been deducted in computing federal adjusted gross
 1 16 income, the amount of such deduction shall be added in
 1 17 determining net income under section 422.7. Any
 1 18 credit in excess of the tax liability is
 1 19 nonrefundable.
 1 20 2. As used in this section, "supplies" includes
 1 21 but is not limited to paper supplies, bulletin boards,
 1 22 books, maps, charts, computer software but not
 1 23 hardware, and other items directly used by the
 1 24 taxpayer as a teacher. The cost incurred to purchase
 1 25 supplies for which a tax credit may be received under
 1 26 this section shall not be used by a school district to
 1 27 supplement its costs of instructional materials.>
 1 28 #2. Title page, line 2, by inserting after the
 1 29 word <rates,> the following: <a teacher expense tax
 1 30 credit,>.
 1 31
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 1 34 TYMESON of Madison
 1 35 HF 807.502 83
 1 36 tw/mg:sc/23300
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1387

PAG LIN

1 1 Amend Senate File 224, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 31, by inserting after the word
1 4 <made.> the following: <Fixtures or parts do not
1 5 include smoke and fire dampers, or water, gas, or
1 6 steam piping permanent repairs except for traps or
1 7 strainers. "Routine maintenance" includes emergency
1 8 repairs as may be defined by the board.>
1 9 #2. Page 4, line 28, by striking the words <state
1 10 or> and inserting the following: <~~state or~~>.
1 11 #3. Page 5, by inserting after line 21 the
1 12 following:
1 13 <NEW SUBSECTION. 14. Apply to an employee of
1 14 state government while the employee serves a
1 15 state-owned or state-leased facility while acting
1 16 within the scope of the state government employee's
1 17 employment.>
1 18 #4. Page 9, by striking lines 27 through 32 and
1 19 inserting the following: <of the license that the
1 20 individual holds. Special plumbing and mechanical
1 21 professional licenses shall be issued to employees of
1 22 a rate-regulated gas or electric public utility who
1 23 conduct repair of appliances. "Repair of appliances"
1 24 means the repair or replacement of mechanical
1 25 connections between the appliance shutoff valve and
1 26 the appliance and repair of or replacement of parts to
1 27 the appliance. Such special, restricted license shall
1 28 require certification pursuant to industry accredited
1 29 certification standards.>
1 30 #5. Page 15, by inserting after line 19 the
1 31 following:
1 32 <Sec. ____ . STUDY OF STATEWIDE INSPECTION PROGRAM
1 33 IMPLEMENTATION. The plumbing and mechanical systems
1 34 board, in conjunction with the electrical examining
1 35 board, shall conduct a study to determine the most
1 36 appropriate and feasible manner to implement a
1 37 statewide inspection program for work performed by the
1 38 respective licensees of both boards. By January 1,
1 39 2011, the boards shall submit a recommendation to the
1 40 general assembly for the implementation of a statewide
1 41 inspection program.>
1 42 #6. By renumbering as necessary.
1 43
1 44
1 45
1 46 QUIRK of Chickasaw
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1 50 STRUYK of Pottawattamie



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1387 continued

2 1 SF 224.705 83
2 2 jr/rj/23536



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1388

PAG LIN

1 1 Amend House File 807 as follows:
 1 2 #1. Page 3, by inserting before line 16 the
 1 3 following:
 1 4 <Sec. _____. Section 422.7, Code 2009, is amended by
 1 5 adding the following new subsection:
 1 6 NEW SUBSECTION. 54. a. Subtract, to the extent
 1 7 included, the income from a partnership, limited
 1 8 liability company, or S corporation electing to have
 1 9 the income taxed directly to the individual that is
 1 10 not distributed to the taxpayer during the tax year.
 1 11 b. Add the amount of income received as
 1 12 distributions from a partnership, limited liability
 1 13 company, or S corporation electing to have the income
 1 14 taxed directly to the individual to the extent the
 1 15 distributions are in excess of the income of the
 1 16 partnership, limited liability company, or S
 1 17 corporation for the tax year to the extent that such
 1 18 distributions do not exceed the aggregate amount
 1 19 subtracted pursuant to paragraph "a" for prior tax
 1 20 years. The amount added under this paragraph shall
 1 21 reduce the aggregate amount subtracted pursuant to
 1 22 paragraph "a" for subsequent tax years.>
 1 23 #2. By renumbering as necessary.
 1 24
 1 25
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 1 27 QUIRK of Chickasaw
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 1 31 HUSER of Polk
 1 32 HF 807.702 83
 1 33 tw/mg:sc/23528
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1389

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, by striking lines 5 through 31 and
1 4 inserting the following:

1 5 <<Sec. ____ . Section 321,218, subsection 3, Code
1 6 2009, is amended to read as follows:

1 7 3. a. The department, upon receiving the record
1 8 of the conviction of a person under this section upon
1 9 a charge of operating a motor vehicle while the
1 10 license of the person is suspended or revoked, shall,
1 11 except for licenses suspended under section 252J.8,
1 12 321.210, subsection 1, paragraph "c", or section
1 13 321.210A or 321.513, extend the period of suspension
1 14 or revocation for an additional like period or for one
1 15 year, whichever period is shorter, and the department
1 16 shall not issue a new driver's license to the person
1 17 during the ~~additional~~ extended period.

1 18 b. If the department receives a record of a
1 19 conviction of a person under this section but the
1 20 person's driving record does not indicate what the
1 21 original grounds of suspension were, the period of
1 22 suspension under this subsection shall be for a period
1 23 not to exceed six months.>>

1 24 #2. By renumbering as necessary.

1 25

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1 28 R. OLSON of Polk

1 29

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1 32 LYKAM of Scott

1 33 SF 419.303 83

1 34 dea/dea/12522

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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1390

PAG LIN

1 1 Amend House File 311, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 8 through 12, and
1 4 inserting the following: <licensed under chapter 148.
1 5 Such coverage benefits for>.
1 6 #2. Page 2, by inserting after line 9, the
1 7 following:
1 8 <3. Notwithstanding subsection 1, a policy,
1 9 contract, or plan providing for third-party payment or
1 10 prepayment of health or medical expenses that is
1 11 issued for use in connection with a health savings
1 12 account as authorized under Title XII of the Medicare
1 13 Prescription Drug, Improvement, and Modernization Act
1 14 of 2003, Pub. L. No. 108=173, may impose the same
1 15 deductibles and out-of-pocket limits on the
1 16 prosthetics coverage benefits required in this section
1 17 that apply to substantially all health, medical, and
1 18 surgical coverage benefits under the policy, contract,
1 19 or plan.>
1 20 HF 311.S
1 21 av/rj/jh/26
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1391

PAG LIN

1 1 Amend House File 807 as follows:
 1 2 #1. Page 7, by inserting before line 18 the
 1 3 following:
 1 4 <Sec. _____. Section 425.1, subsection 2, Code 2009,
 1 5 is amended to read as follows:
 1 6 2. The homestead credit fund shall be apportioned
 1 7 each year so as to give a credit against the tax on
 1 8 each eligible homestead in the state in an amount
 1 9 equal to the actual levy on the first four thousand
 1 10 eight hundred fifty dollars of actual value for each
 1 11 homestead. If any moneys are appropriated to the fund
 1 12 in addition to the moneys appropriated pursuant to
 1 13 subsection 1, those moneys shall be prorated based
 1 14 upon the actual levy to each eligible homestead.
 1 15 Sec. _____. HOMESTEAD CREDIT FUND. There is
 1 16 appropriated from the federal economic stimulus and
 1 17 jobs holding account to the homestead credit fund for
 1 18 the fiscal year beginning July 1, 2009, and ending
 1 19 June 30, 2010, the following amount, or so much
 1 20 thereof as is necessary, to be used for the purposes
 1 21 designated:
 1 22 For purposes of providing an additional homestead
 1 23 property tax credit to homestead owners:
 1 24 \$ 86,000,000>
 1 25 #2. Page 7, line 18, by striking the word <This>
 1 26 and inserting the following:
 1 27 <1. Except as provided in subsection 2, this>.
 1 28 #3. Page 7, by inserting after line 20 the
 1 29 following:
 1 30 <2. The sections of this Act amending section
 1 31 425.1 and making the appropriation to the homestead
 1 32 credit fund, being deemed of immediate importance,
 1 33 take effect upon enactment and apply to homestead
 1 34 property tax credits granted for property taxes
 1 35 payable in the fiscal year beginning July 1, 2009.>
 1 36 #4. Title page, by striking lines 1 and 2 and
 1 37 inserting the following: <An Act relating to taxes by
 1 38 providing for reduced income tax rates, the
 1 39 elimination of federal deductibility,>.
 1 40 #5. Title page, line 6, by striking the words <tax
 1 41 credit and> and inserting the following: <tax credit,
 1 42 providing for additional homestead credits, making an
 1 43 appropriation, and>.
 1 44 #6. By renumbering as necessary.
 1 45
 1 46
 1 47
 1 48 STRUYK of Pottawattamie
 1 49 HF 807.704 83
 1 50 tw/mg:sc/23491



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1392

PAG LIN

1 1 Amend House File 807 as follows:
 1 2 #1. Page 3, by inserting before line 16 the
 1 3 following:
 1 4 <Sec. _____. Section 422.7, Code 2009, is amended by
 1 5 adding the following new subsection:
 1 6 NEW SUBSECTION. 54. A taxpayer is allowed to take
 1 7 the additional first year depreciation allowance under
 1 8 section 168(k)(4) of the Internal Revenue Code, as
 1 9 amended by Pub. L. No. 110=185, in computing state tax
 1 10 purposes.>
 1 11 #2. Page 7, by inserting before line 18 the
 1 12 following:
 1 13 <Sec. _____. Section 422.35, Code 2009, is amended
 1 14 by adding the following new subsection:
 1 15 NEW SUBSECTION. 25. A taxpayer is allowed to take
 1 16 the additional first year depreciation allowance under
 1 17 section 168(k)(4) of the Internal Revenue Code, as
 1 18 amended by Pub. L. No. 110=185, in computing state tax
 1 19 purposes.>
 1 20 #3. Title page, line 2, by inserting after the
 1 21 word <rates,> the following: <coupling with federal
 1 22 bonus depreciation,>.
 1 23
 1 24
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 1 26 SANDS of Louisa
 1 27 HF 807.505 83
 1 28 tw/mg:sc/23538
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1393

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. Page 3, by inserting before line 16 the
1 3 following:
1 4 <Sec. _____. Section 422.5, Code 2009, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 11. For the tax year beginning
1 7 January 1, 2009, and the tax year beginning January 1,
1 8 2010, if an individual taxpayer's taxable income is
1 9 twenty thousand dollars or less, or if a married
1 10 persons', filing jointly or filing separately on a
1 11 combined return, head of household's, or surviving
1 12 spouse's taxable income is forty thousand dollars or
1 13 less, the taxpayer's tax liability shall be the lesser
1 14 of the following:
1 15 a. The tax liability computed under the tax rates
1 16 that were in effect, including the deductions from net
1 17 income and credits allowed, for the tax year beginning
1 18 January 1, 2008.
1 19 b. The tax liability computed pursuant to the
1 20 rates in effect in this section, including the
1 21 deductions from net income and credits allowed in this
1 22 division, for the appropriate tax year.>
1 23 #2. By renumbering as necessary.
1 24
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1 26
1 27 PETTENGILL of Benton
1 28 HF 807.304 83
1 29 tw/mg:sc/23310
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House Amendment 1394

PAG LIN

1 1 Amend House File 807 as follows:
1 2 #1. By striking page 1, line 1, through page 4,
1 3 line 1, and inserting the following:
1 4 <Section 1. Section 422.5, subsection 1,
1 5 paragraphs a through i, Code 2009, are amended to read
1 6 as follows:
1 7 a. On all taxable income from zero through one
1 8 thousand dollars, ~~thirty-six~~ thirty-two hundredths of
1 9 one percent.
1 10 b. On all taxable income exceeding one thousand
1 11 dollars but not exceeding two thousand dollars,
1 12 ~~seventy-two~~ sixty-five hundredths of one percent.
1 13 c. On all taxable income exceeding two thousand
1 14 dollars but not exceeding four thousand dollars, two
1 15 and ~~forty-three~~ nineteen hundredths percent.
1 16 d. On all taxable income exceeding four thousand
1 17 dollars but not exceeding nine thousand dollars, four
1 18 and ~~one-half~~ five hundredths percent.
1 19 e. On all taxable income exceeding nine thousand
1 20 dollars but not exceeding fifteen thousand dollars,
1 21 ~~six~~ five and ~~twelve~~ fifty-one hundredths percent.
1 22 f. On all taxable income exceeding fifteen
1 23 thousand dollars but not exceeding twenty thousand
1 24 dollars, ~~six~~ five and ~~forty-eight~~ eighty-three
1 25 hundredths percent.
1 26 g. On all taxable income exceeding twenty thousand
1 27 dollars but not exceeding thirty thousand dollars, six
1 28 and ~~eight-tenths~~ twelve hundredths percent.
1 29 h. On all taxable income exceeding thirty thousand
1 30 dollars but not exceeding forty-five thousand dollars,
1 31 seven and ~~ninety-two~~ thirteen hundredths percent.
1 32 i. On all taxable income exceeding forty-five
1 33 thousand dollars, eight and ~~ninety-eight~~ eight
1 34 hundredths percent.>
1 35 #2. By striking page 6, line 31, through page 7,
1 36 line 17, and inserting the following:
1 37 <Sec. ____ . Section 422.33, subsection 1, Code
1 38 2009, is amended to read as follows:
1 39 1. a. A tax is imposed annually upon each
1 40 corporation doing business in this state, or deriving
1 41 income from sources within this state, in an amount
1 42 computed by applying the following rates of taxation
1 43 to the net income received by the corporation during
1 44 the income year:
1 45 ~~a.~~ (1) On the first twenty-five thousand dollars
1 46 of taxable income, or any part thereof, the rate of
1 47 ~~six~~ five and ~~four-tenths~~ percent.
1 48 ~~b.~~ (2) On taxable income between twenty-five
1 49 thousand dollars and one hundred thousand dollars or
1 50 any part thereof, the rate of ~~eight~~ seven and



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1394 continued

2 1 two-tenths percent.

2 2 ~~e.~~ (3) On taxable income between one hundred

2 3 thousand dollars and two hundred fifty thousand

2 4 dollars or any part thereof, the rate of ~~ten~~ nine

2 5 percent.

2 6 ~~d.~~ (4) On taxable income of two hundred fifty

2 7 thousand dollars or more, the rate of ~~twelve~~ ten and

2 8 eight-tenths percent.

2 9 b. "Income For purposes of this section, "income

2 10 from sources within this state" means income from

2 11 real, tangible, or intangible property located or

2 12 having a situs in this state.>

2 13 #3. Title page, by striking lines 1 and 2 and

2 14 inserting the following: <An Act relating to the

2 15 individual and corporate income taxes by providing for

2 16 reduced tax rates,>.

2 17

2 18

2 19

2 20 WAGNER of Linn

2 21 HF 807.201 83

2 22 tw/mg:sc/23475



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1395

PAG LIN

1 1 Amend Senate File 419, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 21, by inserting after line 25 the
 1 4 following:
 1 5 <Sec. _____. Section 707.6A, subsection 1,
 1 6 unnumbered paragraph 1, Code 2009, is amended to read
 1 7 as follows:
 1 8 A person commits a class "B" felony when the person
 1 9 unintentionally causes the death of another by
 1 10 operating a motor vehicle while intoxicated, as
 1 11 prohibited by section 321J.2, and notwithstanding
 1 12 section 902.9, subsection 2, shall be punished by
 1 13 confinement for no more than fifty years. A person
 1 14 sentenced for a violation of this subsection shall not
 1 15 be eligible for parole until the person has served a
 1 16 minimum period of confinement of twenty-five years.
 1 17 Upon a plea or verdict of guilty of a violation of
 1 18 this subsection, the court shall do the following:
 1 19 Sec. _____. Section 707.8, subsection 4, Code 2009,
 1 20 is amended to read as follows:
 1 21 4. A person who unintentionally terminates a human
 1 22 pregnancy by any of the means provided pursuant to
 1 23 section 707.6A, subsection 1, is guilty of a class ~~"C"~~
 1 24 "B" felony.>
 1 25 #2. Page 23, by inserting after line 16 the
 1 26 following:
 1 27 <Sec. _____. Section 902.12, Code 2009, is amended
 1 28 by adding the following new subsection:
 1 29 NEW SUBSECTION. 7. Unintentional termination of a
 1 30 human pregnancy in violation of section 707.8,
 1 31 subsection 4.>
 1 32 #3. Title page, line 4, by inserting after the
 1 33 word < Citations, > the following: < operating a motor
 1 34 vehicle while intoxicated offenses that involve a
 1 35 death, >.
 1 36 #4. Title page, line 6, by striking the words < a
 1 37 penalty > and inserting the following: < penalties >.
 1 38 #5. By renumbering as necessary.
 1 39
 1 40
 1 41
 1 42 ALONS of Sioux
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 1 44
 1 45
 1 46 DE BOEF of Keokuk
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 1 48
 1 49
 1 50 DRAKE of Cass



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House Amendment 1395 continued

2 1
2 2
2 3
2 4 SORENSON of Warren
2 5 SF 419.206 83
2 6 dea/nh/23533



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced

HOUSE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 285)

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

A BILL FOR

1 An Act relating to and making appropriations to 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 1000HV 83
8 ec/tm:jp/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced 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
April 01, 2009

House File 809 - Introduced 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
April 01, 2009**

House File 809 - Introduced 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
April 01, 2009**

House File 809 - Introduced 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	37.00

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
April 01, 2009**

House File 809 - Introduced 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. The insurance division may reallocate authorized full-
 6 16 time equivalent positions as necessary to respond to
 6 17 accreditation recommendations or requirements. The insurance
 6 18 division expenditures for examination purposes may exceed the
 6 19 projected receipts, refunds, and reimbursements, estimated
 6 20 pursuant to section 505.7, subsection 7, including the
 6 21 expenditures for retention of additional personnel, if the
 6 22 expenditures are fully reimbursable and the division first
 6 23 does both of the following:
 6 24 (1) Notifies the department of management, the legislative
 6 25 services agency, and the legislative fiscal committee of the
 6 26 need for the expenditures.
 6 27 (2) Files with each of the entities named in subparagraph
 6 28 (1) the legislative and regulatory justification for the
 6 29 expenditures, along with an estimate of the expenditures.
 6 30 d. The insurance division shall allocate \$10,000 from the
 6 31 examination receipts for the payment of its fees to the
 6 32 national conference of insurance legislators.
 6 33 5. UTILITIES DIVISION
 6 34 a. For salaries, support, maintenance, and miscellaneous
 6 35 purposes, and for not more than the following full-time



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

7 1 equivalent positions:
 7 2 \$ 7,255,940
 7 3 FTEs 79.00
 7 4 b. The utilities division may expend additional funds,
 7 5 including funds for additional personnel, if those additional
 7 6 expenditures are actual expenses which exceed the funds
 7 7 budgeted for utility regulation and the expenditures are fully
 7 8 reimbursable. Before the division expends or encumbers an
 7 9 amount in excess of the funds budgeted for regulation, the
 7 10 division shall first do both of the following:
 7 11 (1) Notify the department of management, the legislative
 7 12 services agency, and the legislative fiscal committee of the
 7 13 need for the expenditures.
 7 14 (2) File with each of the entities named in subparagraph
 7 15 (1) the legislative and regulatory justification for the
 7 16 expenditures, along with an estimate of the expenditures.
 7 17 c. Notwithstanding sections 8.33 and 476.10 or any other
 7 18 provision to the contrary, any balance of the appropriation
 7 19 made in this subsection for the utilities division or any
 7 20 other operational appropriation made for the fiscal year
 7 21 beginning July 1, 2009, and ending June 30, 2010, that remains
 7 22 unused, unencumbered, or unobligated at the close of the
 7 23 fiscal year shall not revert but shall remain available to be
 7 24 used for purposes of the energy-efficient building project
 7 25 authorized under section 476.10B, or for relocation costs in
 7 26 succeeding fiscal years.
 7 27 6. CHARGES == TRAVEL
 7 28 Each division and the office of consumer advocate shall
 7 29 include in its charges assessed or revenues generated an
 7 30 amount sufficient to cover the amount stated in its
 7 31 appropriation and any state-assessed indirect costs determined
 7 32 by the department of administrative services. The director of
 7 33 the department of commerce shall review on a quarterly basis
 7 34 all out-of-state travel for the previous quarter for officers
 7 35 and employees of each division of the department if the travel



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

8 1 is not already authorized by the executive council.

8 2 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING

8 3 AND REGULATION BUREAU. There is appropriated from the housing

8 4 trust fund of the Iowa finance authority created in section

8 5 16.181, to the bureau of professional licensing and regulation

8 6 of the banking division of the department of commerce for the

8 7 fiscal year beginning July 1, 2009, and ending June 30, 2010,

8 8 the following amount, or so much thereof as is necessary, to

8 9 be used for the purposes designated:

8 10 For salaries, support, maintenance, and miscellaneous

8 11 purposes:

8 12 \$ 62,317

8 13 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is

8 14 appropriated from the general fund of the state to the offices

8 15 of the governor and the lieutenant governor for the fiscal

8 16 year beginning July 1, 2009, and ending June 30, 2010, the

8 17 following amounts, or so much thereof as is necessary, to be

8 18 used for the purposes designated:

8 19 1. GENERAL OFFICE

8 20 For salaries, support, maintenance, and miscellaneous

8 21 purposes for the general office of the governor and the

8 22 general office of the lieutenant governor, and for not more

8 23 than the following full-time equivalent positions:

8 24 \$ 1,893,857

8 25 FTEs 25.25

8 26 2. TERRACE HILL QUARTERS

8 27 For salaries, support, maintenance, and miscellaneous

8 28 purposes for the governor's quarters at Terrace Hill, and for

8 29 not more than the following full-time equivalent positions:

8 30 \$ 438,101

8 31 FTEs 10.00

8 32 3. ADMINISTRATIVE RULES COORDINATOR

8 33 For salaries, support, maintenance, and miscellaneous

8 34 purposes for the office of administrative rules coordinator,

8 35 and for not more than the following full-time equivalent



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

9 1 positions:
9 2 \$ 141,297
9 3 FTEs 3.00
9 4 4. NATIONAL GOVERNORS ASSOCIATION
9 5 For payment of Iowa's membership in the national governors
9 6 association:
9 7 \$ 70,783
9 8 5. STATE=FEDERAL RELATIONS
9 9 For salaries, support, maintenance, and miscellaneous
9 10 purposes for the office for state=federal relations, and for
9 11 not more than the following full=time equivalent positions:
9 12 \$ 46,620
9 13 FTEs 1.00
9 14 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
9 15 is appropriated from the general fund of the state to the
9 16 governor's office of drug control policy for the fiscal year
9 17 beginning July 1, 2009, and ending June 30, 2010, the
9 18 following amount, or so much thereof as is necessary, to be
9 19 used for the purposes designated:
9 20 For salaries, support, maintenance, and miscellaneous
9 21 purposes, including statewide coordination of the drug abuse
9 22 resistance education (D.A.R.E.) programs or similar programs,
9 23 and for not more than the following full=time equivalent
9 24 positions:
9 25 \$ 348,368
9 26 FTEs 8.00
9 27 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
9 28 appropriated from the general fund of the state to the
9 29 department of human rights for the fiscal year beginning July
9 30 1, 2009, and ending June 30, 2010, the following amounts, or
9 31 so much thereof as is necessary, to be used for the purposes
9 32 designated:
9 33 1. CENTRAL ADMINISTRATION DIVISION
9 34 For salaries, support, maintenance, and miscellaneous
9 35 purposes, and for not more than the following full=time



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

10	1	equivalent positions:		
10	2	.....	\$	306,777
10	3	.....	FTEs	7.00
10	4	2. DEAF SERVICES DIVISION		
10	5	For salaries, support, maintenance, and miscellaneous		
10	6	purposes, and for not more than the following full-time		
10	7	equivalent positions:		
10	8	.....	\$	378,792
10	9	.....	FTEs	6.00
10	10	3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE		
10	11	DIVISION		
10	12	For salaries, support, maintenance, and miscellaneous		
10	13	purposes, and for not more than the following full-time		
10	14	equivalent positions:		
10	15	.....	\$	133,430
10	16	.....	FTEs	1.00
10	17	4. PERSONS WITH DISABILITIES DIVISION		
10	18	For salaries, support, maintenance, and miscellaneous		
10	19	purposes, and for not more than the following full-time		
10	20	equivalent positions:		
10	21	.....	\$	208,231
10	22	.....	FTEs	3.20
10	23	5. LATINO AFFAIRS DIVISION		
10	24	For salaries, support, maintenance, and miscellaneous		
10	25	purposes, and for not more than the following full-time		
10	26	equivalent positions:		
10	27	.....	\$	178,100
10	28	.....	FTEs	3.00
10	29	6. STATUS OF WOMEN DIVISION		
10	30	For salaries, support, maintenance, and miscellaneous		
10	31	purposes, including the domestic violence and sexual		
10	32	assault-related grants, and for not more than the following		
10	33	full-time equivalent positions:		
10	34	.....	\$	315,883
10	35	.....	FTEs	4.00



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

11 1 7. STATUS OF AFRICAN-AMERICANS DIVISION
 11 2 For salaries, support, maintenance, and miscellaneous
 11 3 purposes, and for not more than the following full-time
 11 4 equivalent positions:
 11 5 \$ 166,796
 11 6 FTEs 2.00
 11 7 8. NATIVE AMERICAN AFFAIRS DIVISION
 11 8 For operation costs and travel reimbursement for members of
 11 9 the commission on Native American affairs:
 11 10 \$ 5,352
 11 11 9. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
 11 12 For salaries, support, maintenance, and miscellaneous
 11 13 purposes, and for not more than the following full-time
 11 14 equivalent positions:
 11 15 \$ 1,427,472
 11 16 FTEs 11.18
 11 17 The criminal and juvenile justice planning advisory council
 11 18 and the juvenile justice advisory council shall coordinate
 11 19 their efforts in carrying out their respective duties relative
 11 20 to juvenile justice.
 11 21 10. SHARED STAFF
 11 22 The divisions of the department of human rights shall
 11 23 retain their individual administrators, but shall share staff
 11 24 to the greatest extent possible.
 11 25 11. DEPARTMENT STUDY == REPORT
 11 26 The department of human rights shall conduct a study to
 11 27 examine the organization and duties of the department and
 11 28 whether reorganizing the structure of the department could
 11 29 provide enhanced services to Iowans in a more efficient
 11 30 manner. The department shall submit a written report to the
 11 31 general assembly by January 1, 2010, concerning the results of
 11 32 the study, including its findings and recommendations.
 11 33 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 11 34 appropriated from the general fund of the state to the
 11 35 department of inspections and appeals for the fiscal year



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

12 1 beginning July 1, 2009, and ending June 30, 2010, the
 12 2 following amounts, or so much thereof as is necessary, for the
 12 3 purposes designated:

12 4 1. ADMINISTRATION DIVISION
 12 5 For salaries, support, maintenance, and miscellaneous
 12 6 purposes, and for not more than the following full-time
 12 7 equivalent positions:

12 8	\$	2,005,011
12 9	FTEs	39.25

12 10 As a condition of receiving funding appropriated in this
 12 11 subsection, the department shall maintain the targeted small
 12 12 business certification employee position within the division.

12 13 2. ADMINISTRATIVE HEARINGS DIVISION
 12 14 For salaries, support, maintenance, and miscellaneous
 12 15 purposes, and for not more than the following full-time
 12 16 equivalent positions:

12 17	\$	677,317
12 18	FTEs	24.00

12 19 3. INVESTIGATIONS DIVISION
 12 20 For salaries, support, maintenance, and miscellaneous
 12 21 purposes, and for not more than the following full-time
 12 22 equivalent positions:

12 23	\$	1,452,962
12 24	FTEs	50.00

12 25 4. HEALTH FACILITIES DIVISION
 12 26 For salaries, support, maintenance, and miscellaneous
 12 27 purposes, and for not more than the following full-time
 12 28 equivalent positions:

12 29	\$	2,235,383
12 30	FTEs	140.75

12 31 5. EMPLOYMENT APPEAL BOARD
 12 32 For salaries, support, maintenance, and miscellaneous
 12 33 purposes, and for not more than the following full-time
 12 34 equivalent positions:

12 35	\$	51,465
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

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



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

14 1 out-of-home placement services while under the supervision of
 14 2 the department of human services. Policies to guide the pilot
 14 3 project case selection, review time frames and reporting
 14 4 formats shall be approved by the department of human services,
 14 5 state court administrator, and the chief judge of any judicial
 14 6 district in which a pilot project is to be implemented. The
 14 7 child advocacy board shall report to the governor and general
 14 8 assembly by January 1, 2010, on the progress of any new
 14 9 approaches and their impact on efficiencies and case outcomes.

14 10 Sec. 13. RACING AND GAMING COMMISSION.

14 11 1. RACETRACK REGULATION

14 12 There is appropriated from the general fund of the state to
 14 13 the racing and gaming commission of the department of
 14 14 inspections and appeals for the fiscal year beginning July 1,
 14 15 2009, and ending June 30, 2010, the following amount, or so
 14 16 much thereof as is necessary, to be used for the purposes
 14 17 designated:

14 18 For salaries, support, maintenance, and miscellaneous
 14 19 purposes for the regulation of pari-mutuel racetracks, and for
 14 20 not more than the following full-time equivalent positions:
 14 21 \$ 2,653,308
 14 22 FTEs 28.53

14 23 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

14 24 There is appropriated from the general fund of the state to
 14 25 the racing and gaming commission of the department of
 14 26 inspections and appeals for the fiscal year beginning July 1,
 14 27 2009, and ending June 30, 2010, the following amount, or so
 14 28 much thereof as is necessary, to be used for the purposes
 14 29 designated:

14 30 For salaries, support, maintenance, and miscellaneous
 14 31 purposes for administration and enforcement of the excursion
 14 32 boat gambling and gambling structure laws, and for not more
 14 33 than the following full-time equivalent positions:
 14 34 \$ 3,050,753
 14 35 FTEs 42.22



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

15 1 Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF
15 2 INSPECTIONS AND APPEALS. There is appropriated from the road
15 3 use tax fund to the administrative hearings division of the
15 4 department of inspections and appeals for the fiscal year
15 5 beginning July 1, 2009, and ending June 30, 2010, the
15 6 following amount, or so much thereof as is necessary, for the
15 7 purposes designated:
15 8 For salaries, support, maintenance, and miscellaneous
15 9 purposes:
15 10 \$ 1,623,897
15 11 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
15 12 from the general fund of the state to the department of
15 13 management for the fiscal year beginning July 1, 2009, and
15 14 ending June 30, 2010, the following amounts, or so much
15 15 thereof as is necessary, to be used for the purposes
15 16 designated:
15 17 1. For salaries, support, maintenance, and miscellaneous
15 18 purposes, and for not more than the following full-time
15 19 equivalent positions:
15 20 \$ 2,811,511
15 21 FTEs 36.50
15 22 Of the moneys appropriated in this subsection, the
15 23 department shall use a portion for enterprise resource
15 24 planning, providing for a salary model administrator,
15 25 conducting performance audits, and for the department's LEAN
15 26 process.
15 27 2. For establishing a searchable budget and tax rate
15 28 database and website, if enacted by the 2009 Session of the
15 29 Eighty-third General Assembly:
15 30 \$ 5,000
15 31 3. For transfer to the open meetings, public records, and
15 32 privacy advisory committee, if enacted by the 2009 Session of
15 33 the Eighty-third General Assembly, for expenses for meetings
15 34 of the advisory committee:
15 35 \$ 5,500



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

16 1 Sec. 16. ROAD USE TAX APPROPRIATION. There is
 16 2 appropriated from the road use tax fund to the department of
 16 3 management for the fiscal year beginning July 1, 2009, and
 16 4 ending June 30, 2010, the following amount, or so much thereof
 16 5 as is necessary, to be used for the purposes designated:

16 6 For salaries, support, maintenance, and miscellaneous
 16 7 purposes:
 16 8 \$ 56,000

16 9 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
 16 10 from the general fund of the state to the department of
 16 11 revenue for the fiscal year beginning July 1, 2009, and ending
 16 12 June 30, 2010, the following amounts, or so much thereof as is
 16 13 necessary, to be used for the purposes designated:

16 14 For salaries, support, maintenance, and miscellaneous
 16 15 purposes, and for not more than the following full-time
 16 16 equivalent positions:
 16 17 \$ 22,754,688
 16 18 FTEs 400.00

16 19 Of the funds appropriated pursuant to this section,
 16 20 \$400,000 shall be used to pay the direct costs of compliance
 16 21 related to the collection and distribution of local sales and
 16 22 services taxes imposed pursuant to chapters 423B and 423E.

16 23 The director of revenue shall prepare and issue a state
 16 24 appraisal manual and the revisions to the state appraisal
 16 25 manual as provided in section 421.17, subsection 17, without
 16 26 cost to a city or county.

16 27 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
 16 28 appropriated from the motor fuel tax fund created by section
 16 29 452A.77 to the department of revenue for the fiscal year
 16 30 beginning July 1, 2009, and ending June 30, 2010, the
 16 31 following amount, or so much thereof as is necessary, to be
 16 32 used for the purposes designated:

16 33 For salaries, support, maintenance, and miscellaneous
 16 34 purposes for administration and enforcement of the provisions
 16 35 of chapter 452A and the motor vehicle use tax program:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

17 1 \$ 1,305,775
 17 2 Sec. 19. SECRETARY OF STATE. There is appropriated from
 17 3 the general fund of the state to the office of the secretary
 17 4 of state for the fiscal year beginning July 1, 2009, and
 17 5 ending June 30, 2010, the following amounts, or so much
 17 6 thereof as is necessary, to be used for the purposes
 17 7 designated:
 17 8 For salaries, support, maintenance, and miscellaneous
 17 9 purposes, and for not more than the following full-time
 17 10 equivalent positions:
 17 11 \$ 3,217,317
 17 12 FTEs 44.00
 17 13 The state department or state agency which provides data
 17 14 processing services to support voter registration file
 17 15 maintenance and storage shall provide those services without
 17 16 charge.
 17 17 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.
 17 18 Notwithstanding the obligation to collect fees pursuant to the
 17 19 provisions of section 490.122, subsection 1, paragraphs "a"
 17 20 and "s", and section 504.113, subsection 1, paragraphs "a",
 17 21 "c", "d", "j", "k", "l", and "m", for the fiscal year
 17 22 beginning July 1, 2009, and ending June 30, 2010, the
 17 23 secretary of state may refund these fees to the filer pursuant
 17 24 to rules established by the secretary of state. The decision
 17 25 of the secretary of state not to issue a refund under rules
 17 26 established by the secretary of state is final and not subject
 17 27 to review pursuant to the provisions of the Iowa
 17 28 administrative procedure Act, chapter 17A.
 17 29 Sec. 21. TREASURER. There is appropriated from the
 17 30 general fund of the state to the office of treasurer of state
 17 31 for the fiscal year beginning July 1, 2009, and ending June
 17 32 30, 2010, the following amount, or so much thereof as is
 17 33 necessary, to be used for the purposes designated:
 17 34 For salaries, support, maintenance, and miscellaneous
 17 35 purposes, and for not more than the following full-time



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

House File 809 - Introduced continued

18 1 equivalent positions:
 18 2 \$ 949,210
 18 3 FTEs 28.80
 18 4 The office of treasurer of state shall supply clerical and
 18 5 secretarial support for the executive council.
 18 6 Sec. 22. ROAD USE TAX APPROPRIATION. There is
 18 7 appropriated from the road use tax fund to the office of
 18 8 treasurer of state for the fiscal year beginning July 1, 2009,
 18 9 and ending June 30, 2010, the following amount, or so much
 18 10 thereof as necessary, to be used for the purposes designated:
 18 11 For enterprise resource management costs related to the
 18 12 distribution of road use tax funds:
 18 13 \$ 93,148
 18 14 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
 18 15 from the Iowa public employees' retirement system fund to the
 18 16 Iowa public employees' retirement system for the fiscal year
 18 17 beginning July 1, 2009, and ending June 30, 2010, the
 18 18 following amount, or so much thereof as is necessary, to be
 18 19 used for the purposes designated:
 18 20 For salaries, support, maintenance, and other operational
 18 21 purposes to pay the costs of the Iowa public employees'
 18 22 retirement system, and for not more than the following full=
 18 23 time equivalent positions:
 18 24 \$ 18,001,480
 18 25 FTEs 95.13
 18 26 Sec. 24. REBUILD IOWA OFFICE. There is appropriated from
 18 27 the general fund of the state to the rebuild Iowa office for
 18 28 the fiscal year beginning July 1, 2009, and ending June 30,
 18 29 2010, the following amount, or so much thereof as is
 18 30 necessary, to be used for the purposes designated:
 18 31 For salaries, support, maintenance, miscellaneous purposes,
 18 32 and for not more than the following full-time equivalent
 18 33 positions:
 18 34 \$ 198,277
 18 35 FTEs 12.00



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

19 1 It is the intent of the general assembly that,
19 2 pursuant to 2009 Iowa Acts, House File 64, the rebuild
19 3 Iowa office shall be repealed effective June 30, 2011,
19 4 and shall not receive an appropriation from the
19 5 general fund of the state after that date.

19 6 Sec. 25. STATE EMPLOYEE POSITIONS. The director of a
19 7 department or state agency to which appropriations are made
19 8 pursuant to the provisions of this Act shall implement
19 9 cost-saving strategies designed to prevent, to the extent
19 10 possible, permanent layoffs of state employees within that
19 11 department or state agency.

19 12 DIVISION II

19 13 MISCELLANEOUS PROVISIONS

19 14 Sec. 26. Section 8A.454, subsection 4, Code 2009, is
19 15 amended to read as follows:

19 16 4. This section is repealed July 1, ~~2009~~ 2010.

19 17 Sec. 27. 2008 Iowa Acts, chapter 1176, section 5,
19 18 subsection 1, is amended to read as follows:

19 19 1. If any federal funding is received for the same or
19 20 similar purposes authorized in section 47.10, as enacted by
19 21 this Act, of the amount appropriated in this section, \$61,000
19 22 is allocated for matching such federal funding, ~~and an amount~~
~~19 23 equal to the federal funding received shall revert from the~~
~~19 24 amount appropriated to the rebuild Iowa infrastructure fund at~~
~~19 25 the end of the fiscal year.~~

19 26 Sec. 28. EFFECTIVE DATES == RETROACTIVE APPLICABILITY.

19 27 1. The section of this division of this Act amending
19 28 section 8A.454, being deemed of immediate importance, takes
19 29 effect upon enactment.

19 30 2. The section of this division of this Act amending 2008
19 31 Iowa Acts, chapter 1176, section 5, subsection 1, being deemed
19 32 of immediate importance, takes effect upon enactment and is
19 33 retroactively applicable to federal funding received on and
19 34 after April 1, 2008.

19 35 DIVISION III



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

20 1 GRANTS MANAGEMENT
20 2 Sec. 29. Section 8.7, Code 2009, is amended to read as
20 3 follows:
20 4 8.7 REPORTING OF GIFTS, ~~AND~~ BEQUESTS, AND GRANTS RECEIVED.
20 5 All gifts, ~~and~~ bequests, and grants received by a
20 6 department or accepted by the governor on behalf of the state
20 7 shall be reported to the Iowa ethics and campaign disclosure
20 8 board and the government oversight committees. The ethics and
20 9 campaign disclosure board shall, by January 31 of each year,
20 10 submit to the fiscal services division of the legislative
20 11 services agency a written report listing all gifts, ~~and~~
20 12 bequests, and grants received during the previous calendar
20 13 year with a value over one thousand dollars and the purpose
20 14 for each such gift, ~~or~~ bequest, or grant. The submission
20 15 shall also include a listing of all gifts, ~~and~~ bequests, and
20 16 grants received by a department from a person if the
20 17 cumulative value of all gifts, ~~and~~ bequests, and grants
20 18 received by the department from the person during the previous
20 19 calendar year exceeds one thousand dollars, and the ethics and
20 20 campaign disclosure board shall include, if available, the
20 21 purpose for each such gift, ~~or~~ bequest, or grant. However,
20 22 the reports on gifts, ~~or~~ bequests, or grants filed by the
20 23 state board of regents pursuant to section 8.44 shall be
20 24 deemed sufficient to comply with the requirements of this
20 25 section.
20 26 Sec. 30. Section 8.11, subsection 3, Code 2009, is amended
20 27 by striking the subsection.
20 28 Sec. 31. Section 8A.505, subsection 2, Code 2009, is
20 29 amended by striking the subsection.
20 30 Sec. 32. Section 68B.32, subsection 1, Code 2009, is
20 31 amended to read as follows:
20 32 1. An Iowa ethics and campaign disclosure board is
20 33 established as an independent agency. The board shall
20 34 administer this chapter and set standards for, investigate
20 35 complaints relating to, and monitor the ethics of officials,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

21 1 employees, lobbyists, and candidates for office in the
21 2 executive branch of state government. The board shall
21 3 administer and set standards for, investigate complaints
21 4 relating to, and monitor the campaign finance practices of
21 5 candidates for public office. The board shall administer and
21 6 establish standards for, investigate complaints relating to,
21 7 and monitor the reporting of gifts, ~~and~~ bequests, and grants
21 8 under section 8.7. The board shall consist of six members and
21 9 shall be balanced as to political affiliation as provided in
21 10 section 69.16. The members shall be appointed by the
21 11 governor, subject to confirmation by the senate.

21 12 Sec. 33. Section 68B.32A, subsection 5, Code 2009, is
21 13 amended to read as follows:

21 14 5. Receive and file registration and reports from
21 15 lobbyists of the executive branch of state government, client
21 16 disclosure from clients of lobbyists of the executive branch
21 17 of state government, personal financial disclosure information
21 18 from officials and employees in the executive branch of state
21 19 government who are required to file personal financial
21 20 disclosure information under this chapter, and gift, ~~and~~
21 21 bequest, and grant disclosure information pursuant to section
21 22 8.7. The board, upon its own motion, may initiate action and
21 23 conduct a hearing relating to reporting requirements under
21 24 this chapter or section 8.7.

21 25 Sec. 34. Sections 8.9 and 8.10, Code 2009, are repealed.

21 26

DIVISION IV

21 27

TREASURER OF STATE PROVISIONS

21 28 Sec. 35. NEW SECTION. 12.9 EMPLOYEE CLASSIFICATIONS.

21 29 In addition to public employees listed in section 20.4,
21 30 public employees of the treasurer of state who hold positions
21 31 that are classified in the administrative assistant series and
21 32 executive officer series are excluded from chapter 20.

21 33 Sec. 36. Section 556.17, subsections 1 and 2, Code 2009,
21 34 are amended to read as follows:

21 35 1. All abandoned property other than money delivered to



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

22 1 the treasurer of state under this chapter which remains
22 2 unclaimed one year after the delivery to the treasurer may be
22 3 sold to the highest bidder ~~at public sale in any city in the~~
~~22 4 state in a manner~~ that affords in the treasurer's judgment the
22 5 most favorable market for the property involved. The
22 6 treasurer of state may decline the highest bid and reoffer the
22 7 property for sale if the treasurer considers the price bid
22 8 insufficient. The treasurer need not offer any property for
22 9 sale if, in the treasurer's opinion, the probable cost of sale
22 10 exceeds the value of the property. The treasurer may order
22 11 destruction of the property when the treasurer has determined
22 12 that the probable cost of offering the property for sale
22 13 exceeds the value of the property. If the treasurer
22 14 determines that the property delivered does not have any
22 15 substantial commercial value, the treasurer may destroy or
22 16 otherwise dispose of the property at any time. An action or
22 17 proceeding may not be maintained against the treasurer or any
22 18 officer or against the holder for or on account of an act the
22 19 treasurer made under this section, except for intentional
22 20 misconduct or malfeasance.
22 21 2. a. Any sale held ~~or destruction ordered~~ under this
22 22 section shall be preceded by a single publication of notice of
22 23 the sale ~~or destruction order~~ at least three weeks in advance
22 24 of sale ~~or destruction~~ in an English language newspaper of
22 25 general circulation in the county ~~where the property is to be~~
~~22 26 sold or, for the destruction, in the county~~ from which the
22 27 property was received, or in an English language newspaper of
22 28 general circulation in the state.
22 29 b. If the treasurer holds an internet auction or a sale on
22 30 the internet, the treasurer may elect to provide notice of the
22 31 sale or auction on the treasurer's website at least seven days
22 32 in advance of the sale or auction in lieu of providing notice
22 33 as otherwise provided in accordance with paragraph "a".

22 34 EXPLANATION

22 35 Division I of this bill relates to and appropriates moneys



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

23 1 to various state departments, agencies, and funds for the
23 2 fiscal year beginning July 1, 2009, and ending June 30, 2010.
23 3 The division makes appropriations to state departments and
23 4 agencies including the department of administrative services,
23 5 auditor of state, Iowa ethics and campaign disclosure board,
23 6 department of commerce, offices of governor and lieutenant
23 7 governor, Terrace Hill quarters and drug control policy
23 8 office, department of human rights, department of inspections
23 9 and appeals, department of management, Iowa public employees'
23 10 retirement system, secretary of state, treasurer of state, and
23 11 department of revenue and the rebuild Iowa office. The
23 12 division also appropriates funding for the state's membership
23 13 in the national governors association.

23 14 Division II makes changes to provisions related to the
23 15 appropriations made in the bill.

23 16 Code section 8A.454, concerning the health insurance
23 17 administration fund, is amended to provide that the Code
23 18 section is repealed July 1, 2010, instead of July 1, 2009.
23 19 This provision of the bill takes effect upon enactment.

23 20 2008 Iowa Acts, chapter 1176, concerning appropriations to
23 21 the office of the secretary of state for optical scan voting
23 22 equipment, is amended to provide that if federal funding for
23 23 this or a similar purpose is received, the secretary of state
23 24 is not required to revert an amount to the rebuild Iowa
23 25 infrastructure fund in an amount equal to the federal funding
23 26 received. This provision takes effect upon enactment and is
23 27 retroactively applicable to April 1, 2008.

23 28 Division III of the bill eliminates the grants enterprise
23 29 management office in the department of management and provides
23 30 that grants received by the state shall instead be reported to
23 31 the Iowa ethics and campaign disclosure board.

23 32 Division IV of the bill concerns the treasurer of state.

23 33 New Code section 12.9 provides that employees of the
23 34 treasurer of state who hold positions that are classified in
23 35 the administrative assistant series and executive officer



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

House File 809 - Introduced continued

24 1 series are excluded from the provisions of Code chapter 20
24 2 relative to public sector collective bargaining.
24 3 Code section 556.17 is amended to allow the treasurer to
24 4 sell abandoned property in any manner that affords, in the
24 5 treasurer's judgment, the most favorable market for the
24 6 property involved. The Code section is also amended to
24 7 provide that if the treasurer determines to sell the property
24 8 on the internet by sale or auction, the treasurer may satisfy
24 9 the notice requirements by posting a notice on the treasurer's
24 10 website at least seven days in advance of the sale or auction.
24 11 LSB 1000HV 83
24 12 ec/tm:jp/24



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3163

PAG LIN

1 1 Amend Senate File 186, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 8, by inserting after the word
1 4 <qualifications.> the following: <However, any
1 5 veteran's preference provided shall not deny equally
1 6 qualified residents of this state from being given
1 7 equal consideration for an interview as veterans who
1 8 are not residents of this state.>
1 9 #2. Page 1, line 34, by inserting after the word
1 10 <interview> the following: <and any veteran's
1 11 preference provided shall not deny equally qualified
1 12 residents of this state from being given equal
1 13 consideration for an interview as veterans who are not
1 14 residents of this state>.
1 15 SF 186.H
1 16 ec/cm/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3164

PAG LIN

1 1 Amend Senate File 254, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 3, by striking the word and
1 4 figure <June 30> and inserting the following: <August
1 5 31.>
1 6 SF 254.H
1 7 md/cm/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3165

PAG LIN

1 1 Amend Senate File 291, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 35 the
1 4 following:
1 5 <The department is encouraged to collaborate with
1 6 the Iowa cooperative extension service in agriculture
1 7 and home economics at Iowa state university of science
1 8 and technology in the development of an outreach
1 9 program to assist communities seeking certification.>
1 10 #2. Page 3, by inserting before line 27 the
1 11 following:
1 12 <___. PROGRAM ADMINISTRATION DEFERRAL. If in the
1 13 fiscal year beginning July 1, 2009, the department of
1 14 elder affairs' appropriations or authorized
1 15 full=time=equivalent positions are reduced, the
1 16 department may defer the implementation of the
1 17 certified retirement communities program until such
1 18 time as the department has the resources to administer
1 19 the program.>
1 20 #3. By renumbering as necessary.
1 21 SF 291.H
1 22 tw/cm/25
1 23
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3166

PAG LIN

1 1 Amend Senate File 339, as passed, amended, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, by striking lines 29 and 30 and
1 4 inserting the following: <wastewater treatment
1 5 financial assistance program. A>.
1 6 #2. Page 4, by striking lines 9 through 13.
1 7 #3. Page 7, by striking lines 31 through 34 and
1 8 inserting the following:
1 9 <10. A water resource restoration project shall
1 10 not include the acquisition of property, an interest
1 11 in property, or improvements to property through
1 12 condemnation.>
1 13 #4. Page 9, line 8, by inserting after the word
1 14 <impact> the following: <while improving water
1 15 quality>.
1 16 #5. Page 10, line 29, by inserting after the word
1 17 <variance> the following: <improve water quality
1 18 and>.
1 19 #6. Page 11, by striking lines 27 and 28.
1 20 #7. Page 11, by striking lines 34 and 35.
1 21 #8. By renumbering, redesignating, and correcting
1 22 internal references as necessary.
1 23 SF 339.H
1 24 tm/cm/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3167

PAG LIN

1 1 Amend Senate File 436, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 4, by striking the words <first
1 4 be available at> and inserting the following: <be
1 5 available at a>.
1 6 #2. Page 1, line 5, by striking the word
1 7 <stations> and inserting the following: <station>.
1 8 #3. Page 1, line 7, by striking the word <each>
1 9 and inserting the following: <the>.
1 10 #4. Page 1, line 9, by striking the word
1 11 <stations> and inserting the following: <station>.
1 12 SF 436.H
1 13 sc/cm/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3168

PAG LIN

1 1 Amend Senate File 441, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by striking lines 1 through 5.
1 4 #2. Page 2, by striking lines 9 through 17.
1 5 #3. Title page, lines 1 and 2, by striking the
1 6 words <and by making changes to certain funding
1 7 provisions>.
1 8 #4. By renumbering as necessary.
1 9 SF 441.H
1 10 tm/cm/25
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3169

PAG LIN

1 1 Amend the amendment, S=3148, to House File 671, as
1 2 passed by the House, as follows:
1 3 #1. By striking page 1, line 48, through page 2,
1 4 line 10, and inserting the following: <changed after
1 5 the district is established except as provided in this
1 6 subsection.
1 7 a. The boundary lines of a district shall be
1 8 changed and shall become effective immediately upon
1 9 approval of all of the following:
1 10 (1) The commission.
1 11 (2) The board of township trustees of the area
1 12 proposed to be included or excluded from the district.
1 13 (3) The district fire chief.
1 14 (4) The assistant fire chief who is responsible
1 15 for delivery of fire protection service and emergency
1 16 medical service within the area proposed to be
1 17 excluded from the district, if applicable.
1 18 (5) The fire chief of a fire department in the
1 19 area proposed to be included in the district, if
1 20 applicable.
1 21 b. The boundary lines of a district shall be
1 22 changed to exclude a city or the unincorporated areas
1 23 of a township if the commission receives a written
1 24 request from the governing body of the city or the
1 25 board of township trustees, as applicable, requesting
1 26 exclusion from the district. However, a boundary
1 27 change under this paragraph shall become effective no
1 28 earlier than eighteen months following receipt of the
1 29 written request.>
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1 33 TOM HANCOCK
1 34 HF 671.702 83
1 35 md/rj/23446
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3170

PAG LIN

1 1 Amend House File 580, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 31 the
1 4 following:
1 5 <Sec. _____. CONTINGENCY. Notwithstanding the
1 6 requirement of this Act directing the department of
1 7 human services to include provisions for reimbursement
1 8 of eligible services provided to an expansion
1 9 population member by a nonparticipating provider under
1 10 any medical assistance program waiver relating to the
1 11 continuation of the IowaCare program, if the
1 12 department of human services in consultation with the
1 13 governor determines that such requirement would
1 14 adversely affect continuation of the IowaCare waiver,
1 15 the department shall not include such provisions in
1 16 the IowaCare waiver.>
1 17 #2. Title page, line 2, by inserting after the
1 18 word <members> the following: <, and providing a
1 19 contingency>.
1 20 #3. By renumbering as necessary.
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1 24 AMANDA RAGAN
1 25 HF 580.201 83
1 26 pf/nh/22908
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3171

PAG LIN

1 1 Amend Senate File 467 as follows:
1 2 #1. Page 13, by inserting after line 4 the
1 3 following:
1 4 <Sec. _____. Section 455B.134, subsection 3, Code
1 5 2009, is amended by adding the following new
1 6 paragraph:
1 7 NEW PARAGRAPH. h. In providing for public
1 8 participation concerning an application involving
1 9 prevention of significant deterioration permits for
1 10 the construction or modification of a major stationary
1 11 source as provided in 567 IAC 33.3, the department
1 12 shall provide that not more than thirty calendar days
1 13 be provided for public comment and for notification of
1 14 any public hearing. A public hearing shall be held in
1 15 the county impacted by the proposed source or
1 16 modification. Any other public hearing may only be
1 17 held in such county or a contiguous county. The
1 18 department shall not reopen or extend the public
1 19 comment period for more than fifteen calendar days
1 20 after the department determines that the original
1 21 comment period raised substantial new issues
1 22 concerning the permit. The reopened or extended
1 23 period for public comment shall be limited to only the
1 24 substantial new issues raised during the original
1 25 comment period.>
1 26 #2. By renumbering as necessary.
1 27
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1 30 STEVE SODDERS
1 31 SF 467.703 83
1 32 da/da/23307
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3172

PAG LIN

1 1 Amend Senate File 467 as follows:
1 2 #1. Page 5, by inserting after line 2 the
1 3 following:
1 4 <Sec. _____. PHARMACEUTICAL COLLECTION AND DISPOSAL
1 5 PILOT PROGRAM. Of the moneys allocated under section
1 6 455E.11, subsection 2, paragraph "a", subparagraph
1 7 (1), subparagraph subdivision (c), the department of
1 8 natural resources shall award up to \$165,000 to the
1 9 board of pharmacy to implement and administer a
1 10 pharmaceutical collection and disposal pilot program.
1 11 The program shall provide for the management and
1 12 disposal of unused, excess, and expired
1 13 pharmaceuticals. The board of pharmacy may cooperate
1 14 with the Iowa pharmacy association in implementing and
1 15 administering the program. The board may consult with
1 16 the department and sanitary landfill operators in
1 17 implementing and administering the program.>
1 18 #2. Page 13, by inserting after line 27 the
1 19 following:
1 20 <Sec. _____. NEW SECTION. 268.6 AGRICULTURE ENERGY
1 21 EFFICIENCY EDUCATION PROGRAM.
1 22 The university of northern Iowa shall, to the
1 23 extent required in this section, establish and
1 24 administer an agriculture energy efficiency education
1 25 program to assist agricultural producers to increase
1 26 profitability and reduce the amount of energy used in
1 27 the production of agricultural animals and crops.
1 28 1. If established, the university shall administer
1 29 the program to promote strategies or methods that the
1 30 university determines best foster the most efficient
1 31 use of fuel and electricity, and which may include but
1 32 are not limited to any of the following:
1 33 a. Minimizing the consumption of fuel due to the
1 34 idling of farm equipment.
1 35 b. Increasing fuel savings, by promoting the use
1 36 of efficient planting and harvest travel patterns.
1 37 c. Optimizing the performance of farm equipment,
1 38 including by the proper ballasting of tractors.
1 39 d. Designing, constructing, or remodeling
1 40 agricultural buildings to be more efficient, including
1 41 by using systems that incorporate natural lighting and
1 42 passive solar or passive cooling materials or
1 43 principles such as exposure, ventilation, and shade.
1 44 2. The university is encouraged to cooperate with
1 45 agricultural and energy efficiency advocates and
1 46 governmental entities in administering the program,
1 47 including the office of energy independence
1 48 established pursuant to section 469.2.
1 49 3. The university is not required to implement
1 50 this section until moneys are made available for



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Amendment 3172 continued

2 1 implementation by the federal government.
 2 2 Sec. _____. Section 455B.172, subsection 11,
 2 3 paragraph a, as enacted by 2008 Iowa Acts, chapter
 2 4 1033, section 1, is amended by adding the following
 2 5 new subparagraphs:
 2 6 NEW SUBPARAGRAPH. (7) A transfer for which
 2 7 consideration is five hundred dollars or less.
 2 8 NEW SUBPARAGRAPH. (8) A deed between a family
 2 9 corporation, partnership, limited partnership, limited
 2 10 liability partnership, or limited liability company as
 2 11 defined in section 428A.2, subsection 15, and its
 2 12 stockholders, partners, or members for the purpose of
 2 13 transferring real property in an incorporation or
 2 14 corporate dissolution or in the organization or
 2 15 dissolution of a partnership, limited partnership,
 2 16 limited liability partnership, or limited liability
 2 17 company under the laws of this state, where the deed
 2 18 is given for no actual consideration other than for
 2 19 shares or for debt securities of the family
 2 20 corporation, partnership, limited partnership, limited
 2 21 liability partnership, or limited liability company.
 2 22 Sec. _____. 2008 Iowa Acts, chapter 1033, section 2,
 2 23 is amended to read as follows:
 2 24 SEC. 2. EFFECTIVE DATE. This Act takes effect
 2 25 ~~July 1, 2009~~ July 1, 2010.
 2 26 Sec. _____. FUTURE CONTINGENT REPEAL AND CODE EDITOR
 2 27 NOTIFICATION. Section 268.6, as enacted by this
 2 28 division of this Act, is repealed on July 1, 2012, if
 2 29 the university of northern Iowa does not implement the
 2 30 section and so notifies the Code editor in writing.
 2 31 Sec. _____. EFFECTIVE DATE. The section of this Act
 2 32 amending section 455B.172, subsection 1, paragraph
 2 33 "a", as enacted by 2008 Iowa Acts, chapter 1033,
 2 34 section 1, takes effect July 1, 2010.>
 2 35 #3. Title page, line 3, by inserting after the
 2 36 word <protection> the following: <, and providing for
 2 37 effective dates>.
 2 38 #4. By renumbering as necessary.
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 2 41
 2 42 Dr. JOE M. SENG
 2 43 SF 467.505 83
 2 44 da/jp/23105



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3173

PAG LIN

1 1 Amend House File 687, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by striking lines 15 through 24 and
1 4 inserting the following: <students who drop out of
1 5 school; the number of students pursuing a high school
1 6 equivalency diploma pursuant to chapter 259A; the
1 7 number of students who were enrolled in the district
1 8 within the past five years and who received a high
1 9 school equivalency diploma; the percentage of students
1 10 who receive a high school diploma and who were not
1 11 proficient in reading, mathematics, and science in
1 12 grade eleven; the number of students in the prior year
1 13 who were enrolled as high school juniors who are
1 14 within four units of meeting the district's graduation
1 15 requirements; the number of students who are tested>.
1 16 #2. Page 3, by striking lines 26 and 27.
1 17 #3. Title page, by striking line 3 and inserting
1 18 the following: <and accredited nonpublic schools.>
1 19 #4. By renumbering as necessary.
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1 23 NANCY BOETTGER
1 24 HF 687.501 83
1 25 kh/nh/22066
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Iowa General Assembly
 Daily Bills, Amendments & Study Bills
 April 01, 2009

Senate Amendment 3174

PAG LIN

1 1 Amend House File 687, as passed by the House, as
 1 2 follows:
 1 3 #1. Page 2, by striking lines 14 through 20 and
 1 4 inserting the following: <child's skills. If the
 1 5 diagnostic assessments administered in accordance with
 1 6 this subsection indicate that a child is reading below
 1 7 grade level, the school district shall submit a report
 1 8 of the assessment results to the parent, which the
 1 9 parent shall sign and return to the school district.
 1 10 If the parent does not sign or return the report, the
 1 11 school district shall note in the student's record the
 1 12 inaction on the part of the parent.>
 1 13 #2. Page 2, line 21, by striking the words <the
 1 14 ~~parent.~~>
 1 15 #3. Page 2, line 21, by inserting before the words
 1 16 <The board> the following: <If the parent does not
 1 17 sign or return the report, the school district shall
 1 18 also attempt to contact the parent at least three
 1 19 times or until the school district successfully
 1 20 communicates with the parent regarding the report of
 1 21 the child's assessment results, whichever occurs
 1 22 first. Each attempt to contact the parent shall be
 1 23 noted in the student's record.>
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 1 27 PAT WARD
 1 28 HF 687.703 83
 1 29 kh/nh/22065
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3175

PAG LIN

1 1 Amend Senate File 465 as follows:

1 2 #1. Page 2, by inserting after line 2 the
1 3 following:

1 4 <Sec. _____. Section 331.604, subsection 3, Code
1 5 2009, as amended by 2009 Iowa Acts, Senate File 288,
1 6 section 6, is amended to read as follows:

1 7 3. a. ~~The~~ Each county shall participate in the
1 8 county land record information system and shall comply
1 9 with the policies and procedures established by the
1 10 governing board of the county land record information
1 11 system.

1 12 b. (1) For the period beginning July 1, 2004, and
1 13 ending June 30, 2009, the county recorder shall also
1 14 collect a fee of one dollar for each recorded
1 15 transaction, regardless of the number of pages, for
1 16 which a fee is paid pursuant to subsection 1 to be
1 17 used for the purpose set forth in paragraph "e" "d".

1 18 (2) For the period beginning July 1, 2009, and
1 19 ending June 30, 2011, the recorder shall also collect
1 20 a fee of three dollars for each recorded transaction,
1 21 regardless of the number of pages, for which a fee is
1 22 paid pursuant to subsection 1 to be used for the
1 23 following purposes:

1 24 (a) Maintaining the statewide internet website and
1 25 the county land record information system.

1 26 (b) Integrating information contained in documents
1 27 and records maintained by the recorder and other land
1 28 record information from other sources with the county
1 29 land record information system.

1 30 (c) Implementing and maintaining a process for
1 31 redacting personally identifiable information
1 32 contained in electronic documents that are displayed
1 33 for public access through an internet website or that
1 34 are transferred to another person.

1 35 (3) Beginning July 1, 2011, the recorder shall
1 36 also collect a fee of one dollar for each recorded
1 37 transaction, regardless of the number of pages, for
1 38 which a fee is paid pursuant to subsection 1 to be
1 39 used for the purposes in subparagraph (2) and for the
1 40 following purposes:

1 41 (a) Establishing and implementing standards for
1 42 recording, processing, and archiving electronic
1 43 documents and records.

1 44 (b) Expanding access to records by encouraging
1 45 electronic indexing and scanning of documents and
1 46 instruments recorded in prior years.

1 47 (4) Notwithstanding subparagraph (2), the fee
1 48 collected by the recorder under this subsection for
1 49 recording a plat of survey is one dollar, regardless
1 50 of the number of pages. For purposes of this



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3175 continued

2 1 subparagraph, "plat of survey" means the same as
2 2 defined in section 355.1, subsection 9.
2 3 (5) Fees collected in excess of the amount needed
2 4 for the purposes specified in this subsection shall be
2 5 used by the county land record information system to
2 6 reduce or eliminate service fees for electronic
2 7 submission of documents and instruments.
2 8 ~~b.~~ c. The county treasurer, on behalf of the
2 9 recorder, shall establish and maintain a county
2 10 recorder's electronic transaction fund into which all
2 11 moneys collected pursuant to paragraph ~~"a"~~ "b" shall
2 12 be deposited. Interest earned on moneys deposited in
2 13 this fund shall be computed based on the average
2 14 monthly balance in the fund and shall be credited to
2 15 the county recorder's electronic transaction fund.
2 16 ~~e.~~ d. The local government electronic transaction
2 17 fund is established in the office of the treasurer of
2 18 state under the control of the treasurer of state.
2 19 Moneys deposited into the fund are not subject to
2 20 section 8.33. Notwithstanding section 12C.7, interest
2 21 or earnings on moneys in the local government
2 22 electronic transaction fund shall be credited to the
2 23 fund. Moneys in the local government electronic
2 24 transaction fund are not subject to transfer,
2 25 appropriation, or reversion to any other fund, or any
2 26 other use except as provided in this ~~paragraph "c"~~
2 27 subsection. On a monthly basis, the county treasurer
2 28 shall pay each fee collected pursuant to paragraph ~~"a"~~
2 29 the fees deposited into the county recorder's
2 30 electronic transaction fund to the treasurer of state
2 31 for deposit into the local government electronic
2 32 transaction fund. Moneys credited to the local
2 33 government electronic transaction fund are
2 34 appropriated to the treasurer of state for the payment
2 35 of claims approved by the governing board of the
2 36 county land record information system. ~~Expenditures~~
2 37 Except as otherwise provided in this subsection,
2 38 expenditures from the fund shall be for the purpose of
2 39 planning and implementing electronic recording and
2 40 electronic transactions in each county, ~~and~~ developing
2 41 county and statewide internet websites to provide
2 42 electronic access to records and information, and to
2 43 pay the ongoing costs of integrating and maintaining
2 44 the statewide internet website.
2 45 ~~d.~~ e. The recorder shall make available any
2 46 information required by the county auditor or auditor
2 47 of state concerning the fees collected under this
2 48 subsection for the purposes of determining the amount
2 49 of fees collected and the uses for which such fees are
2 50 expended.>



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Amendment 3175 continued

3 1 #2. By striking page 2, line 21, through page 5,
3 2 line 1.
3 3 #3. Page 7, line 21, by striking the words and
3 4 figures <331.605C, subsection 2> and inserting the
3 5 following: <331.604, subsection 3>.
3 6 #4. Page 7, by inserting after line 21 the
3 7 following:
3 8 <Sec. _____. Section 598.21, subsection 2, Code
3 9 2009, as amended by 2009 Iowa Acts, Senate File 288,
3 10 section 36, is amended to read as follows:
3 11 2. DUTIES OF COUNTY RECORDER. The county recorder
3 12 shall record each quitclaim deed or change of title
3 13 and shall collect the ~~fees~~ fee specified in section
3 14 331.507, subsection 2, paragraph "a", and the ~~fee~~ fees
3 15 specified in section 331.604.>
3 16 #5. By renumbering, redesignating, and correcting
3 17 internal references as necessary.
3 18
3 19
3 20
3 21 HERMAN C. QUIRMBACH
3 22 SF 465.701 83
3 23 md/sc/23464



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 468 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1317)

(COMPANION TO HF 807 BY
COMMITTEE ON WAYS AND MEANS)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

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 2673SV 83
10 tw/mg:sc/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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
April 01, 2009

Senate File 468 - 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 credit 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
April 01, 2009**

Senate File 468 - 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 2673SV 83
9 5 tw/mg:sc/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced

SENATE FILE
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1318)

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 1002SV 83

8 tw/tm:jp/5



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced 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
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1 25 3. HISTORICAL DIVISION

1 26 For the support of the historical division:

1 27	\$	3,550,119
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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
April 01, 2009**

Senate File 469 - Introduced 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
April 01, 2009**

Senate File 469 - Introduced 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 and
 3 17 by certain federal moneys or other moneys received by the
 3 18 department.
 3 19 d. Notwithstanding section 8.33, moneys appropriated in
 3 20 this subsection that remain unencumbered or unobligated at the
 3 21 close of the fiscal year shall not revert but shall remain
 3 22 available for expenditure for the purposes designated until
 3 23 the close of the succeeding fiscal year.
 3 24 2. BUSINESS DEVELOPMENT DIVISION
 3 25 a. Business development operations
 3 26 For business development operations and programs, the film
 3 27 office, international trade, export assistance, workforce
 3 28 recruitment, and the partner state program; for transfer to
 3 29 the strategic investment fund; for transfer to the value-added
 3 30 agricultural products and processes financial assistance fund,
 3 31 if 2009 Iowa Acts, Senate File 344, is not enacted; for
 3 32 transfer to the grow Iowa values fund, if 2009 Iowa Acts,
 3 33 Senate File 344 is enacted; and for the support of the
 3 34 business development division:
 3 35 \$ 5,965,227



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced continued

4 1 The department shall utilize 1.0 of the full-time
4 2 equivalent positions authorized under subsection 1 for
4 3 marketing and compliance activities of the targeted small
4 4 business program.

4 5 b. The department shall establish a strong and aggressive
4 6 marketing image to showcase Iowa's workforce, existing
4 7 industry, and potential. A priority shall be placed on
4 8 recruiting new businesses, business expansion, and retaining
4 9 existing Iowa businesses. Emphasis shall also be placed on
4 10 entrepreneurial development through helping to secure capital
4 11 for entrepreneurs, and developing networks and a business
4 12 climate conducive to entrepreneurs and small business.

4 13 c. A business creating jobs with economic development
4 14 assistance through moneys appropriated in this subsection
4 15 shall be subject to contract provisions stating that new and
4 16 retained jobs shall be filled by individuals who are citizens
4 17 of the United States who reside within the United States or
4 18 any person authorized to work in the United States pursuant to
4 19 federal law, including legal resident aliens in the United
4 20 States. Any vendor who receives such public moneys shall
4 21 adhere to such contract provisions and provide periodic
4 22 assurances as the state shall require that the jobs are filled
4 23 solely by citizens of the United States who reside within the
4 24 United States or any person authorized to work in the United
4 25 States pursuant to federal law, including legal resident
4 26 aliens in the United States.

4 27 d. From the moneys appropriated in this subsection, the
4 28 department may provide financial assistance in the form of a
4 29 grant to a community economic development entity for
4 30 conducting a local workforce recruitment effort designed to
4 31 recruit former citizens of the state and former students at
4 32 colleges and universities in the state to meet the needs of
4 33 local employers.

4 34 e. From the moneys appropriated in this subsection, the
4 35 department may provide financial assistance to early-stage



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

5 1 industry companies being established by women entrepreneurs.

5 2 f. From the moneys appropriated in this subsection, the
5 3 department may provide financial assistance in the form of
5 4 grants, loans, or forgivable loans for advanced research and
5 5 commercialization projects involving value-added agriculture,
5 6 advanced technology, or biotechnology.

5 7 g. Notwithstanding section 8.33, moneys appropriated in
5 8 this subsection that remain unencumbered or unobligated at the
5 9 close of the fiscal year shall not revert but shall remain
5 10 available for expenditure for the purposes designated until
5 11 the close of the succeeding fiscal year.

5 12 3. COMMUNITY DEVELOPMENT DIVISION

5 13 a. Community development programs

5 14 For support, maintenance, miscellaneous purposes, community
5 15 economic development programs, tourism operations, community
5 16 assistance, plans for Iowa green corps and summer youth
5 17 programs, the mainstreet and rural mainstreet programs, the
5 18 school-to-career program, the community development block
5 19 grant, and housing and shelter-related programs:

5 20 \$ 5,833,379

5 21 b. The department shall encourage development of
5 22 communities and quality of life to foster economic growth.
5 23 The department shall prepare communities for future growth and
5 24 development through development, expansion, and modernization
5 25 of infrastructure.

5 26 c. The department shall develop public-private
5 27 partnerships with Iowa businesses in the tourism industry,
5 28 Iowa tour groups, Iowa tourism organizations, and political
5 29 subdivisions in this state to assist in the development of
5 30 advertising efforts. The department shall, to the fullest
5 31 extent possible, develop cooperative efforts for advertising
5 32 with contributions from other sources.

5 33 d. Notwithstanding section 8.33, moneys appropriated in
5 34 this subsection that remain unencumbered or unobligated at the
5 35 close of the fiscal year shall not revert to any fund but



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced continued

6 1 shall remain available for expenditure for the designated
6 2 purposes during the succeeding fiscal year.

6 3 4. For allocating moneys for the world food prize and
6 4 notwithstanding section 15.368, subsection 1:
6 5 \$ 750,000
6 6 5. For use as matching funds for the United States
6 7 department of housing and urban development's main street
6 8 challenge grants for historic building preservation:
6 9 \$ 184,195
6 10 6. For allocation to the Iowa commission on volunteer
6 11 service for the Iowa's promise and mentoring partnership
6 12 program and for not more than the following full-time
6 13 equivalent positions:
6 14 \$ 125,000
6 15 FTEs 1.00
6 16 Notwithstanding section 8.33, moneys appropriated in this
6 17 subsection that remain unencumbered or unobligated at the
6 18 close of the fiscal year shall not revert but shall remain
6 19 available for expenditure for the purposes designated until
6 20 the close of the succeeding fiscal year.

6 21 Sec. 4. VISION IOWA PROGRAM == FTE AUTHORIZATION. For
6 22 purposes of administrative duties associated with the vision
6 23 Iowa program, the department of economic development is
6 24 authorized an additional 2.25 full-time equivalent positions
6 25 above those otherwise authorized in this Act.

6 26 Sec. 5. COUNCILS OF GOVERNMENTS. There is appropriated
6 27 from the federal economic stimulus and jobs holding account to
6 28 the department of economic development for the fiscal year
6 29 beginning July 1, 2009, and ending June 30, 2010, the
6 30 following amount, or so much thereof as is necessary, to be
6 31 used for the purposes designated:
6 32 For providing financial assistance to Iowa's councils of
6 33 governments that provide technical and planning assistance to
6 34 local governments:
6 35 \$ 144,000



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

7 1 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the moneys
7 2 collected by the division of insurance in excess of the
7 3 anticipated gross revenues under section 505.7, subsection 3,
7 4 during the fiscal year beginning July 1, 2009, \$100,000 shall
7 5 be transferred to the department of economic development for
7 6 insurance economic development and international insurance
7 7 economic development.

7 8 Sec. 7. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding
7 9 section 15E.120, subsection 5, there is appropriated from the
7 10 Iowa community development loan fund all the moneys available
7 11 during the fiscal year beginning July 1, 2009, and ending June
7 12 30, 2010, to the department of economic development for the
7 13 community development program to be used by the department for
7 14 the purposes of the program.

7 15 Sec. 8. WORKFORCE DEVELOPMENT FUND. There is appropriated
7 16 from the workforce development fund account created in section
7 17 15.342A to the workforce development fund created in section
7 18 15.343 for the fiscal year beginning July 1, 2009, and ending
7 19 June 30, 2010, the following amount, for the purposes of the
7 20 workforce development fund, and for not more than the
7 21 following full-time equivalent positions:

7 22	\$ 4,000,000
7 23	FTEs 4.00

7 24 Sec. 9. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds
7 25 appropriated or transferred to or receipts credited to the
7 26 workforce development fund created in section 15.343, up to
7 27 \$400,000 for the fiscal year beginning July 1, 2009, and
7 28 ending June 30, 2010, may be used for the administration of
7 29 workforce development activities including salaries, support,
7 30 maintenance, and miscellaneous purposes, and for not more than
7 31 4.00 full-time equivalent positions.

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



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced continued

8 1 transferred to the workforce development fund established
8 2 pursuant to section 15.343.
8 3 Sec. 11. IOWA STATE UNIVERSITY.
8 4 1. There is appropriated from the general fund of the
8 5 state to Iowa state university of science and technology for
8 6 the fiscal year beginning July 1, 2009, and ending June 30,
8 7 2010, the following amount, or so much thereof as is
8 8 necessary, to be used for small business development centers,
8 9 the science and technology research park, and the institute
8 10 for physical research and technology, and for not more than
8 11 the following full-time equivalent positions:
8 12 \$ 2,751,092
8 13 FTEs 56.63
8 14 2. Of the moneys appropriated in subsection 1, Iowa state
8 15 university of science and technology shall allocate at least
8 16 \$976,234 for purposes of funding small business development
8 17 centers. Iowa state university of science and technology may
8 18 allocate moneys appropriated in subsection 1 to the various
8 19 small business development centers in any manner necessary to
8 20 achieve the purposes of this subsection.
8 21 3. Iowa state university of science and technology shall
8 22 do all of the following:
8 23 a. Direct expenditures for research toward projects that
8 24 will provide economic stimulus for Iowa.
8 25 b. Provide emphasis to providing services to Iowa-based
8 26 companies.
8 27 4. It is the intent of the general assembly that the
8 28 industrial incentive program focus on Iowa industrial sectors
8 29 and seek contributions and in-kind donations from businesses,
8 30 industrial foundations, and trade associations, and that
8 31 moneys for the institute for physical research and technology
8 32 industrial incentive program shall be allocated only for
8 33 projects which are matched by private sector moneys for
8 34 directed contract research or for nondirected research. The
8 35 match required of small businesses as defined in section



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

9 1 15.102, subsection 6, for directed contract research or for
 9 2 nondirected research shall be \$1 for each \$3 of state funds.
 9 3 The match required for other businesses for directed contract
 9 4 research or for nondirected research shall be \$1 for each \$1
 9 5 of state funds. The match required of industrial foundations
 9 6 or trade associations shall be \$1 for each \$1 of state funds.
 9 7 Iowa state university of science and technology shall
 9 8 report annually to the joint appropriations subcommittee on
 9 9 economic development and the legislative services agency the
 9 10 total amount of private contributions, the proportion of
 9 11 contributions from small businesses and other businesses, and
 9 12 the proportion for directed contract research and nondirected
 9 13 research of benefit to Iowa businesses and industrial sectors.
 9 14 Notwithstanding section 8.33, moneys appropriated in this
 9 15 section that remain unencumbered or unobligated at the close
 9 16 of the fiscal year shall not revert but shall remain available
 9 17 for expenditure for the purposes designated until the close of
 9 18 the succeeding fiscal year.

9 19 Sec. 12. UNIVERSITY OF IOWA.

9 20 1. There is appropriated from the general fund of the
 9 21 state to the state university of Iowa for the fiscal year
 9 22 beginning July 1, 2009, and ending June 30, 2010, the
 9 23 following amount, or so much thereof as is necessary, to be
 9 24 used for the state university of Iowa research park and for
 9 25 the advanced drug development program at the Oakdale research
 9 26 park, including salaries, support, maintenance, equipment,
 9 27 miscellaneous purposes, and for not more than the following
 9 28 full-time equivalent positions:

9 29	\$	247,080
9 30	FTEs	6.00

9 31 2. The state university of Iowa shall do all of the
 9 32 following:

- 9 33 a. Direct expenditures for research toward projects that
- 9 34 will provide economic stimulus for Iowa.
- 9 35 b. Provide emphasis to providing services to Iowa-based



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

10 1 companies.

10 2 3. Notwithstanding section 8.33, moneys appropriated in
10 3 this section that remain unencumbered or unobligated at the
10 4 close of the fiscal year shall not revert but shall remain
10 5 available for expenditure for the purposes designated until
10 6 the close of the succeeding fiscal year.

10 7 Sec. 13. UNIVERSITY OF NORTHERN IOWA.

10 8 1. There is appropriated from the general fund of the
10 9 state to the university of northern Iowa for the fiscal year
10 10 beginning July 1, 2009, and ending June 30, 2010, the
10 11 following amount, or so much thereof as is necessary, to be
10 12 used for the metal casting institute, for the MyEntreNet
10 13 internet application, and for the institute of decision
10 14 making, including salaries, support, maintenance,
10 15 miscellaneous purposes, and for not more than the following
10 16 full-time equivalent positions:

10 17	\$	539,638
10 18	FTEs	6.75

10 19 2. The university of northern Iowa shall do all of the
10 20 following:

10 21 a. Direct expenditures for research toward projects that
10 22 will provide economic stimulus for Iowa.

10 23 b. Provide emphasis to providing services to Iowa-based
10 24 companies.

10 25 3. Notwithstanding section 8.33, moneys appropriated in
10 26 this section that remain unencumbered or unobligated at the
10 27 close of the fiscal year shall not revert but shall remain
10 28 available for expenditure for the purposes designated until
10 29 the close of the succeeding fiscal year.

10 30 Sec. 14. BOARD OF REGENTS REPORT. The state board of
10 31 regents shall submit a report on the progress of regents
10 32 institutions in meeting the strategic plan for technology
10 33 transfer and economic development to the secretary of the
10 34 senate, the chief clerk of the house of representatives, and
10 35 the legislative services agency by January 15, 2010.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

11 1 Sec. 15. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is
11 2 appropriated from the general fund of the state to the
11 3 department of workforce development for the fiscal year
11 4 beginning July 1, 2009, and ending June 30, 2010, the
11 5 following amounts, or so much thereof as is necessary, for the
11 6 purposes designated:

11 7 1. DIVISION OF LABOR SERVICES

11 8 For the division of labor services, including salaries,
11 9 support, maintenance, miscellaneous purposes, and for not more
11 10 than the following full-time equivalent positions:

11 11	\$	3,851,643
11 12	FTEs	68.15

11 13 From the contractor registration fees, the division of
11 14 labor services shall reimburse the department of inspections
11 15 and appeals for all costs associated with hearings under
11 16 chapter 91C, relating to contractor registration.

11 17 2. DIVISION OF WORKERS' COMPENSATION

11 18 For the division of workers' compensation, including
11 19 salaries, support, maintenance, miscellaneous purposes, and
11 20 for not more than the following full-time equivalent
11 21 positions:

11 22	\$	2,884,187
11 23	FTEs	30.00

11 24 The division of workers' compensation shall continue
11 25 charging a \$65 filing fee for workers' compensation cases.
11 26 The filing fee shall be paid by the petitioner of a claim.
11 27 However, the fee can be taxed as a cost and paid by the losing
11 28 party, except in cases where it would impose an undue hardship
11 29 or be unjust under the circumstances. The moneys generated by
11 30 the filing fee allowed under this subsection are appropriated
11 31 to the department of workforce development to be used for
11 32 purposes of administering the division of workers'
11 33 compensation.

11 34 3. WORKFORCE DEVELOPMENT OPERATIONS

11 35 For the operation of field offices, the workforce



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

12 1 development board, and new Iowans centers, and for not more
 12 2 than the following full-time equivalent positions:
 12 3 \$ 12,010,167
 12 4 FTEs 88.04

12 5 Of the moneys appropriated in this subsection, the
 12 6 department shall allocate \$11,832,989 for the operation of
 12 7 field offices. The department shall not reduce the number of
 12 8 field offices below the number of field offices being operated
 12 9 as of January 1, 2009.

12 10 The department of workforce development shall make every
 12 11 effort to maintain new Iowans centers that offer one-stop
 12 12 services to deal with the multiple issues related to
 12 13 immigration and employment. The centers shall be designed to
 12 14 support workers, businesses, and communities with information,
 12 15 referrals, job placement assistance, translation, language
 12 16 training, and resettlement, as well as technical and legal
 12 17 assistance on such issues as forms and documentation. Through
 12 18 the coordination of local, state, and federal service
 12 19 providers, and through the development of partnerships with
 12 20 public, private, and nonprofit entities with established
 12 21 records of international service, these centers shall seek to
 12 22 provide a seamless service delivery system for new Iowans.

12 23 4. OFFENDER REENTRY PROGRAM

12 24 For the development and administration of an offender
 12 25 reentry program to provide offenders with employment skills,
 12 26 and for not more than the following full-time equivalent
 12 27 positions:

12 28 \$ 367,447
 12 29 FTEs 2.00

12 30 The department shall partner with the department of
 12 31 corrections to provide staff within the correctional
 12 32 facilities to improve offenders' abilities to find and retain
 12 33 productive employment.

12 34 5. PILOT PROJECT

12 35 For purposes of administration of a security employee pilot



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

13 1 project training program:
 13 2 \$ 15,000
 13 3 6. NONREVERSION OF MONEYS
 13 4 Notwithstanding section 8.33, moneys appropriated in this
 13 5 section that remain unencumbered or unobligated at the close
 13 6 of the fiscal year shall not revert but shall remain available
 13 7 for expenditure for the purposes designated until the close of
 13 8 the succeeding fiscal year.
 13 9 Sec. 16. ACCOUNTABILITY == AUDIT. The auditor of state
 13 10 shall annually conduct an audit of the department of workforce
 13 11 development and shall report the findings of such annual
 13 12 audit, including the accountability of programs of the
 13 13 department, to the chairpersons and ranking members of the
 13 14 joint appropriations subcommittee on economic development.
 13 15 The department shall pay for the costs associated with the
 13 16 audit.
 13 17 Sec. 17. EMPLOYMENT SECURITY CONTINGENCY FUND. There is
 13 18 appropriated from the special employment security contingency
 13 19 fund to the department of workforce development for the fiscal
 13 20 year beginning July 1, 2009, and ending June 30, 2010, the
 13 21 following amounts, or so much thereof as is necessary, for the
 13 22 purposes designated:
 13 23 For the division of workers' compensation, salaries,
 13 24 support, maintenance, and miscellaneous purposes:
 13 25 \$ 471,000
 13 26 Any remaining additional penalty and interest revenue is
 13 27 appropriated to and may be allocated and used to accomplish
 13 28 the mission of the department.
 13 29 Sec. 18. UNEMPLOYMENT COMPENSATION RESERVE FUND.
 13 30 Notwithstanding section 96.9, subsection 8, paragraph "e",
 13 31 there is appropriated from interest earned on the unemployment
 13 32 compensation reserve fund to the department of workforce
 13 33 development for the fiscal year beginning July 1, 2009, and
 13 34 ending June 30, 2010, the following amount for the operation
 13 35 of field offices:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate File 469 - Introduced continued

14 1 \$ 6,500,000
 14 2 Sec. 19. PUBLIC EMPLOYMENT RELATIONS BOARD. There is
 14 3 appropriated from the general fund of the state to the public
 14 4 employment relations board for the fiscal year beginning July
 14 5 1, 2009, and ending June 30, 2010, the following amount, or so
 14 6 much thereof as is necessary, for the purposes designated:
 14 7 For salaries, support, maintenance, miscellaneous purposes,
 14 8 and for not more than the following full-time equivalent
 14 9 positions:
 14 10 \$ 1,168,781
 14 11 FTEs 10.00
 14 12 Of the moneys appropriated in this section, the board shall
 14 13 allocate \$15,000 for maintaining a website that allows
 14 14 searchable access to a database of collective bargaining
 14 15 information.
 14 16 Sec. 20. VALUE=ADDED AGRICULTURE FINANCIAL ASSISTANCE.
 14 17 For the fiscal year beginning July 1, 2009, the office of
 14 18 renewable fuels and coproducts may apply to the department of
 14 19 economic development for moneys in the value-added
 14 20 agricultural products and processes financial assistance fund,
 14 21 if 2009 Iowa Acts, Senate File 344, is not enacted or for
 14 22 moneys in the grow Iowa values fund, if 2009 Iowa Acts, Senate
 14 23 File 344, is enacted, for deposit in the renewable fuels and
 14 24 coproducts fund created in section 159A.7.
 14 25 Sec. 21. IOWA FINANCE AUTHORITY AUDIT. The auditor of
 14 26 state is requested to review the audit of the Iowa finance
 14 27 authority performed by the auditor hired by the authority.
 14 28 Sec. 22. APPLICATION FOR DEPARTMENT OF ECONOMIC
 14 29 DEVELOPMENT MONEYS. For the fiscal year beginning July 1,
 14 30 2009, any entity that was specifically identified in 2001 Iowa
 14 31 Acts, chapter 188, to receive funding from the department of
 14 32 economic development, excluding any entity identified to
 14 33 receive a direct appropriation beginning July 1, 2009, may
 14 34 apply to the department for assistance through the appropriate
 14 35 program. The department shall provide application criteria



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced continued

16 1 department of economic development for purposes of insurance
16 2 economic development and international insurance economic
16 3 development.
16 4 The bill appropriates moneys from the Iowa community
16 5 development loan fund to the department of economic
16 6 development for purposes of the community development program.
16 7 The bill appropriates moneys from the workforce development
16 8 fund account to the workforce development fund.
16 9 The bill provides that moneys appropriated or transferred
16 10 to or receipts credited to the workforce development fund may
16 11 be used for administration of workforce development
16 12 activities.
16 13 The bill provides that all moneys remaining in the job
16 14 training fund on July 1, 2009, and any moneys appropriated or
16 15 credited to the fund during the fiscal year beginning July 1,
16 16 2009, shall be transferred to the workforce development fund.
16 17 The bill requires the state board of regents to submit a
16 18 report on the progress of regents institutions in meeting the
16 19 strategic plan for technology transfer and economic
16 20 development.
16 21 The bill requires the auditor of state to conduct an audit
16 22 of the department of workforce development.
16 23 The bill appropriates moneys from the special employment
16 24 security contingency fund to the department of workforce
16 25 development for the division of workers' compensation.
16 26 The bill appropriates interest earned on the unemployment
16 27 compensation reserve fund to the department of workforce
16 28 development for the operation of field offices.
16 29 The bill allows the office of renewable fuels and
16 30 coproducts to apply to the department of economic development
16 31 for moneys in the value-added agricultural products and
16 32 processes financial assistance fund if Senate File 344 is not
16 33 enacted, or the grow Iowa values fund, if Senate File 344 is
16 34 enacted, for deposit in the renewable fuels and coproducts
16 35 fund.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate File 469 - Introduced continued

17 1 The bill requests the auditor of state to review the audit
17 2 of the Iowa finance authority performed by the auditor hired
17 3 by the authority.

17 4 The bill provides that, for the fiscal year beginning July
17 5 1, 2009, any entity that was specifically identified in 2001
17 6 Iowa Acts, chapter 188, to receive funding from the department
17 7 of economic development, excluding any entity identified to
17 8 receive a direct appropriation beginning July 1, 2009, may
17 9 apply to the department for assistance through the appropriate
17 10 program.

17 11 The bill provides that, in providing moneys from the
17 12 shelter assistance fund to homeless shelter programs, the
17 13 department of economic development shall explore the potential
17 14 of allocating moneys to programs based in part on their
17 15 ability to move their clients toward self-sufficiency.

17 16 The bill appropriates moneys from moneys credited to the
17 17 state by the secretary of the treasury of the United States
17 18 pursuant to the Social Security Act to the department of
17 19 workforce development for the administration of the
17 20 unemployment compensation program only.

17 21 LSB 1002SV 83

17 22 tw/tm:jp/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322

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

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

A BILL FOR

1 An Act relating to the funding of, the operation of, and
2 appropriation of moneys to the college student aid commission,
3 the department for the blind, the department of education, and
4 the state board of regents, providing for related matters, and
5 providing effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1003JB 83
8 kh/tm:jp/5



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

PAG LIN

1 1 DEPARTMENT FOR THE BLIND

1 2 Section 1. ADMINISTRATION. There is appropriated from the

1 3 general fund of the state to the department for the blind for

1 4 the fiscal year beginning July 1, 2009, and ending June 30,

1 5 2010, the following amount, or so much thereof as is

1 6 necessary, to be used for the purposes designated:

1 7 For salaries, support, maintenance, miscellaneous purposes,

1 8 and for not more than the following full-time equivalent

1 9 positions:

1 10	\$	2,258,072
1 11	FTEs	90.00

1 12 COLLEGE STUDENT AID COMMISSION

1 13 Sec. 2. There is appropriated from the general fund of the

1 14 state to the college student aid commission for the fiscal

1 15 year beginning July 1, 2009, and ending June 30, 2010, the

1 16 following amounts, or so much thereof as may be necessary, to

1 17 be used for the purposes designated:

1 18 1. GENERAL ADMINISTRATION

1 19 For salaries, support, maintenance, miscellaneous purposes,

1 20 and for not more than the following full-time equivalent

1 21 positions:

1 22	\$	349,381
1 23	FTEs	4.30

1 24 2. STUDENT AID PROGRAMS

1 25 For payments to students for the Iowa grant program:

1 26	\$	981,743
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1 27 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER

1 28 a. For forgivable loans to Iowa students attending Des

1 29 Moines university == osteopathic medical center under the

1 30 forgivable loan program pursuant to section 261.19:

1 31	\$	91,668
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1 32 To receive funds appropriated pursuant to this paragraph,

1 33 Des Moines university == osteopathic medical center shall

1 34 match the funds with institutional funds on a dollar-for-

1 35 dollar basis.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

2 1 b. For Des Moines university == osteopathic medical center
 2 2 for an initiative in primary health care to direct primary
 2 3 care physicians to shortage areas in the state:
 2 4 \$ 312,821
 2 5 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
 2 6 For purposes of providing national guard educational
 2 7 assistance under the program established in section 261.86:
 2 8 \$ 3,499,545
 2 9 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM
 2 10 For the teacher shortage loan forgiveness program
 2 11 established in section 261.112:
 2 12 \$ 438,282
 2 13 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM
 2 14 For purposes of the all Iowa opportunity foster care grant
 2 15 program established pursuant to section 261.6:
 2 16 \$ 687,510
 2 17 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM
 2 18 For purposes of the all Iowa opportunity scholarship
 2 19 program established pursuant to section 261.87:
 2 20 \$ 2,502,537
 2 21 If the moneys appropriated by the general assembly to the
 2 22 college student aid commission for fiscal year 2009=2010 for
 2 23 purposes of the all Iowa opportunity scholarship program
 2 24 exceed \$500,000, "eligible institution" as defined in section
 2 25 261.87, shall, during fiscal year 2009=2010, include
 2 26 accredited private institutions as defined in section 261.9,
 2 27 subsection 1.
 2 28 8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS
 2 29 PROGRAM
 2 30 For purposes of the registered nurse and nurse educator
 2 31 loan forgiveness program established pursuant to section
 2 32 261.23:
 2 33 \$ 90,293
 2 34 a. It is the intent of the general assembly that the
 2 35 commission continue to consider moneys allocated pursuant to



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

3 1 this subsection as funds that meet the state matching funds
3 2 requirements of the federal leveraging educational assistance
3 3 program and the federal supplemental leveraging educational
3 4 assistance program established under the Higher Education Act
3 5 of 1965, as amended.

3 6 b. It is the intent of the general assembly that
3 7 appropriations made for purposes of the registered nurse and
3 8 nurse educator loan forgiveness program for the fiscal year
3 9 beginning July 1, 2009, and each succeeding fiscal year, be
3 10 distributed under the program created pursuant to section
3 11 261.23, for registered nurses and nurse educators.

3 12 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT
3 13 PROGRAM

3 14 For purposes of the barber and cosmetology arts and
3 15 sciences tuition grant program established pursuant to section
3 16 261.18:

3 17 \$ 45,834

3 18 Sec. 3. COLLEGE STUDENT AID COMMISSION TRANSFERS.

3 19 1. The college student aid commission shall, at the close
3 20 of the fiscal year beginning July 1, 2008, transfer from
3 21 moneys appropriated for purposes of a Washington D.C.
3 22 internship grant pursuant to 2008 Iowa Acts, chapter 1181,
3 23 section 2, subsection 9, which were refunded to the commission
3 24 by the grantee, an amount up to \$65,000 to be used for
3 25 purposes of the national guard educational assistance program
3 26 established in section 261.86.

3 27 2. Notwithstanding section 261.87, subsection 5, the
3 28 college student aid commission shall, at the close of the
3 29 fiscal year beginning July 1, 2008, transfer from unencumbered
3 30 or unobligated moneys remaining in the all Iowa opportunity
3 31 scholarship fund, an amount up to \$460,000 to be used for
3 32 purposes of the national guard educational assistance program
3 33 established in section 261.86.

3 34 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
3 35 261.72, from the moneys deposited in the chiropractic loan



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

4 1 revolving fund created pursuant to section 261.72, up to
 4 2 \$20,000 shall be used for purposes of the chiropractic loan
 4 3 forgiveness program established in section 261.73.
 4 4 Sec. 5. WORK=STUDY APPROPRIATION FOR FY 2009=2010.
 4 5 Notwithstanding section 261.85, for the fiscal year beginning
 4 6 July 1, 2009, and ending June 30, 2010, the amount
 4 7 appropriated from the general fund of the state to the college
 4 8 student aid commission for the work=study program under
 4 9 section 261.85 shall be zero.

DEPARTMENT OF EDUCATION

4 11 Sec. 6. There is appropriated from the general fund of the
 4 12 state to the department of education for the fiscal year
 4 13 beginning July 1, 2009, and ending June 30, 2010, the
 4 14 following amounts, or so much thereof as may be necessary, to
 4 15 be used for the purposes designated:

4 16 1. GENERAL ADMINISTRATION

4 17 For salaries, support, maintenance, miscellaneous purposes,
 4 18 and for not more than the following full-time equivalent
 4 19 positions:

4 20	\$	7,906,880
4 21	FTEs	91.37

4 22 2. VOCATIONAL EDUCATION ADMINISTRATION

4 23 For salaries, support, maintenance, miscellaneous purposes,
 4 24 and for not more than the following full-time equivalent
 4 25 positions:

4 26	\$	573,009
4 27	FTEs	13.50

4 28 3. VOCATIONAL REHABILITATION SERVICES DIVISION

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

4 32	\$	5,155,508
4 33	FTEs	281.50

4 34 b. For matching funds for programs to enable persons with
 4 35 severe physical or mental disabilities to function more



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

5 1 independently, including salaries and support, and for not
5 2 more than the following full-time equivalent position:
5 3 \$ 51,075
5 4 FTEs 1.00
5 5 c. For the public purpose of providing a grant to a center
5 6 for independent living established in accordance with the
5 7 federal Rehabilitation Act of 1973, that is designed and
5 8 operated within a local community by individuals with
5 9 disabilities and provides an array of independent living
5 10 services, and which adheres to the state plan for independent
5 11 living required in order to receive federal Part B dollars for
5 12 independent living services for Iowans with disabilities:
5 13 \$ 225,733
5 14 By October 1, 2010, the grant recipient shall submit a
5 15 written report to the division, the state board of education,
5 16 and the general assembly regarding the expenditure of moneys
5 17 received from the state under this lettered paragraph.
5 18 4. STATE LIBRARY
5 19 a. For salaries, support, maintenance, miscellaneous
5 20 purposes, and for not more than the following full-time
5 21 equivalent positions:
5 22 \$ 1,748,500
5 23 FTEs 19.00
5 24 b. For the enrich Iowa program established under section
5 25 256.57:
5 26 \$ 1,796,081
5 27 5. LIBRARY SERVICE AREA SYSTEM
5 28 For state aid:
5 29 \$ 1,562,210
5 30 6. PUBLIC BROADCASTING DIVISION
5 31 For salaries, support, maintenance, capital expenditures,
5 32 miscellaneous purposes, and for not more than the following
5 33 full-time equivalent positions:
5 34 \$ 8,981,387
5 35 FTEs 82.00



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

6 1 Of the amount appropriated in this subsection, \$100,000
6 2 shall be allocated to pay the costs of a ready-to-learn
6 3 coordinator.
6 4 7. REGIONAL TELECOMMUNICATIONS COUNCILS
6 5 For state aid:
6 6 \$ 1,232,071
6 7 The regional telecommunications councils established in
6 8 section 8D.5 shall use the moneys appropriated in this
6 9 subsection to provide technical assistance for network
6 10 classrooms, planning and troubleshooting for local area
6 11 networks, scheduling of video sites, and other related support
6 12 activities.
6 13 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
6 14 For reimbursement for vocational education expenditures
6 15 made by secondary schools:
6 16 \$ 2,651,819
6 17 Moneys appropriated in this subsection shall be used to
6 18 reimburse school districts for vocational education
6 19 expenditures made by secondary schools to meet the standards
6 20 set in sections 256.11, 258.4, and 260C.14.
6 21 9. SCHOOL FOOD SERVICE
6 22 For use as state matching funds for federal programs that
6 23 shall be disbursed according to federal regulations, including
6 24 salaries, support, maintenance, miscellaneous purposes, and
6 25 for not more than the following full-time equivalent
6 26 positions:
6 27 \$ 2,266,069
6 28 FTEs 17.43
6 29 10. IOWA EMPOWERMENT FUND == GENERAL AID
6 30 For deposit in the school ready children grants account of
6 31 the Iowa empowerment fund created in section 28.9:
6 32 \$ 6,560,975
6 33 a. From the moneys deposited in the school ready children
6 34 grants account for the fiscal year beginning July 1, 2009, and
6 35 ending June 30, 2010, not more than \$295,500 is allocated for



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

7 1 the community empowerment office and other technical
7 2 assistance activities, and of that amount not more than
7 3 \$49,250 shall be used to administer the early childhood
7 4 coordinator's position pursuant to section 28.3, subsection 7.
7 5 It is the intent of the general assembly that regional
7 6 technical assistance teams will be established and will
7 7 include staff from various agencies, as appropriate, including
7 8 the area education agencies, community colleges, the
7 9 university of northern Iowa, and the Iowa state university of
7 10 science and technology cooperative extension service in
7 11 agriculture and home economics. The Iowa empowerment board
7 12 shall direct staff to work with the advisory council to
7 13 inventory technical assistance needs. Moneys allocated under
7 14 this lettered paragraph may be used by the Iowa empowerment
7 15 board for the purpose of skills development and support for
7 16 ongoing training of the regional technical assistance teams.
7 17 However, except as otherwise provided in this subsection,
7 18 moneys shall not be used for additional staff or for the
7 19 reimbursement of staff.

7 20 b. As a condition of receiving moneys appropriated in this
7 21 subsection, each community empowerment area board shall report
7 22 to the Iowa empowerment board progress on each of the state
7 23 indicators approved by the state board, as well as progress on
7 24 local indicators. The community empowerment area board must
7 25 also submit a written plan amendment extending by one year the
7 26 area's comprehensive school ready children grant plan
7 27 developed for providing services for children from birth
7 28 through five years of age and provide other information
7 29 specified by the Iowa empowerment board. The amendment may
7 30 also provide for changes in the programs and services provided
7 31 under the plan. The Iowa empowerment board shall establish a
7 32 submission deadline for the plan amendment that allows a
7 33 reasonable period of time for preparation of the plan
7 34 amendment and for review and approval or request for
7 35 modification of the plan amendment by the Iowa empowerment



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

8 1 board. In addition, the community empowerment board must
8 2 continue to comply with reporting provisions and other
8 3 requirements adopted by the Iowa empowerment board in
8 4 implementing section 28.8.

8 5 c. Of the amount appropriated in this subsection for
8 6 deposit in the school ready children grants account of the
8 7 Iowa empowerment fund, \$2,575,575 shall be used for efforts to
8 8 improve the quality of early care, health, and education
8 9 programs. Moneys allocated pursuant to this paragraph may be
8 10 used for additional staff and for the reimbursement of staff.
8 11 The Iowa empowerment board may reserve a portion of the
8 12 allocation, not to exceed \$98,500 for the technical assistance
8 13 expenses of the Iowa empowerment office and shall distribute
8 14 the remainder to community empowerment areas for local quality
8 15 improvement efforts through a methodology identified by the
8 16 board to make the most productive use of the funding, which
8 17 may include use of the distribution formula, grants, or other
8 18 means.

8 19 11. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE

8 20 a. For deposit in the school ready children grants account
8 21 of the Iowa empowerment fund created in section 28.9:

8 22 \$ 7,688,850

8 23 b. The amount appropriated in this subsection shall be
8 24 used for early care, health, and education programs to assist
8 25 low-income parents with tuition for preschool and other
8 26 supportive services for children ages three, four, and five
8 27 who are not attending kindergarten in order to increase the
8 28 basic family income eligibility requirement to not more than
8 29 200 percent of the federal poverty level. In addition, if
8 30 sufficient funding is available after addressing the needs of
8 31 those who meet the basic income eligibility requirement, a
8 32 community empowerment area board may provide for eligibility
8 33 for those with a family income in excess of the basic income
8 34 eligibility requirement through use of a sliding scale or
8 35 other copayment provision. In distributing the moneys



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

9 1 allocated pursuant to this subsection, the Iowa empowerment
 9 2 board shall collaborate with the department of education to
 9 3 distribute the moneys to community empowerment areas in
 9 4 proportions that provide greater benefit to those areas not
 9 5 yet served by the statewide preschool program.

9 6 12. IOWA EMPOWERMENT FUND == FAMILY SUPPORT AND PARENT
 9 7 EDUCATION

9 8 a. For deposit in the school ready children grants account
 9 9 of the Iowa empowerment fund created in section 28.9:
 9 10 \$ 15,214,551

9 11 b. The amount appropriated in this subsection shall be
 9 12 used for family support services and parent education programs
 9 13 targeted to families expecting a child or with newborn and
 9 14 infant children through age five and shall be distributed
 9 15 using the distribution formula approved by the Iowa
 9 16 empowerment board and shall be used by a community empowerment
 9 17 area only for family support services and parent education
 9 18 programs targeted to families expecting a child or with
 9 19 newborn and infant children through age five. The programs
 9 20 funded under this subsection shall have a home visitation
 9 21 component.

9 22 13. BIRTH TO AGE THREE SERVICES

9 23 For expansion of the federal Individuals With Disabilities
 9 24 Education Improvement Act of 2004, Pub. L. No. 108=446, as
 9 25 amended to January 1, 2009, birth through age three services
 9 26 due to increased numbers of children qualifying for those
 9 27 services:
 9 28 \$ 1,554,304

9 29 From the moneys appropriated in this subsection, \$383,769
 9 30 shall be allocated to the child health specialty clinic at the
 9 31 state university of Iowa to provide additional support for
 9 32 infants and toddlers who are born prematurely, drug=exposed,
 9 33 or medically fragile.

9 34 14. FOUR=YEAR=OLD PRESCHOOL PROGRAM

9 35 For allocation to eligible school districts for the



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

10 1 four-year-old preschool program under chapter 256C, and for
 10 2 not more than the following full-time equivalent positions:
 10 3 \$ 13,538,863
 10 4 FTEs 3.00
 10 5 From the moneys appropriated pursuant to this subsection,
 10 6 not more than \$303,531 shall be used by the department for
 10 7 administration of the four-year-old preschool program
 10 8 established pursuant to chapter 256C.
 10 9 15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
 10 10 To provide moneys for costs of providing textbooks to each
 10 11 resident pupil who attends a nonpublic school as authorized by
 10 12 section 301.1:
 10 13 \$ 625,634
 10 14 Funding under this subsection is limited to \$20 per pupil
 10 15 and shall not exceed the comparable services offered to
 10 16 resident public school pupils.
 10 17 16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION
 10 18 PROGRAM
 10 19 For purposes of administering the beginning administrator
 10 20 mentoring and induction program established pursuant to
 10 21 chapter 284A:
 10 22 \$ 225,733
 10 23 17. CORE CURRICULUM AND CAREER INFORMATION AND
 10 24 DECISION-MAKING SYSTEM
 10 25 For purposes of implementing the statewide core curriculum
 10 26 for school districts and accredited nonpublic schools and a
 10 27 state-designated career information and decision-making
 10 28 system:
 10 29 \$ 1,979,540
 10 30 18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
 10 31 For purposes of the student achievement and teacher quality
 10 32 program established pursuant to chapter 284, and for not more
 10 33 than the following full-time equivalent positions:
 10 34 \$ 7,614,750
 10 35 FTEs 4.70



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

11 1 19. COMMUNITY COLLEGES
 11 2 For general state financial aid to merged areas as defined
 11 3 in section 260C.2 in accordance with chapters 258 and 260C:
 11 4 \$158,678,501
 11 5 Notwithstanding the allocation formula in section 260C.18C,
 11 6 the funds appropriated in this subsection shall be allocated
 11 7 as follows:
 11 8 a. Merged Area I \$ 7,897,910
 11 9 b. Merged Area II \$ 8,516,966
 11 10 c. Merged Area III \$ 7,841,186
 11 11 d. Merged Area IV \$ 3,851,558
 11 12 e. Merged Area V \$ 8,641,384
 11 13 f. Merged Area VI \$ 7,498,085
 11 14 g. Merged Area VII \$ 11,126,360
 11 15 h. Merged Area IX \$ 13,843,859
 11 16 i. Merged Area X \$ 23,966,719
 11 17 j. Merged Area XI \$ 23,955,883
 11 18 k. Merged Area XII \$ 9,103,886
 11 19 l. Merged Area XIII \$ 9,268,324
 11 20 m. Merged Area XIV \$ 3,905,145
 11 21 n. Merged Area XV \$ 12,251,603
 11 22 o. Merged Area XVI \$ 7,009,633
 11 23 Sec. 7. COMMUNITY COLLEGE SALARIES. There is appropriated
 11 24 from the general fund of the state to the department of
 11 25 education for the fiscal year beginning July 1, 2009, and
 11 26 ending June 30, 2010, the following amount, or so much thereof
 11 27 as is necessary, to be used for the purpose designated:
 11 28 For distribution to community colleges to supplement
 11 29 faculty salaries:
 11 30 \$ 916,680
 11 31 Sec. 8. IOWA EMPOWERMENT BOARD == FIRST YEARS FIRST
 11 32 ACCOUNT. Notwithstanding section 28.9, subsection 5, from the
 11 33 moneys deposited in the first years first account created in
 11 34 section 28.9, subsection 5, for the fiscal year beginning July
 11 35 1, 2009, and ending June 30, 2010, \$2,000,000 shall be



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

12 1 distributed to community empowerment areas by the Iowa
12 2 empowerment board using the distribution formula for school
12 3 ready grants.

12 4 Sec. 9. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.
12 5 Notwithstanding section 272.10, subsection 2, in addition to
12 6 the percentage of licensing fees required to be deposited with
12 7 the treasurer of state and credited to the general fund of the
12 8 state pursuant to section 272.10, subsection 2, the executive
12 9 director of the board of educational examiners shall, at the
12 10 close of the fiscal year beginning July 1, 2008, transfer the
12 11 amount of \$454,000 to the department of education to be used
12 12 to supplement, not supplant, moneys allocated for purposes of
12 13 the beginning teacher mentoring and induction program as
12 14 provided in section 284.13, subsection 1, paragraph "b".

12 15 STATE BOARD OF REGENTS

12 16 Sec. 10. There is appropriated from the general fund of
12 17 the state to the state board of regents for the fiscal year
12 18 beginning July 1, 2009, and ending June 30, 2010, the
12 19 following amounts, or so much thereof as may be necessary, to
12 20 be used for the purposes designated:

12 21 1. OFFICE OF STATE BOARD OF REGENTS

12 22 a. For salaries, support, maintenance, miscellaneous
12 23 purposes, and for not more than the following full-time
12 24 equivalent positions:

12 25	\$ 1,227,914
12 26	FTEs 16.00

12 27 The state board of regents shall submit a monthly financial
12 28 report in a format agreed upon by the state board of regents
12 29 office and the legislative services agency.

12 30 b. For moneys to be allocated to the southwest Iowa
12 31 graduate studies center:

12 32	\$ 100,851
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12 33 c. For moneys to be allocated to the siouxland interstate
12 34 metropolitan planning council for the tristate graduate center
12 35 under section 262.9, subsection 21:



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

13	1	.....	\$	76,789
13	2	d. For moneys to be allocated to the quad=cities graduate		
13	3	studies center:		
13	4	.....	\$	149,628
13	5	e. For moneys to be distributed to Iowa public radio for		
13	6	public radio operations:		
13	7	.....	\$	451,465
13	8	2. STATE UNIVERSITY OF IOWA		
13	9	a. General university, including lakeside laboratory		
13	10	For salaries, support, maintenance, equipment,		
13	11	miscellaneous purposes, and for not more than the following		
13	12	full=time equivalent positions:		
13	13	.....	\$	235,483,091
13	14	.....	FTEs	5,058.55
13	15	b. Center for disabilities and development		
13	16	For salaries, support, maintenance, miscellaneous purposes,		
13	17	and for not more than the following full=time equivalent		
13	18	positions:		
13	19	.....	\$	6,335,993
13	20	.....	FTEs	130.37
13	21	From the moneys appropriated in this lettered paragraph,		
13	22	\$182,140 shall be allocated for purposes of the employment		
13	23	policy group.		
13	24	c. Oakdale campus		
13	25	For salaries, support, maintenance, miscellaneous purposes,		
13	26	and for not more than the following full=time equivalent		
13	27	positions:		
13	28	.....	\$	2,521,028
13	29	.....	FTEs	38.25
13	30	d. State hygienic laboratory		
13	31	For salaries, support, maintenance, miscellaneous purposes,		
13	32	and for not more than the following full=time equivalent		
13	33	positions:		
13	34	.....	\$	4,077,715
13	35	.....	FTEs	102.50



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

14 1 e. Family practice program
 14 2 For allocation by the dean of the college of medicine, with
 14 3 approval of the advisory board, to qualified participants to
 14 4 carry out the provisions of chapter 148D for the family
 14 5 practice program, including salaries and support, and for not
 14 6 more than the following full-time equivalent positions:
 14 7 \$ 2,061,809
 14 8 FTEs 190.40
 14 9 f. Child health care services
 14 10 For specialized child health care services, including
 14 11 childhood cancer diagnostic and treatment network programs,
 14 12 rural comprehensive care for hemophilia patients, and the Iowa
 14 13 high-risk infant follow-up program, including salaries and
 14 14 support, and for not more than the following full-time
 14 15 equivalent positions:
 14 16 \$ 760,330
 14 17 FTEs 57.97
 14 18 g. Statewide cancer registry
 14 19 For the statewide cancer registry, and for not more than
 14 20 the following full-time equivalent positions:
 14 21 \$ 171,851
 14 22 FTEs 2.10
 14 23 h. Substance abuse consortium
 14 24 For moneys to be allocated to the Iowa consortium for
 14 25 substance abuse research and evaluation, and for not more than
 14 26 the following full-time equivalent position:
 14 27 \$ 64,023
 14 28 FTEs 1.00
 14 29 i. Center for biocatalysis
 14 30 For the center for biocatalysis, and for not more than the
 14 31 following full-time equivalent positions:
 14 32 \$ 834,433
 14 33 FTEs 6.28
 14 34 j. Primary health care initiative
 14 35 For the primary health care initiative in the college of



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

15 1 medicine, and for not more than the following full-time
 15 2 equivalent positions:
 15 3 \$ 748,195
 15 4 FTEs 5.89
 15 5 From the moneys appropriated in this lettered paragraph,
 15 6 \$301,531 shall be allocated to the department of family
 15 7 practice at the state university of Iowa college of medicine
 15 8 for family practice faculty and support staff.
 15 9 k. Birth defects registry
 15 10 For the birth defects registry, and for not more than the
 15 11 following full-time equivalent position:
 15 12 \$ 44,145
 15 13 FTEs 1.00
 15 14 l. Larned A. Waterman Iowa nonprofit resource center
 15 15 For the Larned A. Waterman Iowa nonprofit resource center,
 15 16 and for not more than the following full-time equivalent
 15 17 positions:
 15 18 \$ 187,402
 15 19 FTEs 2.75
 15 20 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
 15 21 a. General university
 15 22 For salaries, support, maintenance, equipment,
 15 23 miscellaneous purposes, and for not more than the following
 15 24 full-time equivalent positions:
 15 25 \$184,987,583
 15 26 FTEs 3,647.42
 15 27 b. Agricultural experiment station
 15 28 For salaries, support, maintenance, miscellaneous purposes,
 15 29 and for not more than the following full-time equivalent
 15 30 positions:
 15 31 \$ 32,412,044
 15 32 FTEs 546.98
 15 33 c. Cooperative extension service in agriculture and home
 15 34 economics
 15 35 For salaries, support, maintenance, miscellaneous purposes,



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

16 1 and for not more than the following full-time equivalent
16 2 positions:
16 3 \$ 20,680,435
16 4 FTEs 383.34
16 5 d. Leopold center
16 6 For agricultural research grants at Iowa state university
16 7 of science and technology under section 266.39B, and for not
16 8 more than the following full-time equivalent positions:
16 9 \$ 458,209
16 10 FTEs 11.25
16 11 e. Livestock disease research
16 12 For deposit in and the use of the livestock disease
16 13 research fund under section 267.8:
16 14 \$ 199,284
16 15 f. Veterinary diagnostic laboratory
16 16 For purposes of supporting the college of veterinary
16 17 medicine for the operation of the veterinary diagnostic
16 18 laboratory:
16 19 \$ 916,680
16 20 (1) Iowa state university shall not reduce the amount that
16 21 it allocates to support the college of veterinary medicine
16 22 from any other source due to the appropriation made in this
16 23 lettered paragraph "f".
16 24 (2) If by the end of the fiscal year Iowa state university
16 25 fails to allocate the moneys appropriated in this lettered
16 26 paragraph "f" to the college of veterinary medicine in
16 27 accordance with this lettered paragraph "f", the moneys
16 28 appropriated in this lettered paragraph "f" for that fiscal
16 29 year shall revert to the general fund.
16 30 4. UNIVERSITY OF NORTHERN IOWA
16 31 a. General university
16 32 For salaries, support, maintenance, equipment,
16 33 miscellaneous purposes, and for not more than the following
16 34 full-time equivalent positions:
16 35 \$ 83,789,887



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

17 1 FTEs 1,447.50
17 2 b. Recycling and reuse center
17 3 For purposes of the recycling and reuse center, and for not
17 4 more than the following full-time equivalent positions:
17 5 \$ 202,064
17 6 FTEs 3.00
17 7 c. Science, technology, engineering, and mathematics
17 8 (STEM) collaborative initiative
17 9 For purposes of establishing a science, technology,
17 10 engineering, and mathematics (STEM) collaborative initiative,
17 11 and for not more than the following full-time equivalent
17 12 positions:
17 13 \$ 3,611,721
17 14 FTEs 6.20
17 15 d. Real estate education program
17 16 For purposes of the real estate education program, and for
17 17 not more than the following full-time equivalent position:
17 18 \$ 144,469
17 19 FTEs 1.00
17 20 e. Research, development, demonstration, and dissemination
17 21 school == engineering study
17 22 For purposes of an engineering study to evaluate the
17 23 Malcolm Price Laboratory School facility and facility options
17 24 for a research, development, demonstration, and dissemination
17 25 school:
17 26 \$ 35,000
17 27 5. STATE SCHOOL FOR THE DEAF
17 28 For salaries, support, maintenance, miscellaneous purposes,
17 29 and for not more than the following full-time equivalent
17 30 positions:
17 31 \$ 9,143,424
17 32 FTEs 126.60
17 33 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
17 34 For salaries, support, maintenance, miscellaneous purposes,
17 35 and for not more than the following full-time equivalent



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

18 1 positions:
 18 2 \$ 5,170,134
 18 3 FTEs 62.87
 18 4 7. TUITION AND TRANSPORTATION COSTS
 18 5 For payment to local school boards for the tuition and
 18 6 transportation costs of students residing in the Iowa braille
 18 7 and sight saving school and the state school for the deaf
 18 8 pursuant to section 262.43 and for payment of certain
 18 9 clothing, prescription, and transportation costs for students
 18 10 at these schools pursuant to section 270.5:
 18 11 \$ 13,562
 18 12 Sec. 11. For the fiscal year beginning July 1, 2009, and
 18 13 ending June 30, 2010, the state board of regents may use
 18 14 notes, bonds, or other evidences of indebtedness issued under
 18 15 section 262.48 to finance projects that will result in energy
 18 16 cost savings in an amount that will cause the state board to
 18 17 recover the cost of the projects within an average of six
 18 18 years.
 18 19 Sec. 12. Notwithstanding section 270.7, the department of
 18 20 administrative services shall pay the state school for the
 18 21 deaf and the Iowa braille and sight saving school the moneys
 18 22 collected from the counties during the fiscal year beginning
 18 23 July 1, 2009, for expenses relating to prescription drug costs
 18 24 for students attending the state school for the deaf and the
 18 25 Iowa braille and sight saving school.
 18 26 Sec. 13. Section 28.8, subsection 3, paragraph b, Code
 18 27 2009, is amended to read as follows:
 18 28 b. Family support services and parent education programs
 18 29 promoted to parents of children from birth through five years
 18 30 of age. The services and programs shall be offered in a
 18 31 flexible manner to accommodate the varying schedules, meeting
 18 32 place requirements, and other needs of working parents.
 18 33 Family support services shall include but are not limited to
 18 34 home visitation. ~~After a community empowerment area board has~~
~~18 35 committed the portion of school ready grant funding that is~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

~~Senate Study Bill 1322 continued~~

~~19 1 designated or authorized by law to be used or set aside for a
19 2 particular purpose, the community board shall commit
19 3 approximately sixty percent of the remainder to family support
19 4 services and parent education programs targeted to families
19 5 with children who are newborn through age five.~~

19 6 Sec. 14. Section 257.6, subsection 1, paragraph a,
19 7 subparagraph (5), Code 2009, is amended to read as follows:
19 8 (5) Resident pupils receiving competent private
19 9 instruction from a licensed practitioner provided through a
19 10 public school district pursuant to chapter 299A shall be
19 11 counted as three-tenths of one pupil. School districts shall
~~19 12 not spend less than the amount expended for the delivery of
19 13 home school assistance programming during the fiscal year
19 14 beginning July 1, 2007, unless there is a decline in
19 15 enrollment in the program. If a school district offered a
19 16 home school assistance program in the fiscal year beginning
19 17 July 1, 2007, it shall continue to offer a home school
19 18 assistance program in the fiscal year beginning July 1, 2008,
19 19 and subsequent fiscal years. If the school district~~
19 20 determines that the expenditures associated with providing
19 21 competent private instruction pursuant to chapter 299A are in
19 22 excess of the revenue attributed to the school district's
19 23 weighted enrollment for such instruction in accordance with
19 24 this subparagraph, the school district may submit a request to
19 25 the school budget review committee for modified allowable
19 26 growth in accordance with section 257.31, subsection 5,
19 27 paragraph "n". A home school assistance program shall not
19 28 provide moneys received pursuant to this subparagraph, nor
19 29 resources paid for with moneys received pursuant to this
19 30 subparagraph, to parents or students utilizing the program.

19 31 Sec. 15. Section 257.9, subsections 6, 7, 9, and 10, Code
19 32 2009, are amended to read as follows:

19 33 6. TEACHER SALARY SUPPLEMENT STATE COST PER PUPIL. For
19 34 the budget year beginning July 1, 2009, for the teacher salary
19 35 supplement state cost per pupil, the department of management



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

20 1 shall add together the teacher compensation allocation made to
20 2 each district for the fiscal year beginning July 1, 2008,
20 3 pursuant to section 284.13, subsection 1, paragraph "h", Code
20 4 2009, and the phase II allocation made to each district for
20 5 the fiscal year beginning July 1, 2008, pursuant to section
20 6 294A.9, Code 2009, and divide that sum by the statewide total
20 7 budget enrollment for the fiscal year beginning July 1, 2009.
20 8 The teacher salary supplement state cost per pupil for the
20 9 budget year beginning July 1, 2010, and succeeding budget
20 10 years, shall be the amount calculated by the department of
20 11 management under this subsection for the base year plus an
20 12 allowable growth amount that is equal to the teacher salary
20 13 supplement categorical state percent of growth, pursuant to
20 14 section 257.8, subsection 2, for the budget year, multiplied
20 15 by the amount calculated by the department of management under
20 16 this subsection for the base year.

20 17 7. PROFESSIONAL DEVELOPMENT SUPPLEMENT STATE COST PER
20 18 PUPIL. For the budget year beginning July 1, 2009, for the
20 19 professional development supplement state cost per pupil, the
20 20 department of management shall add together the professional
20 21 development allocation made to each district for the fiscal
20 22 year beginning July 1, 2008, pursuant to section 284.13,
20 23 subsection 1, paragraph "d", Code 2009, and divide that sum by
20 24 the statewide total budget enrollment for the fiscal year
20 25 beginning July 1, 2009. The professional development
20 26 supplement state cost per pupil for the budget year beginning
20 27 July 1, 2010, and succeeding budget years, shall be the amount
20 28 calculated by the department of management under this
20 29 subsection for the base year plus an allowable growth amount
20 30 that is equal to the professional development supplement
20 31 categorical state percent of growth, pursuant to section
20 32 257.8, subsection 2, for the budget year, multiplied by the
20 33 amount calculated by the department of management under this
20 34 subsection for the base year.

20 35 9. AREA EDUCATION AGENCY TEACHER SALARY SUPPLEMENT STATE



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

21 1 COST PER PUPIL. For the budget year beginning July 1, 2009,
21 2 for the area education agency teacher salary supplement state
21 3 cost per pupil, the department of management shall add
21 4 together the teacher compensation allocation made to each area
21 5 education agency for the fiscal year beginning July 1, 2008,
21 6 pursuant to section 284.13, subsection 1, paragraph "i", Code
21 7 2009, and the phase II allocation made to each area education
21 8 agency for the fiscal year beginning July 1, 2008, pursuant to
21 9 section 294A.9, Code 2009, and divide that sum by the
21 10 statewide special education support services weighted
21 11 enrollment for the fiscal year beginning July 1, 2009. The
21 12 area education agency teacher salary supplement state cost per
21 13 pupil for the budget year beginning July 1, 2010, and
21 14 succeeding budget years, shall be the amount calculated by the
21 15 department of management under this subsection for the base
21 16 year plus an allowable growth amount that is equal to the
21 17 teacher salary supplement categorical state percent of growth,
21 18 pursuant to section 257.8, subsection 2, for the budget year,
21 19 multiplied by the amount calculated by the department of
21 20 management under this subsection for the base year.

21 21 10. AREA EDUCATION AGENCY PROFESSIONAL DEVELOPMENT
21 22 SUPPLEMENT STATE COST PER PUPIL. For the budget year
21 23 beginning July 1, 2009, for the area education agency
21 24 professional development supplement state cost per pupil, the
21 25 department of management shall add together the professional
21 26 development allocation made to each area education agency for
21 27 the fiscal year beginning July 1, 2008, pursuant to section
21 28 284.13, subsection 1, paragraph "d", Code 2009, and divide
21 29 that sum by the statewide special education support services
21 30 weighted enrollment for the fiscal year beginning July 1,
21 31 2009. The area education agency professional development
21 32 supplement state cost per pupil for the budget year beginning
21 33 July 1, 2010, and succeeding budget years, shall be the amount
21 34 calculated by the department of management under this
21 35 subsection for the base year plus an allowable growth amount



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

22 1 that is equal to the professional development supplement
22 2 categorical state percent of growth, pursuant to section
22 3 257.8, subsection 2, for the budget year, multiplied by the
22 4 amount calculated by the department of management under this
22 5 subsection for the base year.
22 6 Sec. 16. Section 257.10, subsection 9, paragraph a, Code
22 7 2009, is amended to read as follows:
22 8 a. For the budget year beginning July 1, 2009, the
22 9 department of management shall add together the teacher
22 10 compensation allocation made to each district for the fiscal
22 11 year beginning July 1, 2008, pursuant to section 284.13,
22 12 subsection 1, paragraph "h", Code 2009, and the phase II
22 13 allocation made to each district for the fiscal year beginning
22 14 July 1, 2008, pursuant to section 294A.9, Code 2009, and
22 15 divide that sum by the district's budget enrollment in the
22 16 fiscal year beginning July 1, 2009, to determine the teacher
22 17 salary supplement district cost per pupil. For the budget
22 18 year beginning July 1, 2010, and succeeding budget years, the
22 19 teacher salary supplement district cost per pupil for each
22 20 school district for a budget year is the teacher salary
22 21 supplement program district cost per pupil for the base year
22 22 plus the teacher salary supplement state allowable growth
22 23 amount for the budget year.
22 24 Sec. 17. Section 257.10, subsection 10, paragraph a, Code
22 25 2009, is amended to read as follows:
22 26 a. For the budget year beginning July 1, 2009, the
22 27 department of management shall divide the professional
22 28 development allocation made to each district for the fiscal
22 29 year beginning July 1, 2008, pursuant to section 284.13,
22 30 subsection 1, paragraph "d", Code 2009, by the district's
22 31 budget enrollment in the fiscal year beginning July 1, 2009,
22 32 to determine the professional development supplement cost per
22 33 pupil. For the budget year beginning July 1, 2010, and
22 34 succeeding budget years, the professional development
22 35 supplement district cost per pupil for each school district



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

23 1 for a budget year is the professional development supplement
23 2 district cost per pupil for the base year plus the
23 3 professional development supplement state allowable growth
23 4 amount for the budget year.
23 5 Sec. 18. Section 257.37A, subsection 1, paragraph a, Code
23 6 2009, is amended to read as follows:
23 7 a. For the budget year beginning July 1, 2009, the
23 8 department of management shall add together the teacher
23 9 compensation allocation made to each area education agency for
23 10 the fiscal year beginning July 1, 2008, pursuant to section
23 11 284.13, subsection 1, paragraph "i", Code 2009, and the phase
23 12 II allocation made to each area education agency for the
23 13 fiscal year beginning July 1, 2008, pursuant to section
23 14 294A.9, Code 2009, and divide that sum by the special
23 15 education support services weighted enrollment in the fiscal
23 16 year beginning July 1, 2009, to determine the area education
23 17 agency teacher salary supplement cost per pupil. For the
23 18 budget year beginning July 1, 2010, and succeeding budget
23 19 years, the area education agency teacher salary supplement
23 20 district cost per pupil for each area education agency for a
23 21 budget year is the area education agency teacher salary
23 22 supplement district cost per pupil for the base year plus the
23 23 area education agency teacher salary supplement state
23 24 allowable growth amount for the budget year.
23 25 Sec. 19. Section 257.37A, subsection 2, paragraph a, Code
23 26 2009, is amended to read as follows:
23 27 a. For the budget year beginning July 1, 2009, the
23 28 department of management shall divide the area education
23 29 agency professional development supplement made to each area
23 30 education agency for the fiscal year beginning July 1, 2008,
23 31 pursuant to section 284.13, subsection 1, paragraph "d", Code
23 32 2009, by the special education support services weighted
23 33 enrollment in the fiscal year beginning July 1, 2009, to
23 34 determine the professional development supplement cost per
23 35 pupil. For the budget year beginning July 1, 2010, and



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

24 1 succeeding budget years, the area education agency
24 2 professional development supplement district cost per pupil
24 3 for each area education agency for a budget year is the area
24 4 education agency professional development supplement district
24 5 cost per pupil for the base year plus the area education
24 6 agency professional development supplement state allowable
24 7 growth amount for the budget year.
24 8 Sec. 20. Section 259.4, subsection 9, Code 2009, is
24 9 amended by striking the subsection.
24 10 Sec. 21. Section 260C.14, subsection 22, paragraph a, Code
24 11 2009, is amended by adding the following new subparagraphs:
24 12 NEW SUBPARAGRAPH. (7) The contracted salary and benefits
24 13 for the trustees of the community college.
24 14 NEW SUBPARAGRAPH. (8) The contracted salary and benefits
24 15 and any other expenses related to support for governmental
24 16 affairs efforts, including expenditures for lobbyists and
24 17 lobbying activities for the community college.
24 18 NEW SUBPARAGRAPH. (9) The contracted salaries, including
24 19 but not limited to bonus wages and benefits, including but not
24 20 limited to annuity payments or any other benefit covered using
24 21 state funds of any kind for administrators of the community
24 22 college.
24 23 Sec. 22. Section 260C.14, subsection 22, Code 2009, is
24 24 amended by adding the following new paragraph:
24 25 NEW PARAGRAPH. c. The department shall submit a report to
24 26 the general assembly summarizing the data submitted in
24 27 paragraph "a" by January 15 annually.
24 28 Sec. 23. Section 260C.18D, Code 2009, is amended by adding
24 29 the following new subsection:
24 30 NEW SUBSECTION. 5. EVENLY DIVIDED PAYMENTS. A community
24 31 college receiving funds distributed pursuant to this section
24 32 shall determine the amount to be paid to instructors in
24 33 accordance with subsection 4 and the amount determined to be
24 34 paid to an individual instructor shall be divided evenly and
24 35 paid in each pay period of the fiscal year beginning with the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

25 1 October payroll.

25 2 Sec. 24. Section 261.2, Code 2009, is amended by adding
25 3 the following new subsection:

25 4 NEW SUBSECTION. 10. Require any postsecondary institution
25 5 whose students are eligible for or who receive scholarship or
25 6 grant moneys administered by the commission and who were
25 7 enrolled in a school district in Iowa to include in its
25 8 student management information system the unique student
25 9 identifiers assigned to the institution's students while the
25 10 students were in the state's kindergarten through grade twelve
25 11 system and to report student record data to the commission
25 12 using the unique student identifier.

25 13 Sec. 25. Section 261.6, subsection 2, Code 2009, is
25 14 amended to read as follows:

25 15 2. The program shall provide financial assistance for
25 16 postsecondary education or training to persons who have a high
25 17 school diploma or a high school equivalency diploma under
25 18 chapter 259A, are age ~~eighteen~~ seventeen through twenty-three,
25 19 and are described by any of the following:

25 20 a. On the date the person reached age ~~eighteen~~ seventeen
25 21 or during the thirty calendar days preceding or succeeding
25 22 that date, the person was in a licensed foster care placement
25 23 pursuant to a court order entered under chapter 232 under the
25 24 care and custody of the department of human services or
25 25 juvenile court services.

25 26 b. On the date the person reached age ~~eighteen~~ seventeen
25 27 or during the thirty calendar days preceding or succeeding
25 28 that date, the person was under a court order under chapter
25 29 232 to live with a relative or other suitable person.

25 30 c. The person was in a licensed foster care placement
25 31 pursuant to an order entered under chapter 232 prior to being
25 32 legally adopted after reaching age sixteen.

25 33 d. On the date the person reached age ~~eighteen~~ seventeen
25 34 or during the thirty calendar days preceding or succeeding
25 35 that date, the person was placed in the state training school



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

26 1 or the Iowa juvenile home pursuant to a court order entered
26 2 under chapter 232 under the care and custody of the department
26 3 of human services.

26 4 Sec. 26. Section 261.19, subsection 1, Code 2009, is
26 5 amended to read as follows:

26 6 1. A physician recruitment program is established, to be
26 7 administered by the college student aid commission, for Des
26 8 Moines university == osteopathic medical center. The program
26 9 shall consist of a forgivable loan program and a tuition
26 10 scholarship program for students and a loan repayment program
26 11 for physicians. The commission shall regularly adjust the
26 12 physician service requirement under each aspect of the program
26 13 to provide, to the extent possible, an equal financial benefit
26 14 for each period of service required. ~~From funds appropriated~~
~~26 15 for purposes of the program by the general assembly, the~~
~~26 16 commission shall pay a fee to Des Moines university ==~~
~~26 17 osteopathic medical center for the administration of the~~
~~26 18 program. A portion of the fee shall be paid by the commission~~
~~26 19 to the university based upon the number of physicians~~
~~26 20 recruited under subsection 4.~~

26 21 Sec. 27. Section 261.25, subsections 1, 2, and 3, Code
26 22 2009, are amended to read as follows:

26 23 1. There is appropriated from the general fund of the
26 24 state to the commission for each fiscal year the sum of ~~fifty~~
26 25 ~~forty=~~five million ~~seventy=three~~ two hundred thirteen thousand
26 26 ~~seven hundred eighteen~~ sixty=~~nine~~ dollars for tuition grants.

26 27 2. There is appropriated from the general fund of the
26 28 state to the commission for each fiscal year the sum of ~~five~~
26 29 four million ~~five~~ nine hundred ~~twenty=~~four ~~eighty=~~eight
26 30 thousand ~~eight~~ five hundred ~~fifty=~~eight ~~sixty=~~one dollars for
26 31 tuition grants for students attending for=profit accredited
26 32 private institutions located in Iowa. A for=profit
26 33 institution which, effective March 9, 2005, purchased an
26 34 accredited private institution that was exempt from taxation
26 35 under section 501(c) of the Internal Revenue Code, shall be an



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

27 1 eligible institution under the tuition grant program. In the
27 2 case of a qualified student who was enrolled in such
27 3 accredited private institution that was purchased by the
27 4 for-profit institution effective March 9, 2005, and who
27 5 continues to be enrolled in the eligible institution in
27 6 succeeding years, the amount the student qualifies for under
27 7 this subsection shall be not less than the amount the student
27 8 qualified for in the fiscal year beginning July 1, 2004. For
27 9 purposes of the tuition grant program, "for-profit accredited
27 10 private institution" means an accredited private institution
27 11 which is not exempt from taxation under section 501(c)(3) of
27 12 the Internal Revenue Code but which otherwise meets the
27 13 requirements of section 261.9, subsection 1, paragraph "b",
27 14 and whose students were eligible to receive tuition grants in
27 15 the fiscal year beginning July 1, 2003.

27 16 3. There is appropriated from the general fund of the
27 17 state to the commission for each fiscal year the sum of two
27 18 million ~~seven~~ five hundred ~~eighty-three~~ twelve thousand ~~one~~
27 19 nine hundred ~~fifteen~~ fifty-eight dollars for
27 20 vocational-technical tuition grants.

27 21 Sec. 28. Section 261.87, subsection 2, paragraph b, Code
27 22 2009, is amended to read as follows:

27 23 b. Achieves a cumulative high school grade point average
27 24 ~~upon graduation~~ of at least two point five on a four-point
27 25 grade scale, or its equivalent if another grade scale is used.

27 26 Sec. 29. Section 262.9, Code 2009, is amended by adding
27 27 the following new subsection:

27 28 NEW SUBSECTION. 32. Submit its annual budget request
27 29 broken down by budget unit.

27 30 Sec. 30. Section 284.2, subsection 1, Code 2009, is
27 31 amended to read as follows:

27 32 1. "Beginning teacher" means an individual serving under
27 33 an initial or intern license, issued by the board of
27 34 educational examiners under chapter 272, who is assuming a
27 35 position as a teacher. For purposes of the beginning teacher



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

28 1 mentoring and induction program created pursuant to section
28 2 284.5, "beginning teacher" also includes preschool teachers
28 3 who are licensed by the board of educational examiners under
28 4 chapter 272 and are employed by a school district or area
28 5 education agency. "Beginning teacher" does not include a
28 6 teacher whose employment with a school district or area
28 7 education agency is probationary unless the teacher is serving
28 8 under an initial or teacher intern license issued by the board
28 9 of educational examiners under chapter 272.

28 10 Sec. 31. Section 284.4, subsection 1, paragraph c,
28 11 subparagraph (3), Code 2009, is amended to read as follows:

28 12 (3) Determine, following the adoption of the Iowa
28 13 professional development model by the state board of
28 14 education, the use and distribution of the professional
28 15 development funds ~~distributed~~ calculated and paid to the
28 16 school district or agency as provided in section ~~284.13~~ 257.9,
28 17 subsection 10, or section 257.10, subsection 1, paragraph "d"
28 18 10, based upon school district or agency, attendance center,
28 19 and individual teacher and professional development plans.

28 20 Sec. 32. Section 284.6, subsections 8 and 9, Code 2009,
28 21 are amended to read as follows:

28 22 8. For each year in which a school district receives funds
28 23 ~~allocated for distribution~~ calculated and paid to school
28 24 districts for professional development pursuant to section
28 25 ~~284.13~~ 257.10, subsection 1, paragraph "d" 10, or section
28 26 257.37A, subsection 2, the school district shall create
28 27 quality professional development opportunities. The goal for
28 28 the use of the funds is to provide one additional contract day
28 29 or the equivalent thereof for professional development and use
28 30 of the funds is limited to providing professional development
28 31 to teachers, including additional salaries for time beyond the
28 32 normal negotiated agreement; pay for substitute teachers,
28 33 professional development materials, speakers, and professional
28 34 development content; and costs associated with implementing
28 35 the individual professional development plans. The use of the



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

29 1 funds shall be balanced between school district, attendance
29 2 center, and individual professional development plans, making
29 3 every reasonable effort to provide equal access to all
29 4 teachers.
29 5 9. ~~The distribution of funds allocated for professional~~
~~29 6 development pursuant to section 284.13, subsection 1,~~
~~29 7 paragraph "d", shall be made in one payment on or about~~
~~29 8 October 15 of the fiscal year for which the appropriation is~~
~~29 9 made, taking into consideration the relative budget and cash~~
~~29 10 position of the state resources. Moneys received pursuant to~~
29 11 section 284.13 257.10, subsection 1, paragraph "d", shall not
~~29 12 be commingled with state aid payments made under section~~
~~29 13 257.16 to a school district, shall be accounted for by the~~
~~29 14 local school district separately from state aid payments, and~~
~~29 15 are miscellaneous income for purposes of chapter 257. A~~
~~29 16 school district shall maintain a separate listing within its~~
~~29 17 budget for funds received and expenditures made pursuant to~~
~~29 18 this subsection 10, or section 257.37A, subsection 2, shall be~~
29 19 maintained as a separate listing within its budget for funds
29 20 received and expenditures made pursuant to this subsection. A
29 21 school district shall certify to the department of education
29 22 how the school district allocated the funds and that moneys
29 23 received under this subsection were used to supplement, not
29 24 supplant, the professional development opportunities the
29 25 school district would otherwise make available.
29 26 Sec. 33. Section 284.7, unnumbered paragraph 1, Code 2009,
29 27 is amended to read as follows:
29 28 To promote continuous improvement in Iowa's quality
29 29 teaching workforce and to give Iowa teachers the opportunity
29 30 for career recognition that reflects the various roles
29 31 teachers play as educational leaders, an Iowa teacher career
29 32 path is established for teachers employed by school districts.
29 33 A school district shall use funding ~~allocated under~~ calculated
29 34 and paid pursuant to section 284.13 257.10, subsection 1,
~~29 35 paragraph "h" 9, to raise teacher salaries to meet the~~



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

30 1 requirements of this section. The Iowa teacher career path
30 2 and salary minimums are as follows:

30 3 Sec. 34. Section 284.7, subsection 1, paragraph b,
30 4 subparagraph (1), unnumbered paragraph 1, Code 2009, is
30 5 amended to read as follows:

30 6 A career teacher is a teacher who holds a statement of
30 7 professional recognition issued by the board of educational
30 8 examiners under chapter 272 or who meets the following
30 9 requirements:

30 10 Sec. 35. Section 284.7, subsection 5, paragraphs a, b, d,
30 11 and e, Code 2009, are amended to read as follows:

30 12 a. If the licensed employees of a school district or area
30 13 education agency receiving funds calculated and paid pursuant
30 14 to section ~~284.13~~ 257.9, subsection 9, or section 257.10,
30 15 subsection 1, ~~paragraph "h" or "i"~~ 9, for purposes of this
30 16 section, are organized under chapter 20 for collective
30 17 bargaining purposes, the board of directors and the certified
30 18 bargaining representative for the licensed employees shall
30 19 mutually agree upon a formula for distributing the funds among
30 20 the teachers employed by the school district or area education
30 21 agency. However, the school district must comply with the
30 22 salary minimums provided for in this section. The parties
30 23 shall follow the negotiation and bargaining procedures
30 24 specified in chapter 20 except that if the parties reach an
30 25 impasse, neither impasse procedures agreed to by the parties
30 26 nor sections 20.20 through 20.22 shall apply and the funds
30 27 shall be paid as provided in paragraph "b". Negotiations
30 28 under this section are subject to the scope of negotiations
30 29 specified in section 20.9. If a board of directors and the
30 30 certified bargaining representative for licensed employees
30 31 have not reached mutual agreement for the distribution of
30 32 funds ~~received~~ calculated and paid pursuant to section ~~284.13~~
30 33 257.9, subsection 9, or section 257.10, subsection 1,
~~30 34 paragraph "h" or "i" 9, by September 15 of the fiscal year for~~
30 35 which the funds are distributed, paragraph "b" of this



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

31 1 subsection shall apply.

31 2 b. If, once the minimum salary requirements of this
31 3 section have been met by the school district or area education
31 4 agency, and the school district or area education agency
31 5 receiving funds calculated and paid pursuant to section ~~284.13~~
31 6 257.9, subsection 9, or section 257.10, subsection 1,
~~31 7 paragraph "h" or "i" 9,~~ for purposes of this section, and the
31 8 certified bargaining representative for the licensed employees
31 9 have not reached an agreement for distribution of the funds
31 10 remaining, in accordance with paragraph "a", the board of
31 11 directors shall divide the funds remaining among full-time
31 12 teachers employed by the district or area education agency
31 13 whose regular compensation is equal to or greater than the
31 14 minimum salary specified in this section. The payment amount
31 15 for teachers employed on less than a full-time basis shall be
31 16 prorated. For purposes of this paragraph, regular
31 17 compensation means base salary plus any salary provided under
31 18 chapter 294A.

31 19 d. For the school year beginning July 1, 2008, and each
31 20 succeeding school year, if the licensed employees of a school
31 21 district or area education agency receiving funds calculated
31 22 and paid pursuant to section ~~284.13~~ 257.9, subsection 9, or
31 23 section 257.10, subsection 1, ~~paragraph "h" or "i" 9,~~ for
31 24 purposes of this section, are organized under chapter 20 for
31 25 collective bargaining purposes, the school board and the
31 26 certified bargaining representative for the licensed employees
31 27 shall negotiate a formula for distributing the funds among the
31 28 teachers employed by the school district or area education
31 29 agency according to chapter 20. Paragraphs "a" and "b" shall
31 30 apply to any increases in the funds provided above the base
31 31 year.

31 32 e. A school district or area education agency receiving
31 33 funds calculated and paid pursuant to section ~~284.13~~ 257.9,
31 34 subsection 9, or section 257.10, subsection 1, ~~paragraph "h"~~
~~31 35 or "i" 9,~~ shall determine the amount to be paid to teachers in



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

32 1 accordance with this subsection and the amount determined to
32 2 be paid to an individual teacher shall be divided evenly and
32 3 paid in each pay period of the fiscal year beginning with the
32 4 October payroll.

32 5 Sec. 36. Section 284.7, Code 2009, is amended by adding
32 6 the following new subsection:

32 7 NEW SUBSECTION. 6. A school district that is unable to
32 8 meet the provisions of subsection 1 with funds calculated and
32 9 paid to the school district pursuant to section 257.10,
32 10 subsection 9, may request a waiver from the department to use
32 11 funds calculated and paid under section 257.10, subsection 11,
32 12 to meet the provisions of subsection 1 if the difference
32 13 between the funds calculated and paid pursuant to section
32 14 257.10, subsection 9, and the amount required to comply with
32 15 subsection 1 is not less than ten thousand dollars. The
32 16 department shall consider the average class size of the school
32 17 district, the school district's actual unspent balance from
32 18 the preceding year, and the school district's current
32 19 financial position.

32 20 Sec. 37. Section 284.13, subsection 1, paragraphs a, b, c,
32 21 and j, Code 2009, are amended to read as follows:

32 22 a. For the fiscal year beginning July 1, ~~2008~~ 2009, and
32 23 ending June 30, ~~2009~~ 2010, to the department of education, the
32 24 amount of one million ~~seven~~ one hundred seven ~~twenty=~~five
32 25 thousand ~~five hundred~~ dollars for the issuance of national
32 26 board certification awards in accordance with section 256.44.
32 27 Of the amount allocated under this paragraph, not less than
32 28 eighty=five thousand dollars shall be used to administer the
32 29 ambassador to education position in accordance with section
32 30 256.45.

32 31 b. For the fiscal year beginning July 1, ~~2006~~ 2009, and
32 32 succeeding fiscal years, an amount up to ~~four~~ three million
32 33 ~~six~~ nine hundred ~~fifty~~ forty= ~~nine~~ seven hundred ~~fifty~~
32 34 dollars for first=year and second=year beginning teachers, to
32 35 the department of education for distribution to school



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

33 1 districts and area education agencies for purposes of the
33 2 beginning teacher mentoring and induction programs. A school
33 3 district or area education agency shall receive one thousand
33 4 three hundred dollars per beginning teacher participating in
33 5 the program. If the funds appropriated for the program are
33 6 insufficient to pay mentors, school districts, and area
33 7 education agencies as provided in this paragraph, the
33 8 department shall prorate the amount distributed to school
33 9 districts and area education agencies based upon the amount
33 10 appropriated. Moneys received by a school district or area
33 11 education agency pursuant to this paragraph shall be expended
33 12 to provide each mentor with an award of five hundred dollars
33 13 per semester, at a minimum, for participation in the school
33 14 district's or area education agency's beginning teacher
33 15 mentoring and induction program; to implement the plan; and to
33 16 pay any applicable costs of the employer's share of
33 17 contributions to federal social security and the Iowa public
33 18 employees' retirement system or a pension and annuity
33 19 retirement system established under chapter 294, for such
33 20 amounts paid by the district or area education agency.

33 21 c. For each fiscal year of the fiscal period beginning
33 22 July 1, 2007, and ending June 30, ~~2009~~ 2010, up to six hundred
33 23 ninety-five thousand dollars to the department for purposes of
33 24 implementing the professional development program requirements
33 25 of section 284.6, assistance in developing model evidence for
33 26 teacher quality committees established pursuant to section
33 27 284.4, subsection 1, paragraph "c", and the evaluator training
33 28 program in section 284.10. A portion of the funds allocated
33 29 to the department for purposes of this paragraph may be used
33 30 by the department for administrative purposes and for not more
33 31 than four full-time equivalent positions.

33 32 j. Notwithstanding section 8.33, any moneys remaining
33 33 unencumbered or unobligated from the moneys allocated for
33 34 purposes of paragraph "a", "b", or "c", ~~or "g"~~ shall not
33 35 revert but shall remain available in the succeeding fiscal



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

34 1 year for expenditure for the purposes designated. The
34 2 provisions of section 8.39 shall not apply to the funds
34 3 appropriated pursuant to this subsection.

34 4 Sec. 38. Section 284.13, subsection 1, paragraphs d, f, g,
34 5 h, and i, Code 2009, are amended by striking the paragraphs.

34 6 Sec. 39. Section 284.13, subsection 2, Code 2009, is
34 7 amended by striking the subsection.

34 8 Sec. 40. Section 284A.2, subsection 1, Code 2009, is
34 9 amended to read as follows:

34 10 1. "Administrator" means an individual holding a
34 11 professional administrator license issued under chapter 272,
34 12 who is employed in a school district administrative position
34 13 by a school district or area education agency pursuant to a
34 14 contract issued by a board of directors under section 279.23,
34 15 and is engaged in instructional leadership. An administrator
34 16 may be employed in both an administrative and a
34 17 nonadministrative position by a board of directors and shall
34 18 be considered a part-time administrator for the portion of
34 19 time that the individual is employed in an administrative
34 20 position. "Administrator" does not include assistant
34 21 principals or assistant superintendents.

34 22 Sec. 41. 2008 Iowa Acts, chapter 1181, section 84, is
34 23 amended to read as follows:

34 24 SEC. 84. Section 284.13, subsection 1, paragraph f, Code
34 25 Supplement 2007, is amended by striking the paragraph and
34 26 inserting in lieu thereof the following:

34 27 f. For the fiscal year beginning July 1, 2008, and ending
34 28 June 30, 2009, to the department of education, the amount of
34 29 two hundred fifty thousand dollars for ~~distribution to the~~
34 30 ~~institute for tomorrow's workforce created pursuant to section~~
34 31 ~~7K.1 to be used to supplement, not supplant, funds allocated~~
34 32 for purposes of the beginning teacher mentoring and induction
34 33 program as provided in subsection 1, paragraph "b".

34 34 Sec. 42. Chapter 7K, Code 2009, is repealed.

34 35 Sec. 43. Section 257.51, Code 2009, is repealed.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

36 1 national guard educational assistance program. This provision
36 2 takes effect upon enactment.

36 3 The bill appropriates moneys to the department of education
36 4 for purposes of the department's general administration,
36 5 vocational education administration, division of vocational
36 6 rehabilitation services including independent living, state
36 7 library for general administration and the enrich Iowa
36 8 program, library service area system, public broadcasting
36 9 division, regional telecommunications councils, vocational
36 10 education to secondary schools, school food service, Iowa
36 11 empowerment fund, expansion of the federal Individuals With
36 12 Disabilities Education Improvement Act birth through age three
36 13 services, a four-year-old preschool program, textbooks for
36 14 nonpublic school pupils, the beginning administrator mentoring
36 15 and induction program, the core curriculum and career
36 16 information and decision-making system, the student
36 17 achievement and teacher quality program, community colleges,
36 18 and community college salaries.

36 19 The bill requires the board of educational examiners to
36 20 transfer \$454,000 from funds derived from licensing fees to
36 21 the department of education to be used for the beginning
36 22 teacher mentoring and induction program. This provision takes
36 23 effect upon enactment.

36 24 The bill appropriates moneys to the state board of regents
36 25 for the board office, universities' general operating budgets;
36 26 the southwest Iowa graduate studies center; the siouxland
36 27 interstate metropolitan planning council; the quad-cities
36 28 graduate studies center; Iowa public radio; the state
36 29 university of Iowa; Iowa state university of science and
36 30 technology; the university of northern Iowa; a research,
36 31 development, demonstration, and dissemination school
36 32 engineering study; the Iowa school for the deaf; the Iowa
36 33 braille and sight saving school; and for tuition and
36 34 transportation costs for students residing in the Iowa Braille
36 35 and sight saving school and the Iowa school for the deaf.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1322 continued

37 1 The bill includes a number of statutory changes:
37 2 In 2008, the general assembly enacted legislation funding
37 3 teacher compensation and professional development on a
37 4 per=pupil basis through the school aid formula. Funding for
37 5 teacher salaries and professional development will no longer
37 6 be allocated under the student achievement and teacher quality
37 7 program. The bill amends the program's allocation provisions
37 8 to allocate funds for the issuance of national board
37 9 certification awards, the ambassador to education position,
37 10 and the beginning teacher mentoring and induction program; and
37 11 strikes language relating to allocations for teacher salaries,
37 12 professional development, the institute for tomorrow's
37 13 workforce, and pay=for=performance and career ladder pilots.
37 14 The bill makes a number of corresponding reference changes.
37 15 The bill also amends the definition of beginning teacher for
37 16 purposes of the program to exclude from the definition a
37 17 teacher whose employment is probationary unless the teacher is
37 18 serving under an initial or teacher intern license; and
37 19 provides that a person who holds a statement of professional
37 20 recognition issued by the board of educational examiners is a
37 21 career teacher.
37 22 The bill amends the definition of administrator for
37 23 purposes of the beginning administer mentoring and induction
37 24 program to provide that the individual must be engaged in
37 25 instructional leadership and provides that the definition does
37 26 not include assistant principals or assistant superintendents.
37 27 The bill strikes a provision that requires a community
37 28 board to commit a portion of its school ready grant funding to
37 29 family support services and parent education programs targeted
37 30 to families with children who are newborn through age five.
37 31 The bill strikes provisions that require school districts
37 32 to spend the same amount on home school assistance programs as
37 33 they expended for the programming in fiscal year 2007=2008 and
37 34 which require a school district that offered the program in
37 35 the 2007=2008 fiscal year to continue to provide the program.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1322 continued

38 1 A community college receiving state salary funds must
38 2 divide the funds that will be paid to an individual instructor
38 3 evenly and pay the funds in each pay period of the fiscal year
38 4 beginning with the October payroll.
38 5 The college student aid commission is directed to require
38 6 certain postsecondary institutions whose students were
38 7 enrolled in a school district in Iowa to include in its
38 8 student management information system the unique student
38 9 identifiers assigned to the institution's students and to
38 10 report student record data to the commission using the unique
38 11 student identifier. The bill reduces the standing
38 12 appropriation for the Iowa tuition grant, the Iowa tuition
38 13 grant for students attending for-profit institutions, and the
38 14 vocational-technical tuition grant. The age by which an
38 15 individual can qualify for an all Iowa opportunity foster care
38 16 grant is reduced from age 18 to age 17. Language requiring
38 17 the commission to pay the administration fee to Des Moines
38 18 university == osteopathic medical center is stricken.
38 19 The bill repeals the Code chapter establishing the
38 20 institute for tomorrow's workforce.
38 21 LSB 1003JB 83
38 22 kh/tm:jp/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1323

SENATE/HOUSE FILE
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

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 judicial
- 2 branch, and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1006JB 83
- 5 jm/jp/8



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1323 continued

PAG LIN

1 1 Section 1. JUDICIAL BRANCH.

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

1 3 state to the judicial branch for the fiscal year beginning

1 4 July 1, 2009, and ending June 30, 2010, the following amount,

1 5 or so much thereof as is necessary, to be used for the

1 6 purposes designated:

1 7 For salaries of supreme court justices, appellate court

1 8 judges, district court judges, district associate judges,

1 9 judicial magistrates and staff, state court administrator,

1 10 clerk of the supreme court, district court administrators,

1 11 clerks of the district court, juvenile court officers, board

1 12 of law examiners and board of examiners of shorthand reporters

1 13 and judicial qualifications commission; receipt and

1 14 disbursement of child support payments; reimbursement of the

1 15 auditor of state for expenses incurred in completing audits of

1 16 the offices of the clerks of the district court during the

1 17 fiscal year beginning July 1, 2009; and maintenance,

1 18 equipment, and miscellaneous purposes:

1 19 \$149,184,957

1 20 2. The judicial branch, except for purposes of internal

1 21 processing, shall use the current state budget system, the

1 22 state payroll system, and the Iowa finance and accounting

1 23 system in administration of programs and payments for

1 24 services, and shall not duplicate the state payroll,

1 25 accounting, and budgeting systems.

1 26 3. The judicial branch shall submit monthly financial

1 27 statements to the legislative services agency and the

1 28 department of management containing all appropriated accounts

1 29 in the same manner as provided in the monthly financial status

1 30 reports and personal services usage reports of the department

1 31 of administrative services. The monthly financial statements

1 32 shall include a comparison of the dollars and percentage spent

1 33 of budgeted versus actual revenues and expenditures on a

1 34 cumulative basis for full-time equivalent positions and

1 35 dollars.



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009**

Senate Study Bill 1323 continued

2 1 4. The judicial branch shall focus efforts upon the
2 2 collection of delinquent fines, penalties, court costs, fees,
2 3 surcharges, or similar amounts.

2 4 5. It is the intent of the general assembly that the
2 5 offices of the clerks of the district court operate in all 99
2 6 counties and be accessible to the public as much as is
2 7 reasonably possible in order to address the relative needs of
2 8 the citizens of each county.

2 9 6. In addition to the requirements for transfers under
2 10 section 8.39, the judicial branch shall not change the
2 11 appropriations from the amounts appropriated to the judicial
2 12 branch in this Act, unless notice of the revisions is given
2 13 prior to their effective date to the legislative services
2 14 agency. The notice shall include information on the branch's
2 15 rationale for making the changes and details concerning the
2 16 workload and performance measures upon which the changes are
2 17 based.

2 18 7. The judicial branch shall submit a semiannual update to
2 19 the legislative services agency specifying the amounts of
2 20 fines, surcharges, and court costs collected using the Iowa
2 21 court information system since the last report. The judicial
2 22 branch shall continue to facilitate the sharing of vital
2 23 sentencing and other information with other state departments
2 24 and governmental agencies involved in the criminal justice
2 25 system through the Iowa court information system.

2 26 8. The judicial branch shall provide a report to the
2 27 general assembly by January 1, 2010, concerning the amounts
2 28 received and expended from the enhanced court collections fund
2 29 created in section 602.1304 and the court technology and
2 30 modernization fund created in section 602.8108, subsection 7,
2 31 during the fiscal year beginning July 1, 2008, and ending June
2 32 30, 2009, and the plans for expenditures from each fund during
2 33 the fiscal year beginning July 1, 2009, and ending June 30,
2 34 2010. A copy of the report shall be provided to the
2 35 legislative services agency.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1323 continued

3 1 9. The judicial branch is encouraged to purchase products
3 2 from Iowa state industries, as defined in section 904.802,
3 3 when purchases are required and the products are available
3 4 from Iowa state industries. The judicial branch shall obtain
3 5 bids from Iowa state industries for purchases of office
3 6 furniture during the fiscal year beginning July 1, 2009,
3 7 exceeding \$5,000.

3 8 Sec. 2. CIVIL TRIALS == LOCATION. Notwithstanding any
3 9 provision to the contrary, for the fiscal year beginning July
3 10 1, 2009, and ending June 30, 2010, if all parties in a case
3 11 agree, a civil trial including a jury trial may take place in
3 12 a county contiguous to the county with proper jurisdiction,
3 13 even if the contiguous county is located in an adjacent
3 14 judicial district or judicial election district. If the trial
3 15 is moved pursuant to this section, court personnel shall treat
3 16 the case as if a change of venue occurred. However, if a
3 17 trial is moved to an adjacent judicial district or judicial
3 18 election district, the judicial officers serving in the
3 19 judicial district or judicial election district receiving the
3 20 case shall preside over the case.

3 21 Sec. 3. TRAVEL REIMBURSEMENT. For the fiscal year
3 22 beginning July 1, 2009, a judicial officer may waive travel
3 23 reimbursement for any travel outside the judicial officer's
3 24 county of residence to conduct official judicial business.

3 25 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
3 26 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
3 27 required to be provided by the judicial branch for fiscal year
3 28 2009=2010 to the legislative services agency shall be provided
3 29 in an electronic format. The legislative services agency
3 30 shall post the reports on its internet web site and shall
3 31 notify by electronic means all the members of the joint
3 32 appropriations subcommittee on the justice system when a
3 33 report is posted. Upon request, copies of the reports may be
3 34 mailed to members of the joint appropriations subcommittee on
3 35 the justice system.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 01, 2009

Senate Study Bill 1323 continued

5 1 salary reductions due to voluntary judicial furloughs for any
5 2 purpose other than judicial salaries. The judicial officer
5 3 voluntary furlough provision takes effect upon enactment.
5 4 The bill provides that a civil trial including a jury trial
5 5 may take place in a county contiguous to the county with
5 6 proper jurisdiction, even if the contiguous county is located
5 7 in an adjacent judicial district or judicial election
5 8 district, if all the parties in a case agree. If a trial is
5 9 moved to another county that is located in another judicial
5 10 district or judicial election district, the judicial officers
5 11 serving the judicial district or judicial election district
5 12 receiving the case shall preside over the case.
5 13 The bill permits a judicial officer to waive travel
5 14 reimbursement for any travel outside the judicial officer's
5 15 county of residence to conduct official business.
5 16 LSB 1006JB 83
5 17 jm/jp/8