



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 11, 2010

**House Concurrent Resolution 101 -
Introduced**

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY McCARTHY and PAULSEN

1 1 A Concurrent Resolution providing for a joint
1 2 convention.

1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
1 4 SENATE CONCURRING, That a joint convention of the two
1 5 houses of the 2010 session of the Eighty-third General
1 6 Assembly be held on Tuesday, January 12, 2010, at 10:00
1 7 a.m.; and

1 8 BE IT FURTHER RESOLVED, That Governor Chester J.
1 9 Culver be invited to deliver his condition of the state
1 10 message at this joint convention of the two houses of
1 11 the General Assembly, and that the Speaker of the House
1 12 of Representatives and the President of the Senate be
1 13 designated to extend the invitation to him.

LSB 5764HQ (1) 83

HCR 101 dt/mb



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January 11, 2010

**House Concurrent Resolution 102 -
Introduced**

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY McCARTHY and PAULSEN

1 1 A Concurrent Resolution providing for a joint
1 2 convention.

1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
1 4 SENATE CONCURRING, That a joint convention of the two
1 5 houses of the 2010 session of the Eighty-third General
1 6 Assembly be held on Wednesday, January 13, 2010, at
1 7 10:00 a.m.; and

1 8 BE IT FURTHER RESOLVED, That Chief Justice Ternus
1 9 be invited to present her message of the condition of
1 10 the judicial branch at this convention, and recommend
1 11 such matters as the Chief Justice deems appropriate,
1 12 pursuant to section 602.1207 of the Code.

LSB 5454HQ (6) 83

HCR 102 dt/mb



Iowa General Assembly
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House File 2001 - Introduced

HOUSE FILE

BY FREVERT, WENDT, WINCKLER, MASCHER,
TAYLOR, MURPHY, D. OLSON, and
BUKTA

A BILL FOR

1 An Act relating to utilization of the district management levy
2 to pay the cost of employee health insurance benefits.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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House File 2001 - Introduced continued

PAG LIN

1 1 Section 1. Section 296.7, subsection 3, Code 2009, is
1 2 amended to read as follows:
1 3 3. ~~A~~ Except as provided in section 298.4, a school district,
1 4 providing an insurance program as described in subsection 2,
1 5 shall not contract indebtedness and issue general obligation
1 6 bonds or enter into insurance agreements obligating the school
1 7 district to make payments beyond its current budget year for
1 8 that employee benefit plan. A school district may, however,
1 9 apply to the school budget review committee for relief if
1 10 necessitated by the expenses in the school district's insurance
1 11 program as described in subsection 2.
1 12 Sec. 2. Section 298.4, Code 2009, is amended by adding the
1 13 following new subsection:
1 14 NEW SUBSECTION. 6. To pay the cost of employee health
1 15 benefits. For the purposes of this subsection, "employee
1 16 health benefits" means costs for hospital and surgical, medical
1 17 expense, major medical, dental, or prescription drug benefits.
1 18 In authorizing a levy pursuant to this subsection, the board
1 19 may, and upon the written request of not less than one hundred
1 20 eligible electors or thirty percent of the number of electors
1 21 voting at the last regular school election, whichever is
1 22 greater, shall, direct the county commissioner of elections to
1 23 submit the proposition of utilizing the management levy for
1 24 employee health benefits at the regular school election or at a
1 25 special election held on the second Tuesday in September of the
1 26 even-numbered year. The proposition is adopted if a majority
1 27 of those voting on the proposition at the election favors
1 28 approval of the proposition. The district management levy may,
1 29 in the board's discretion, be utilized to fund all or a portion
1 30 of the district's employee health benefit costs. Authorization
1 31 to levy pursuant to this subsection shall be in the board's
1 32 discretion and shall not be subject to or imposed by arbitrator
1 33 decision.

1 34 EXPLANATION

1 35 This bill provides that the district management levy



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House File 2001 - Introduced continued

2 1 authorized in Code section 298.4 may be utilized by a school
2 2 district to pay the cost of school district employee health
2 3 benefits. The bill defines employee health benefits as
2 4 the costs for hospital and surgical, medical expense, major
2 5 medical, dental, or prescription drug benefits. These
2 6 benefits were previously specifically excluded from the list of
2 7 insurance benefits for which a school district is authorized
2 8 to contract indebtedness and issue general obligation bonds
2 9 pursuant to Code section 296.7.

2 10 The bill provides that the school district board of
2 11 directors may, and upon the written request of not less
2 12 than 100 eligible electors or 30 percent of the number of
2 13 electors voting at the last regular school election, whichever
2 14 is greater, shall, submit the proposition of utilizing the
2 15 management levy for employee health benefits at the regular
2 16 school election or at a special election held in September of
2 17 the even-numbered year. The proposition would be subject to a
2 18 majority vote of the electors voting on the proposition. The
2 19 bill provides that authorization to levy for employee health
2 20 benefits shall be in the board's discretion and shall not be
2 21 subject to or imposed by the decision of an arbitrator.

LSB 5118HH (12) 83

ak/sc.1



Iowa General Assembly
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House File 2002 - Introduced

HOUSE FILE
BY SCHUELLER

A BILL FOR

1 An Act relating to jurisdictional changes to small claims court
2 cases.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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House File 2002 - Introduced continued

PAG LIN

1 1 Section 1. Section 631.1, subsection 1, unnumbered
1 2 paragraph 2, Code 2009, is amended to read as follows:
1 3 A civil action for a money judgment where the amount in
1 4 controversy is ~~four thousand dollars or less for actions~~
1 5 ~~commenced before July 1, 2002, and~~ five thousand dollars
1 6 or less for actions commenced ~~on or after~~ before July 1,
1 7 ~~2002~~ 2010, and ten thousand dollars or less for actions
1 8 commenced on or after July 1, 2010, exclusive of interest and
1 9 costs.
1 10 Sec. 2. Section 631.1, subsections 3, 4, 5, and 7, Code
1 11 2009, are amended to read as follows:
1 12 3. The district court sitting in small claims has concurrent
1 13 jurisdiction of an action of replevin if the value of the
1 14 property claimed is ~~four thousand dollars or less for actions~~
1 15 ~~commenced before July 1, 2002, and~~ five thousand dollars
1 16 or less for actions commenced ~~on or after~~ before July 1,
1 17 ~~2002~~ 2010, and ten thousand dollars or less for actions
1 18 commenced on or after July 1, 2010. When commenced under this
1 19 chapter, the action is a small claim for the purposes of this
1 20 chapter.
1 21 4. The district court sitting in small claims has concurrent
1 22 jurisdiction of motions and orders relating to executions
1 23 against personal property, including garnishments, where the
1 24 value of the property or garnisheed money involved is ~~four~~
1 25 ~~thousand dollars or less for actions commenced before July 1,~~
1 26 ~~2002, and~~ five thousand dollars or less for actions commenced
1 27 ~~on or after~~ before July 1, ~~2002~~ 2010, and ten thousand dollars
1 28 or less for actions commenced on or after July 1, 2010.
1 29 5. The district court sitting in small claims has concurrent
1 30 jurisdiction of an action for abandonment of a manufactured or
1 31 mobile home or personal property pursuant to section 555B.3,
1 32 if no money judgment is sought in excess of ~~four thousand~~
1 33 ~~dollars is sought for actions commenced before July 1, 2002,~~
1 34 ~~and~~ five thousand dollars or less for actions commenced ~~on~~
1 35 ~~or after~~ before July 1, ~~2002~~ 2010, and ten thousand dollars



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House File 2002 - Introduced continued

2 1 or less for actions commenced on or after July 1, 2010. If
2 2 commenced under this chapter, the action is a small claim for
2 3 the purposes of this chapter.
2 4 7. The district court sitting in small claims has concurrent
2 5 jurisdiction of an action for the collection of taxes brought
2 6 by a county treasurer pursuant to sections 445.3 and 445.4
2 7 where the amount in controversy is five thousand dollars
2 8 or less for actions commenced ~~on or after~~ before July 1,
2 9 ~~2003~~ 2010, and ten thousand dollars or less for actions
2 10 commenced on or after July 1, 2010, exclusive of interest and
2 11 costs.

2 12 Sec. 3. JURISDICTIONAL AMOUNT REVERSION. The
2 13 jurisdictional amount in the sections of this Act which amend
2 14 section 631.1, shall revert to five thousand dollars if a court
2 15 of competent jurisdiction declares the ten thousand dollar
2 16 amount unconstitutional.

2 17 EXPLANATION

2 18 This bill makes jurisdictional changes to small claims
2 19 court cases. The bill provides that a small claims court case
2 20 commenced on or after July 1, 2010, shall not involve damages
2 21 or value in excess of \$10,000. Under existing law, a small
2 22 claims court case shall not involve damages or value in excess
2 23 of \$5,000. The bill further provides that the jurisdictional
2 24 amount shall revert to \$5,000 if a court finds the \$10,000
2 25 amount unconstitutional. By increasing the jurisdictional
2 26 amount for small claims court the bill expands the jurisdiction
2 27 of a magistrate or district associate judge to hear and
2 28 assess judgment on certain actions, including county and city
2 29 violations.

LSB 5151HH (4) 83
rh/rj



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House File 2003 - Introduced

HOUSE FILE
BY LYKAM

A BILL FOR

1 An Act relating to frivolous actions in landlord and tenant
2 disputes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TL5B 5007HH (5) 83
rh/nh



Iowa General Assembly
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House File 2003 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 562A.36A Frivolous actions.
1 2 In an action filed under this chapter, the district court
1 3 may award the respondent reasonable attorney fees and court
1 4 costs when the court finds that the complainant's action was
1 5 frivolous.

1 6 Sec. 2. NEW SECTION. 562B.33 Frivolous actions.
1 7 In an action filed under this chapter, the district court
1 8 may award the respondent reasonable attorney fees and court
1 9 costs when the court finds that the complainant's action was
1 10 frivolous.

1 11 **EXPLANATION**
1 12 This bill provides that in an action filed under Code chapter
1 13 562A, Iowa's uniform residential landlord and tenant Act,
1 14 or Code chapter 562B, Iowa's manufactured home communities
1 15 or mobile home parks residential landlord and tenant Act,
1 16 the district court may award the respondent reasonable
1 17 attorney fees and court costs when the court finds that the
1 18 complainant's action was frivolous.

LSB 5007HH (5) 83
rh/nh



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House File 2004 - Introduced

HOUSE FILE
BY SWAIM

A BILL FOR

1 An Act creating a sales tax exemption for certain cremation
2 and mortuary science services provided by licensed
3 establishments.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5129HH (3) 83
ak/sc



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House File 2004 - Introduced continued

PAG LIN

1 1 Section 1. Section 423.3, Code Supplement 2009, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 96. The sales price from the sale of
1 4 services defined as "cremation" in section 156.1, subsection 2,
1 5 and services defined as "mortuary science" in section 156.1,
1 6 subsection 7, paragraphs "a" and "d", when the services are
1 7 provided by a licensed establishment as described in section
1 8 156.14.

1 9

EXPLANATION

1 10 This bill creates a sales tax exemption from the sale of
1 11 services defined as "cremation" in Code section 156.1(2),
1 12 and services defined as "mortuary science" in Code section
1 13 156.1(7)(a) and (d), so long as the services are provided by an
1 14 establishment that is licensed by the state according to Code
1 15 section 156.14. "Cremation" is the technical process, using
1 16 heat and flame, that reduces human remains to bone fragments.
1 17 The definitions of "mortuary science" that pertain to the
1 18 bill are Code section 156.1(7)(a): preparing, for burial or
1 19 disposal, or directing and supervising burial or disposal of
1 20 dead human bodies except supervising cremations; and Code
1 21 section 156.1(7)(d): embalming dead human bodies, entire or
1 22 in part, by the use of chemical substances, fluids, or gases
1 23 in the body, or by the introduction of the same into the body
1 24 by vascular injections, hypodermic injections, or by surface
1 25 application into the organs or cavities for the purpose of
1 26 preservation or disinfection.

LSB 5129HH (3) 83

ak/sc



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House File 2005 - Introduced

HOUSE FILE
BY SCHUELLER

A BILL FOR

1 An Act eliminating the continuing education requirement for
2 used motor vehicle dealers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5172YH (2) 83
dea/nh



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House File 2005 - Introduced continued

PAG LIN

1 1 Section 1. Section 322.7, subsection 4, Code 2009, is
 1 2 amended to read as follows:
 1 3 4. The motor vehicle dealer license provided for in this
 1 4 chapter shall be renewed upon application in the form and
 1 5 content prescribed by the department and upon payment of the
 1 6 required fee. ~~A used motor vehicle dealer license shall not be~~
~~1 7 renewed for an applicant who is subject to continuing education~~
~~1 8 requirements until the licensee certifies completion of the~~
~~1 9 educational requirements for license renewal under section~~
~~1 10 322.7A. The certification may be transmitted to the department~~
~~1 11 by the education provider in electronic format. A licensee~~
 1 12 shall have the month of expiration and the month after the
 1 13 month of expiration to renew the license. A person who fails
 1 14 to renew a license by the end of this time period and desires
 1 15 to hold a license shall file a new license application and pay
 1 16 the required fee.

1 17 Sec. 2. Section 322.7A, Code 2009, is amended to read as
 1 18 follows:
 1 19 322.7A Used motor vehicle dealer education program.
 1 20 1. An applicant for a license as a used motor vehicle dealer
 1 21 shall complete a minimum of eight hours of prelicensing used
~~1 22 motor vehicle dealer~~ education program courses pursuant to this
 1 23 section prior to submitting an application to the department.

~~1 24 2. A person seeking renewal of a used motor vehicle dealer~~
~~1 25 license shall complete a minimum of five hours of continuing~~
~~1 26 education program courses over a two-year period pursuant to~~
~~1 27 this section prior to submitting an application for license~~
~~1 28 renewal. However, an applicant for renewal of a used motor~~
~~1 29 vehicle dealer license who has met the prelicensing education~~
~~1 30 requirement under subsection 1 within the preceding twenty-four~~
~~1 31 months is exempt from the continuing education requirement for~~
~~1 32 license renewal.~~

1 33 ~~3.~~ 2. To meet the requirements of this section, at least
 1 34 one individual who is associated with the used motor vehicle
 1 35 dealer as an owner, principal, corporate officer, director, or



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House File 2005 - Introduced continued

2 1 member or partner of a limited liability company or limited
2 2 liability partnership shall complete the education program
2 3 courses.
2 4 ~~4- 3.~~ The Iowa independent automobile dealers association,
2 5 in consultation with the state department of transportation,
2 6 the department of education, the attorney general, and the
2 7 Iowa association of community college trustees, shall develop
2 8 the ~~prelicensing and continuing education~~ course curricula
2 9 for the used motor vehicle dealer education program, which
2 10 shall include but not be limited to examination of federal
2 11 and state laws applicable to the motor vehicle industry and
2 12 federal and state regulations pertaining to used motor vehicle
2 13 dealers. The ~~education program~~ courses shall be provided by
2 14 community colleges as defined in section 260C.2 or by the Iowa
2 15 independent automobile dealers association in conjunction
2 16 with a community college. The department of education shall
2 17 adopt rules establishing reasonable fees to be charged
2 18 for the ~~prelicensing education courses and the continuing~~
~~2 19 education~~ courses.
2 20 ~~5- 4.~~ A community college shall issue a certificate to
2 21 each person who successfully completes the prelicensing used
2 22 motor vehicle dealer education program ~~or a continuing~~
~~2 23 education program~~ under this section. The current certificate
2 24 of completion, or a copy of the certificate, shall be posted
2 25 conspicuously in the principal office of the licensee.
2 26 ~~6- 5.~~ The provisions of this section apply to all
2 27 used motor vehicle dealers, including but not limited to
2 28 individuals, corporations, and partnerships, except for the
2 29 following:
2 30 a. Motor vehicle rental companies having a national
2 31 franchise.
2 32 b. National motor vehicle auction companies.
2 33 c. Wholesale dealer-only auction companies.
2 34 d. Used car dealerships owned by a franchise motor vehicle
2 35 dealer.



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House File 2005 - Introduced continued

3 1 e. Banks, credit unions, and savings and loan associations.
3 2 ~~7.~~ 6. Each community college providing used motor vehicle
3 3 dealer education program courses shall transmit a report
3 4 on the program annually by December 31 to the director of
3 5 transportation, the director of the department of education,
3 6 the attorney general, and the president of the Iowa association
3 7 of community college trustees.

3 8 EXPLANATION

3 9 This bill eliminates the continuing education requirement
3 10 for used motor vehicle dealers. The used motor vehicle
3 11 dealer education program currently consists of eight hours
3 12 of prelicensing education courses to be completed prior to
3 13 licensure and five hours of continuing education courses
3 14 to be completed over a two-year period prior to license
3 15 renewal. Under the bill, an applicant for a new license is
3 16 still required to complete eight hours of used motor vehicle
3 17 dealer education as a condition for licensure, but there is no
3 18 continuing education requirement for renewal of the license.

LSB 5172YH (2) 83

dea/nh



Iowa General Assembly
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House File 2006 - Introduced

HOUSE FILE
BY ISENHART

A BILL FOR

1 An Act providing for the periodic repeal of state and local tax
2 expenditures and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5033HH (10) 83
tw/sc



Iowa General Assembly
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House File 2006 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 421C.1 Tax expenditures repealed.
1 2 1. Beginning on June 30, 2011, and every fourth year
1 3 thereafter, each Code provision in effect that provides for
1 4 a state or local tax expenditure is repealed. For purposes
1 5 of this section, "tax expenditure" means an exclusion from
1 6 the operation or collection of a tax imposed in this state.
1 7 Tax expenditures include tax credits, exemptions, deductions,
1 8 and rebates. Tax expenditures also include sales tax refunds
1 9 issued pursuant to section 423.4.
1 10 2. Every four years, the general assembly and the
1 11 governor shall review all tax expenditures of the state and
1 12 its political subdivisions and shall give consideration to
1 13 reenactment of those tax expenditures which are found to
1 14 achieve the public policy goals for which they were originally
1 15 enacted.
1 16 3. a. The repeal of a tax expenditure shall be applicable
1 17 beginning with the tax year, assessment year, or fiscal year,
1 18 as applicable, following the date of the repeal.
1 19 b. The repeal of a tax expenditure originally taken prior
1 20 to its repeal that authorized the carryforward of an unused
1 21 portion of the tax expenditure shall continue to be valid
1 22 after its repeal until the unused portion is depleted or until
1 23 expiration of the carryforward period provided for in the
1 24 statutory authorization for the tax expenditure, whichever
1 25 is earlier. The repeal of a tax expenditure shall not apply
1 26 to a taxpayer who was authorized to take the tax expenditure
1 27 pursuant to a contract entered into with a state agency
1 28 until such time as the contract is voided or expires. A tax
1 29 expenditure authorized for multiple years that is repealed
1 30 pursuant to this section shall continue after the date of
1 31 repeal until its expiration provided for in the statutory
1 32 authorization for the tax expenditure.
1 33 Sec. 2. APPLICABILITY. This Act applies to tax expenditures
1 34 in effect on and after June 30, 2011.



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House File 2006 - Introduced continued

2 1 EXPLANATION
2 2 This bill provides for the automatic repeal of all state and
2 3 local tax expenditures every fourth year, beginning on June 30,
2 4 2011. A "tax expenditure" is an exclusion from the operation
2 5 or collection of a tax imposed in this state. Tax expenditures
2 6 include tax credits, exemptions, deductions, and rebates. Tax
2 7 expenditures also include sales tax refunds issued pursuant to
2 8 section 423.4.
2 9 Every four years, the general assembly and the governor must
2 10 review all tax expenditures of the state and its political
2 11 subdivisions and give consideration to reenactment of those tax
2 12 expenditures which are found to achieve the public policy goals
2 13 for which they were originally enacted.
2 14 The repeal of a tax expenditure is applicable beginning with
2 15 the tax year, assessment year, or fiscal year following the
2 16 date of the repeal. The repeal of a tax expenditure originally
2 17 taken prior to its repeal that authorized the carryforward
2 18 of an unused portion of the tax expenditure continues to be
2 19 valid after its repeal until the unused portion is depleted or
2 20 until the statutory carryforward period has expired, whichever
2 21 is earlier. The repeal of a tax expenditure does not apply
2 22 to a taxpayer who was authorized to take the tax expenditure
2 23 pursuant to a contract entered into with a state agency
2 24 until such time as the contract is voided or expires. A tax
2 25 expenditure authorized for multiple years that is repealed
2 26 continues to be valid after the date of repeal until its
2 27 statutory expiration.
2 28 The bill applies to tax expenditures in effect on and after
2 29 June 30, 2011.

LSB 5033HH (10) 83
tw/sc



Iowa General Assembly
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House File 2007 - Introduced

HOUSE FILE

BY LYKAM, WINCKLER, GAYMAN, and THEDE

A BILL FOR

1 An Act concerning requirements for granting a new license to
2 conduct gambling games on a gambling boat or structure in a
3 county with an existing gambling boat or structure.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5071YH (4) 83
ec/nh



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House File 2007 - Introduced continued

PAG LIN

1 1 Section 1. Section 99F.7, subsection 2, paragraph c, Code
1 2 2009, is amended by striking the paragraph.

1 3 EXPLANATION

1 4 This bill eliminates the requirement that a person may
1 5 only be awarded a new license to conduct gambling games on
1 6 an excursion gambling boat or gambling structure in the same
1 7 county as another licensed gambling boat or structure if the
1 8 new licensee is located at a similarly situated site and
1 9 operated as a substantially similar facility as any other
1 10 existing licensed gambling boat or structure in the county.

LSB 5071YH (4) 83

ec/nh



Iowa General Assembly
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House Resolution 101 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY WILLEMS

1 1 A Resolution urging ratification of the Comprehensive
1 2 Nuclear Test Ban Treaty.
1 3 WHEREAS, negotiations on the Comprehensive Nuclear
1 4 Test Ban Treaty, which would end all nuclear weapons
1 5 testing by ratifying nations, began under President
1 6 Eisenhower;and
1 7 WHEREAS, no United States nuclear tests have been
1 8 conducted since President George Herbert Walker Bush
1 9 suspended nuclear testing and joined with the Union of
1 10 Soviet Socialist Republics in a testing moratorium in
1 11 September 1992;and
1 12 WHEREAS, no nuclear tests have been conducted
1 13 since that time by the United States or the Russian
1 14 Federation;and
1 15 WHEREAS, the Comprehensive Nuclear Test Ban Treaty
1 16 was signed by President William Jefferson Clinton on
1 17 September 24, 1996;and
1 18 WHEREAS, as of April 2009, one hundred forty-eight
1 19 nations have ratified the Comprehensive Nuclear Test
1 20 Ban Treaty and another thirty-two have signed but not
1 21 yet ratified the treaty;and
1 22 WHEREAS, ratification of the Comprehensive Nuclear
1 23 Test Ban Treaty would signal a strong commitment by
1 24 the United States to fulfill its obligations under the
1 25 treaty and would set an example for the rest of the
1 26 world;and
1 27 WHEREAS, ratification of the Comprehensive Nuclear
1 28 Test Ban Treaty would be a significant step toward



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House Resolution 101 - Introduced continued

2 1 reducing nuclear weapons arsenals worldwide and build
2 2 confidence among nations that abolition of nuclear
2 3 weapons could someday be achieved;and
2 4 WHEREAS, nuclear tests are not necessary to maintain
2 5 the integrity, effectiveness, and deterrence value of
2 6 the United States nuclear weapons stockpile;and
2 7 WHEREAS, the United States government acknowledges
2 8 that four hundred thirty=three of eight hundred
2 9 twenty=four United States underground tests have
2 10 released radiation to the atmosphere;and
2 11 WHEREAS, resumption of United States nuclear tests
2 12 would place persons downwind of the Nevada Test Site
2 13 test location at risk of exposure to radioactive
2 14 fallout;and
2 15 WHEREAS, a strong military defense should not come
2 16 at the expense of our citizens through renewed nuclear
2 17 testing;and
2 18 WHEREAS, compliance with the Comprehensive Nuclear
2 19 Test Ban Treaty is verifiable;and
2 20 WHEREAS, the treaty would increase international
2 21 safety and security and is in the best interests of
2 22 Iowa, the United States, and the world;NOW THEREFORE,
2 23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
2 24 the House of Representatives calls upon the President
2 25 of the United States to submit the Comprehensive
2 26 Nuclear Test Ban Treaty to the United States
2 27 Senate;and
2 28 BE IT FURTHER RESOLVED, That the House of
2 29 Representatives calls upon the United States Senate to
2 30 ratify the Comprehensive Nuclear Test Ban Treaty;and



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House Resolution 101 - Introduced continued

3 1 BE IT FURTHER RESOLVED, That a copy of this
3 2 resolution be prepared and forwarded to the President
3 3 of the United States, the President of the United
3 4 States Senate, and Iowa's United States Senators.
LSB 5113YH (2) 83
jr/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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House Study Bill 500

PAG LIN

HOUSE RESOLUTION NO.

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON WESSEL-KROESCHELL)

1 1 A Resolution amending the permanent rules of the House
1 2 of Representatives relating to the deadline for
1 3 requesting the drafting of bills by members and to
1 4 requirements for consideration of amendments.

1 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 6 That Rule 29, unnumbered paragraph 2, of the Rules of
1 7 the House, as adopted by the House of Representatives
1 8 during the 2009 Session in House Resolution 8, is
1 9 amended to read as follows:

1 10 After adjournment of the first regular session,
1 11 bills may be prefiled at any time before the convening
1 12 of the second regular session. No bill or joint
1 13 resolution under individual sponsorship, other than a
1 14 nullification resolution, shall be read for the first
1 15 time after 4:30 p.m. on Friday of the ~~second~~ first week
1 16 of the second regular session of the general assembly
1 17 unless a formal request for drafting the bill has been
1 18 filed with the legislative services agency before that
1 19 time.

1 20 BE IT FURTHER RESOLVED BY THE HOUSE OF
1 21 REPRESENTATIVES, That Rule 31, subsection 8, of
1 22 the Rules of the House, as adopted by the House of
1 23 Representatives during the 2009 Session in House
1 24 Resolution 8, is amended to read as follows:

1 25 8. No amendment to the rules of the house, to any
1 26 resolution or bill, except technical amendments and
1 27 amendments to bills substituted for by senate files



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House Study Bill 500 continued

2 1 containing substantially identical title, language,
2 2 subject matter, purpose and intrasectional arrangement,
2 3 shall be considered by the membership of the house
2 4 without a copy of the amendment having been filed with
2 5 the chief clerk by 4:00 p.m.or within one-half hour of
2 6 adjournment, whichever is later, on the day preceding
2 7 floor debate on the amendment. If the house adjourns
2 8 prior to 2:00 p.m.on Friday, the final deadline is two
2 9 hours after adjournment. However, committee amendments
2 10 filed pursuant to the submission of the committee
2 11 report may be accepted after this deadline. This
2 12 provision shall not apply to any proposal debated on
2 13 the floor of the house after the fourteenth week of the
2 14 first session and the ~~twelfth~~ ninth week of the second
2 15 session. No amendment or amendment to an amendment
2 16 to a bill, rule of the house, or resolution shall be
2 17 considered by the membership of the house without
2 18 a copy of the amendment being on the desks of the
2 19 entire membership of the house prior to consideration.
2 20 However, after the fourteenth week of the first session
2 21 and the ~~twelfth~~ ninth week of the second session, the
2 22 membership of the house may consider an amendment or an
2 23 amendment to an amendment to a bill, rule of the house,
2 24 or resolution without a copy of the amendment being
2 25 on the desks of the entire membership of the house
2 26 prior to consideration if a copy of the amendment is
2 27 made available to the entire membership of the house
2 28 electronically.

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HOUSE CONCURRENT RESOLUTION NO.

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON WESSEL-KROESCHELL)

1 1 A Concurrent Resolution amending the joint rules of
1 2 the Senate and House of Representatives relating to
1 3 session timetable changes.

1 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 5 THE SENATE CONCURRING, That Rule 20, subsections 2
1 6 and 3, of the Joint Rules of the Senate and House
1 7 of Representatives, as adopted by the Senate and
1 8 House of Representatives during the 2009 Session in
1 9 House Concurrent Resolution 3, are amended to read as
1 10 follows:

1 11 2. To be placed on the calendar in the house of
1 12 origin, a bill must be first reported out of a standing
1 13 committee by Friday of the 9th week of the first
1 14 session and the ~~8th~~ 5th week of the second session. To
1 15 be placed on the calendar in the other house, a bill
1 16 must be first reported out of a standing committee by
1 17 Friday of the 13th week of the first session and the
1 18 ~~11th~~ 8th week of the second session.

1 19 3. During the 11th week of the first session ~~and~~
~~1 20 the 9th week of the second session~~, each house shall
1 21 consider only bills originating in that house and
1 22 unfinished business. During the 14th week of the
1 23 first session ~~and the 12th week of the second session~~,
1 24 each house shall consider only bills originating in
1 25 the other house and unfinished business. Beginning
1 26 with the 15th week of the first session and the
1 27 ~~13th~~ 10th week of the second session, each house shall



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- 2 1 consider only bills passed by both houses, bills exempt
- 2 2 from subsection 2, and unfinished business.

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HOUSE CONCURRENT RESOLUTION NO.

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON WESSEL-KROESCHELL)

1 1 A Concurrent Resolution amending the joint rules of
1 2 the Senate and House of Representatives relating to
1 3 compensation payable by the General Assembly.

1 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 5 THE SENATE CONCURRING, That paragraph 5 of the first
1 6 resolving clause of the joint rules of the Senate and
1 7 House of Representatives relating to compensation
1 8 payable by the General Assembly, as adopted by the
1 9 Senate and House of Representatives during the 2009
1 10 Session in Senate Concurrent Resolution 2, is amended
1 11 to read as follows:

1 12 All employees, other than those designated
1 13 "part-time", shall be compensated for 40 hours of work
1 14 in a one-week pay period. Secretaries to senators
1 15 and representatives are presumed to have ~~40~~ 32 hours
1 16 of work each week the legislature is in session and
1 17 shall be paid only on that basis. Full-time employees
1 18 who are required to work in excess of 80 hours in a
1 19 two-week pay period shall be allowed compensatory time
1 20 off at a rate of one hour for each hour of overtime
1 21 up to a maximum of 120 hours of compensatory time.
1 22 Joint security employees of the senate and house of
1 23 representatives may be compensated for each hour of
1 24 overtime at a rate of pay equal to one-and-one-half
1 25 times the hourly pay provided.

1 26 BE IT FURTHER RESOLVED, That the second resolving
1 27 clause of the joint rules of the Senate and House of



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2 1 Representatives relating to compensation payable by the
2 2 General Assembly, as adopted by the Senate and House
2 3 of Representatives during the 2009 Session in Senate
2 4 Concurrent Resolution 2, is amended to read as follows:
2 5 BE IT FURTHER RESOLVED, That part-time employees
2 6 shall be compensated at the scheduled hourly rate for
2 7 their pay grade and step. Session-only employees,
2 8 other than pages, are presumed to have 32 hours of work
2 9 each week the legislature is in session and shall be
2 10 paid only on that basis, unless required to work in
2 11 excess of 32 hours for a week. Pages are presumed to
2 12 have 40 hours of work each week the legislature is in
2 13 session and shall be paid only on that basis.

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HOUSE RESOLUTION NO.

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON WESSEL-KROESCHELL)

1 1 A Resolution amending the permanent rules of the House
1 2 of Representatives relating to admittance to the
1 3 floor of the house, the issuance of certificates of
1 4 recognition or condolence, and the requirements for
1 5 consideration of amendments.

1 6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
1 7 That Rule 20, unnumbered paragraph 7, of the Rules of
1 8 the House, as adopted by the House of Representatives
1 9 during the 2009 Session in House Resolution 8, is
1 10 amended to read as follows:

1 11 A registered lobbyist shall not be admitted to
1 12 the floor of the house on any legislative day except
1 13 for ceremonial purposes or for attendance at public
1 14 hearings.

1 15 BE IT FURTHER RESOLVED BY THE HOUSE OF
1 16 REPRESENTATIVES, That Rule 23 of the Rules of
1 17 the House, as adopted by the House of Representatives
1 18 during the 2009 Session in House Resolution 8, is
1 19 amended to read as follows:

1 20 Rule 23
1 21 Documents Signed by the Speaker
1 22 All acts and joint resolutions shall be signed by
1 23 the speaker, and all writs, warrants, and subpoenas
1 24 issued by order of the house, shall be signed by the
1 25 speaker and attested by the chief clerk. The speaker
1 26 shall cause certificates of recognition or condolence
1 27 to be issued by the house which shall be signed by



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2 1 the speaker and the chief clerk. The chief clerk
2 2 shall maintain a list of certificates issued including
2 3 the name of the requesting member of the house, the
2 4 name of the recipient, the reason for recognition or
2 5 condolence, and the date of issuance.

2 6 BE IT FURTHER RESOLVED BY THE HOUSE OF
2 7 REPRESENTATIVES, That Rule 31, subsection 8, of
2 8 the Rules of the House, as adopted by the House of
2 9 Representatives during the 2009 Session in House
2 10 Resolution 8, is amended to read as follows:
2 11 8. No amendment to the rules of the house, to any
2 12 resolution or bill, except technical amendments and
2 13 amendments to bills substituted for by senate files
2 14 containing substantially identical title, language,
2 15 subject matter, purpose and intrasectional arrangement,
2 16 shall be considered by the membership of the house
2 17 without a copy of the amendment having been filed
2 18 with the chief clerk by 4:00 p.m. or within one-half
2 19 hour of adjournment, whichever is later, on the day
2 20 preceding floor debate on the amendment. If the
2 21 house adjourns prior to 2:00 p.m. on Friday, the final
2 22 deadline is two hours after adjournment. However,
2 23 committee amendments filed pursuant to the submission
2 24 of the committee report may be accepted after this
2 25 deadline. This provision shall not apply to any
2 26 proposal debated on the floor of the house after
2 27 the fourteenth week of the first session and the
2 28 twelfth week of the second session. No amendment or
2 29 amendment to an amendment to a bill, rule of the house,
2 30 or resolution shall be considered by the membership of



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3 1 the house without a copy of the amendment being on the
3 2 desks of the entire membership of the house prior to
3 3 consideration. However, ~~after the fourteenth week of~~
~~3 4 the first session and the twelfth week of the second~~
~~3 5 session,~~ the membership of the house may consider an
3 6 amendment or an amendment to an amendment to a bill,
3 7 rule of the house, or resolution without a copy of the
3 8 amendment being on the desks of the entire membership
3 9 of the house prior to consideration if a copy of the
3 10 amendment is made available to the entire membership of
3 11 the house electronically.

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House Study Bill 504

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF ECONOMIC
DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to economic development including changes
2 to the administration of certain economic development
3 programs and to the terms served by members of the economic
4 development board and including effective date provisions.

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

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1 1 DIVISION I
1 2 Miscellaneous PROGRAM changes
1 3 Section 1. Section 15.335A, subsection 1, paragraph e, Code
1 4 Supplement 2009, is amended to read as follows:
1 5 e. The number of jobs is sixteen ~~but not more than thirty or~~
1 6 ~~more~~ and the amount of the qualifying investment is one of the
1 7 following:
1 8 (1) Less than one hundred thousand dollars, then the tax
1 9 incentive is the investment tax credit of up to five percent.
1 10 (2) At least one hundred thousand dollars but less than
1 11 five hundred thousand dollars, then the tax incentives are the
1 12 investment tax credit of up to five percent and the sales tax
1 13 refund.
1 14 (3) At least five hundred thousand dollars, then the
1 15 tax incentives are the investment tax credit of up to five
1 16 percent, the sales tax refund, and the additional research and
1 17 development tax credit.
1 18 Sec. 2. Section 15.411, subsection 6, Code Supplement 2009,
1 19 is amended to read as follows:
1 20 6. The department shall, upon board approval, establish
1 21 and administer a targeted industries internship program for
1 22 ~~students of Iowa community colleges, private colleges, or~~
1 23 ~~institutions of higher learning under the control of the~~
1 24 ~~state board of regents~~ Iowa students. For purposes of this
1 25 subsection, "Iowa student" means a student of an Iowa community
1 26 college, private college, or institution of higher learning
1 27 under the control of the state board of regents, or a student
1 28 who graduated from high school in Iowa but now attends an
1 29 institution of higher learning outside the state of Iowa. The
1 30 purpose of the program is to link Iowa students to small and
1 31 medium sized Iowa firms in the targeted industries through
1 32 internship opportunities. An Iowa employer may receive
1 33 financial assistance in an amount of one dollar for every
1 34 two dollars paid by the employer to an intern. The amount
1 35 of financial assistance shall not exceed three thousand one



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2 1 hundred dollars for any single internship, or nine thousand
2 2 three hundred dollars for any single employer. In order to be
2 3 eligible to receive financial assistance under this subsection,
2 4 the employer must have five hundred or fewer employees and
2 5 must be engaged in a targeted industry. The department shall
2 6 encourage youth who reside in economically distressed areas,
2 7 youth adjudicated to have committed a delinquent act, and youth
2 8 transitioning out of foster care to participate in the targeted
2 9 industries internship program.

2 10 Sec. 3. Section 15G.111, subsection 5, paragraph c, Code
2 11 Supplement 2009, is amended to read as follows:

2 12 c. The state board of regents shall annually prepare a
2 13 report for submission to the governor, the general assembly,
2 14 the department, and the legislative services agency regarding
2 15 the activities, projects, and programs funded with moneys
2 16 allocated under this subsection. The report shall be provided
2 17 in an electronic format and shall include a list of metrics and
2 18 criteria mutually agreed to in advance by the board of regents
2 19 and the department. The metrics and criteria shall allow the
2 20 governor's office, the general assembly, and the department
2 21 to quantify and evaluate the progress of the board of regents
2 22 institutions with regard to their activities, projects,
2 23 and programs in the areas of technology commercialization,
2 24 entrepreneurship, regional development, and market research.

2 25 Sec. 4. EFFECTIVE UPON ENACTMENT. The following provision
2 26 of this division of this Act, being deemed of immediate
2 27 importance, takes effect upon enactment:

2 28 1. Section 1 of this Act amending section 15.335A.

2 29 DIVISION II

2 30 ECONOMIC DEVELOPMENT BOARD

2 31 Sec. 5. Section 15.103, subsection 1, paragraph a, Code
2 32 Supplement 2009, is amended to read as follows:

2 33 a. The Iowa economic development board is created,
2 34 consisting of fifteen voting members appointed by the governor
2 35 and seven ex officio, nonvoting members. The ex officio,



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3 1 nonvoting members are four legislative members; one president,
3 2 or the president's designee, of the university of northern
3 3 Iowa, the university of Iowa, or Iowa state university of
3 4 science and technology designated by the state board of regents
3 5 on a rotating basis; and one president, or the president's
3 6 designee, of a private college or university appointed by the
3 7 Iowa association of independent colleges and universities;
3 8 and one superintendent, or the superintendent's designee, of
3 9 a community college, appointed by the Iowa association of
3 10 community college presidents. The legislative members are two
3 11 state senators, one appointed by the president of the senate
3 12 after consultation with the majority leader of the senate,
3 13 and one appointed by the minority leader of the senate from
3 14 their respective parties; and two state representatives, one
3 15 appointed by the speaker and one appointed by the minority
3 16 leader of the house of representatives from their respective
3 17 parties. Not more than eight of the voting members shall
3 18 be from the same political party. Beginning with the first
3 19 appointment to the board made after July 1, 2005, at least one
3 20 voting member shall have been less than thirty years of age
3 21 at the time of appointment. The governor shall appoint the
3 22 voting members of the board ~~for a term~~ to staggered terms of
3 23 four years beginning and ending as provided by section 69.19,
3 24 subject to confirmation by the senate, and the governor's
3 25 appointments shall include persons knowledgeable of the various
3 26 elements of the department's responsibilities.
3 27 Sec. 6. ECONOMIC DEVELOPMENT BOARD MEMBER TERMS.
3 28 Notwithstanding the four-year term required by section 15.103
3 29 for members of the economic development board, and in order to
3 30 ensure that members of the board serve staggered terms, of the
3 31 fifteen members initially appointed after the effective date of
3 32 this Act, the governor shall appoint seven members to terms of
3 33 two years and eight members to terms of four years.



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4 1 Sec. 7. EFFECTIVE UPON ENACTMENT. This division of this
4 2 Act, being deemed of immediate importance, takes effect upon
4 3 enactment.

4 4 EXPLANATION

4 5 This bill makes miscellaneous changes to certain economic
4 6 development programs and staggers the terms served by members
4 7 of the economic development board.

4 8 Currently, the tax incentives for the high quality jobs
4 9 program do not allow incentives for a business creating 31 or
4 10 more jobs unless that business invests \$10 million or more.
4 11 The bill adjusts the program's incentive schedule to allow
4 12 incentives to be provided to businesses investing less than \$10
4 13 million provided they create at least 16 jobs.

4 14 The department of economic development currently operates a
4 15 targeted industries internship program for students attending
4 16 an institution of higher learning in Iowa. The bill allows
4 17 students who graduated from an Iowa high school, but now
4 18 attend an institution of higher learning in another state, to
4 19 participate in the program.

4 20 Currently, the board of regents must prepare an annual
4 21 report for the governor, the general assembly, the department,
4 22 and the legislative services agency regarding the activities,
4 23 projects, and programs funded with the \$5 million received
4 24 by the regents as part of the annual grow Iowa values
4 25 appropriation. The bill directs the board of regents and the
4 26 department to mutually agree on certain metrics and criteria
4 27 for evaluating the success of the activities, projects, and
4 28 programs funded with those moneys, particularly as they relate
4 29 to the areas of technology commercialization, entrepreneurship,
4 30 regional development, and market research.

4 31 Currently, the economic development board's 15 members
4 32 appointed by the governor all serve four-year terms that expire
4 33 on the same date. The bill provides for the staggering of
4 34 these terms, and, since the terms of the current board members
4 35 expire on April 30, 2010, the bill takes effect upon enactment.

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House Study Bill 505

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF ECONOMIC
DEVELOPMENT BILL)

A BILL FOR

1 An Act establishing an Iowa innovation council in the
2 department of economic development.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 Section 1. Section 15.102, Code Supplement 2009, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 6A. "Targeted industries" means the same as
1 4 defined in section 15.411, subsection 1.
1 5 Sec. 2. Section 15.117, Code 2009, is amended to read as
1 6 follows:
1 7 15.117 Chief technology officer.
1 8 The governor shall appoint a chief technology officer
1 9 for the state. The chief technology officer shall serve
1 10 a ~~four-year~~ two-year term and shall have national or
1 11 international stature as a senior executive at a technology
1 12 business in one of the targeted industries. ~~The chief~~
~~1 13 technology officer shall coordinate the activities of the~~
~~1 14 technology commercialization specialist employed pursuant to~~
~~1 15 section 15.115. The chief technology officer shall serve as~~
~~1 16 a spokesperson for the department for purposes of promoting~~
~~1 17 to private sector businesses the technology commercialization~~
~~1 18 efforts of the department and the research and technology~~
~~1 19 capabilities of institutions of higher learning in the state.~~
1 20 Sec. 3. NEW SECTION. 15.117A Iowa innovation council.
1 21 1. An Iowa innovation council is established within the
1 22 department. The department shall provide the council with
1 23 staff and administrative support. The department may expend
1 24 moneys allocated to the innovation and commercialization
1 25 division in order to provide such support. The department may
1 26 adopt rules for the implementation of this section.
1 27 2. The council shall consist of the following members:
1 28 a. Twenty-seven voting members as follows:
1 29 (1) Twenty members selected by the board to serve staggered,
1 30 two-year terms beginning and ending as provided in section
1 31 69.19. Of the members selected by the board, seven shall be
1 32 representatives from businesses in the targeted industries
1 33 and thirteen shall be individuals who serve on the technology
1 34 commercialization committee created in section 15.116, or
1 35 other committees of the board, and who have expertise with the



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2 1 targeted industries. At least ten of the members selected
2 2 pursuant to this subparagraph shall be executives actively
2 3 engaged in the management of a business in a targeted industry.
2 4 The members selected pursuant to this paragraph shall reflect
2 5 the size and diversity of businesses in the targeted industries
2 6 and of the various geographic areas of the state.
2 7 (2) One member, selected by the governor, who also serves on
2 8 the Iowa capital investment board created in section 15E.63.
2 9 (3) The director of the department, or the director's
2 10 designee.
2 11 (4) The chief technology officer appointed pursuant to
2 12 section 15.117.
2 13 (5) The person designated as the chief information officer
2 14 pursuant to section 8A.104, subsection 12, or, if no person
2 15 has been so designated, the director of the department of
2 16 administrative services, or the director's designee.
2 17 (6) The president of the state university of Iowa, or the
2 18 president's designee.
2 19 (7) The president of Iowa state university of science and
2 20 technology, or the president's designee.
2 21 (8) The president of the university of northern Iowa, or the
2 22 president's designee.
2 23 b. Four members of the general assembly serving two-year
2 24 terms in a nonvoting, ex officio capacity, with two from the
2 25 senate and two from the house of representatives and not more
2 26 than one member from each chamber being from the same political
2 27 party. The two senators shall be designated one member each
2 28 by the president of the senate after consultation with the
2 29 majority leader of the senate, and by the minority leader of
2 30 the senate. The two representatives shall be designated one
2 31 member each by the speaker of the house of representatives
2 32 after consultation with the majority leader of the house of
2 33 representatives, and by the minority leader of the house of
2 34 representatives.
2 35 3. To be eligible to serve as a designee pursuant to



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3 1 subsection 2, a person must have sufficient authority to make
3 2 decisions on behalf of the organization being represented.
3 3 A person named as a designee pursuant to subsection 2 shall
3 4 not name a designee nor permit a substitute to attend council
3 5 meetings.

3 6 4. The chief technology officer appointed pursuant to
3 7 section 15.117 shall be the chairperson of the council and
3 8 shall be responsible for convening meetings of the council and
3 9 coordinating its activities and shall convene the council at
3 10 least annually. The council shall annually elect one of the
3 11 voting members to serve as vice chairperson. A majority of
3 12 the members of the council constitutes a quorum. However,
3 13 the chief technology officer shall not convene a meeting of
3 14 the council unless the director of the department, or the
3 15 director's designee, is present at the meeting.

3 16 5. The council is not subject to the provisions of sections
3 17 69.16 and 69.16A.

3 18 6. The purpose of the council is to advise the department
3 19 on the development and implementation of public policies
3 20 that enhance innovation and entrepreneurship in the targeted
3 21 industries, with a particular focus on the information,
3 22 technology, and skills that increasingly dominate the
3 23 twenty-first century economy. Such advice may include
3 24 evaluating Iowa's competitive position in the global economy,
3 25 reviewing the technology typically utilized in the state's
3 26 manufacturing sector, assessing the state's overall scientific
3 27 research capacity, keeping abreast of the latest scientific
3 28 research and technological breakthroughs and offering guidance
3 29 as to their impact on public policy, recommending strategies
3 30 that foster innovation, increase new business formation, and
3 31 otherwise promote economic growth in the targeted industries,
3 32 and offering guidance about future developments in the targeted
3 33 industries.

3 34 7. The council shall do all of the following:

3 35 a. Create a comprehensive strategic plan for implementing



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4 1 specific policies that further the purpose of the council as
4 2 described in subsection 6.
4 3 b. Review annually all the economic development programs
4 4 administered by the department and the board that relate to the
4 5 targeted industries and make recommendations for adjustments
4 6 that enhance efficiency and effectiveness. In reviewing the
4 7 programs, the council shall, to the greatest extent possible,
4 8 utilize economic development data and research in order to make
4 9 objective, fact-based recommendations.
4 10 c. Act as a forum where issues affecting the research
4 11 community, the targeted industries, and policymakers can be
4 12 discussed and addressed and where collaborative relationships
4 13 can be formed.
4 14 d. Coordinate state government applications for federal
4 15 funds relating to research and economic development affecting
4 16 the targeted industries.
4 17 e. Conduct industry research and draft documents that
4 18 provide background information for use in decision making by
4 19 the general assembly, the governor, the department, and other
4 20 policymaking bodies within state government.

4 21 EXPLANATION

4 22 This bill establishes an Iowa innovation council within the
4 23 department of economic development.
4 24 The bill amends the term and duties of the chief technology
4 25 officer appointed pursuant to Code section 15.117 and provides
4 26 that the chief technology officer is the chairperson of the
4 27 council.
4 28 The council consists of 27 voting members. Twenty of the
4 29 members are selected by the economic development board to
4 30 serve staggered two-year terms. Of the members selected by
4 31 the board, seven are representatives from businesses in the
4 32 targeted industries and 13 are individuals who also serve on
4 33 the technology commercialization committee created in Code
4 34 section 15.116, or other committees of the board, and who
4 35 have expertise with the targeted industries. At least 10 of



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5 1 the members selected by the board must be executives actively
5 2 engaged in the management of a business in a targeted industry.
5 3 The remaining seven members consist of the following:one
5 4 member, selected by the governor, who also serves on the Iowa
5 5 capital investment board, the director of the department, or
5 6 the director's designee, the chief technology officer, the
5 7 chief information officer from the department of administrative
5 8 services, and the presidents of the regents universities or
5 9 their designees.

5 10 There are four legislative members serving on the council
5 11 in a nonvoting, ex officio capacity:two from the senate and
5 12 two from the house of representatives. These four members are
5 13 appointed by majority and minority leadership and there may
5 14 not be more than one member from each chamber from the same
5 15 political party.

5 16 The chief technology officer is responsible for convening
5 17 meetings of the council and coordinating its activities. The
5 18 council must annually elect one of the voting members to serve
5 19 as vice chairperson. The chief technology officer cannot
5 20 convene a meeting of the council unless the director of the
5 21 department, or the director's designee, is present at the
5 22 meeting.

5 23 The purpose of the council is to advise the department on the
5 24 development and implementation of public policies that enhance
5 25 innovation and entrepreneurship in the targeted industries,
5 26 with a particular focus on the information, technology, and
5 27 skills that increasingly dominate the twenty-first century
5 28 economy.

5 29 The bill provides that the council is not subject to the
5 30 political affiliation and gender balance requirements of Code
5 31 sections 69.16 and 69.16A.

5 32 The bill provides that the council must:create a
5 33 comprehensive strategic plan for implementing specific policies
5 34 that further the purpose of the council; review annually
5 35 all the economic development programs administered by the



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6 1 department and the board that relate to the targeted industries
6 2 and make recommendations for adjustments that enhance
6 3 efficiency and effectiveness; act as a forum where issues
6 4 affecting the research community, the targeted industries,
6 5 and policymakers can be discussed and addressed and where
6 6 collaborative relationships can be formed; coordinate state
6 7 government applications for federal funds relating to research
6 8 and economic development affecting the targeted industries;
6 9 conduct industry research and draft documents that provide
6 10 background information for use by the general assembly, the
6 11 governor, the department, and other policymaking bodies within
6 12 state government.

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House Study Bill 506

HOUSE FILE

BY (PROPOSED COMMITTEE ON ETHICS BILL
BY CHAIRPERSON MILLER)

A BILL FOR

1 An Act relating to ethics laws by establishing disclosure
2 requirements, providing jurisdictional authority, and
3 allowing certain procedures in resolving ethics complaints.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5196HC (17) 83

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PAG LIN

1 1 Section 1. Section 68B.22, subsection 4, paragraph s, Code
1 2 Supplement 2009, is amended to read as follows:
1 3 s. Gifts of food, beverage, and entertainment received ~~by~~
1 4 ~~public officials or public employees~~ at a function where every
1 5 member of the general assembly has been invited to attend,
1 6 when the function takes place during a regular session of the
1 7 general assembly. A sponsor of a function under this paragraph
1 8 shall file a registration prior to the function taking place
1 9 identifying the sponsor and the date, time, and location
1 10 of the function. The registration shall be filed with the
1 11 person or persons designated by the secretary of the senate
1 12 and the chief clerk of the house and with the board. After a
1 13 function takes place, the sponsor of the function shall file
1 14 a report disclosing the total amount expended, including
1 15 in-kind expenditures, on food, beverage, and entertainment
1 16 for the function. The report shall be filed with the person
1 17 or persons designated by the secretary of the senate and
1 18 the chief clerk of the house and with the board within five
1 19 business twenty-eight calendar days following the date of the
1 20 function. The person or persons designated by the secretary
1 21 of the senate and the chief clerk of the house shall forward a
1 22 copy of each report to the board.
1 23 Sec. 2. Section 68B.31, subsection 4, paragraph a,
1 24 subparagraphs (3) and (4), Code 2009, are amended to read as
1 25 follows:
1 26 (3) Issue advisory opinions interpreting the intent
1 27 of constitutional and statutory provisions relating to
1 28 legislators, and lobbyists, and clients as well as interpreting
1 29 the code of ethics and rules issued pursuant to this section.
1 30 Opinions shall be issued when approved by a majority of the six
1 31 members and may be issued upon the written request of a member
1 32 of the general assembly or upon the committee's initiation.
1 33 Opinions are not binding on the legislator, ~~or~~ lobbyist, or
1 34 client.
1 35 (4) Receive and hear complaints and charges against members



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2 1 of its house, lobbyists, or clients of a lobbyist alleging a
2 2 violation of the code of ethics, rules governing lobbyists,
2 3 this chapter, or other matters referred to it by its house or
2 4 the independent special counsel. The committee shall recommend
2 5 rules for the receipt and processing of findings of probable
2 6 cause relating to ethical violations of members of the general
2 7 assembly, ~~or~~ lobbyists, or clients of lobbyists during the
2 8 legislative session and those received after the general
2 9 assembly adjourns.

2 10 Sec. 3. Section 68B.31, subsection 5, Code 2009, is amended
2 11 to read as follows:

2 12 5. Any person may file a complaint with the ethics
2 13 committee of either house alleging that a member of the general
2 14 assembly, ~~or a lobbyist, or client of a lobbyist~~ before the
2 15 general assembly has committed a violation of this chapter.
2 16 The ethics committee shall prescribe and provide forms for this
2 17 purpose. The complaint shall include the name and address
2 18 of the complainant and a statement of the facts believed to
2 19 be true that form the basis of the complaint, including the
2 20 sources of information and approximate dates of the acts
2 21 alleged and a certification by the complainant under penalty of
2 22 perjury that the facts stated to be true are true to the best
2 23 of the complainant's knowledge.

2 24 Sec. 4. Section 68B.31, subsection 7, Code 2009, is amended
2 25 to read as follows:

2 26 7. a. If the ethics committee determines that a complaint
2 27 is not valid, the complaint shall be dismissed and returned
2 28 to the complainant with a notice of dismissal stating the
2 29 reason or reasons for the dismissal. If the ethics committee
2 30 determines that a complaint is valid and the ethics committee
2 31 does not take action under rules adopted pursuant to paragraph
2 32 "b", the ethics committee shall request that the chief justice
2 33 of the supreme court appoint an independent special counsel
2 34 to investigate the allegations contained in the complaint
2 35 to determine whether there is probable cause to believe



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3 1 that a violation of this chapter has occurred and whether an
3 2 evidentiary hearing on the complaint should be held. Payment
3 3 of costs for the independent special counsel shall be made from
3 4 section 2.12.

3 5 b. The ethics committee may adopt rules for purposes of
3 6 taking action on valid complaints without requesting the
3 7 appointment of an independent special counsel and without
3 8 requiring action by the appropriate house pursuant to
3 9 subsection 11. Such action may only be taken if the committee
3 10 determines that no dispute exists between the parties regarding
3 11 material facts that establish a violation.

3 12 Sec. 5. Section 68B.31, subsection 8, Code 2009, is amended
3 13 to read as follows:

3 14 8. If a hearing on the complaint is ordered the ethics
3 15 committee shall receive all admissible evidence, determine
3 16 any factual or legal issues presented during the hearing, and
3 17 make findings of fact based upon evidence received. Hearings
3 18 shall be conducted in the manner prescribed in section 17A.12.
3 19 The rules of evidence applicable under section 17A.14 shall
3 20 also apply in hearings before the ethics committee. Clear and
3 21 convincing evidence shall be required to support a finding
3 22 that the member of the general assembly, ~~or~~ lobbyist, or
3 23 client before the general assembly has committed a violation
3 24 of this chapter. Parties to a complaint may, subject to the
3 25 approval of the ethics committee, negotiate for settlement
3 26 of disputes that are before the ethics committee. Terms of
3 27 any negotiated settlements shall be publicly recorded. If a
3 28 complaint is filed or initiated less than ninety days before
3 29 the election for a state office, for which the person named
3 30 in the complaint is the incumbent officeholder, the ethics
3 31 committee shall, if possible, set the hearing at the earliest
3 32 available date so as to allow the issue to be resolved before
3 33 the election. An extension of time for a hearing may be
3 34 granted when both parties mutually agree on an alternate date
3 35 for the hearing. The ethics committee shall make every effort



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4 1 to hear all ethics complaints within three months of the date
4 2 that the complaints are filed. However, after three months
4 3 from the date of the filing of the complaint, extensions
4 4 of time for purposes of preparing for hearing may only be
4 5 granted by the ethics committee when the party charged in the
4 6 complaint with the ethics violation consents to an extension.
4 7 If the party charged does not consent to an extension, the
4 8 ethics committee shall not grant any extensions of time for
4 9 preparation prior to hearing. All complaints alleging a
4 10 violation of this chapter or the code of ethics shall be
4 11 heard within nine months of the filing of the complaint.
4 12 Final dispositions of violations, which the ethics committee
4 13 has found to have been established by clear and convincing
4 14 evidence, shall be made within thirty days of the conclusion of
4 15 the hearing on the complaint.
4 16 Sec. 6. Section 68B.32A, subsection 5, Code Supplement
4 17 2009, is amended to read as follows:
4 18 5. Receive and file registration ~~and reports~~ from lobbyists
4 19 of the executive branch of state government, client disclosure
4 20 from clients of lobbyists of the executive branch of state
4 21 government, personal financial disclosure information from
4 22 officials and employees in the executive branch of state
4 23 government who are required to file personal financial
4 24 disclosure information under this chapter, and gift and bequest
4 25 disclosure information pursuant to section 8.7. The board,
4 26 upon its own motion, may initiate action and conduct a hearing
4 27 relating to reporting requirements under this chapter or
4 28 section 8.7.
4 29 Sec. 7. Section 68B.34A, Code Supplement 2009, is amended
4 30 to read as follows:
4 31 68B.34A Actions commenced against local officials or
4 32 employees.
4 33 1. Complaints alleging conduct of local officials or local
4 34 employees which violates this chapter, except for sections
4 35 68B.36, ~~68B.37~~, and 68B.38, shall be filed with the county



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5 1 attorney in the county where the accused resides. However, if
5 2 the county attorney is the person against whom the complaint is
5 3 filed, or if the county attorney otherwise has a personal or
5 4 legal conflict of interest, the complaint shall be referred to
5 5 another county attorney.

5 6 2. Complaints alleging conduct of local officials or local
5 7 employees which violates section 68B.36, ~~68B.37~~, or 68B.38 shall
5 8 be filed with the ethics committee of the appropriate house
5 9 of the general assembly if the conduct involves lobbying
5 10 activities before the general assembly or with the board if
5 11 the conduct involves lobbying activities before the executive
5 12 branch.

5 13 Sec. 8. Section 68B.36, subsections 1 and 5, Code 2009, are
5 14 amended to read as follows:

5 15 1. All lobbyists shall, on or before the day their lobbying
5 16 activity begins, register by filing a lobbyist's registration
5 17 statement at times and in the manner provided in this section.

5 18 In addition to any other information required by the general
5 19 assembly and the board, a lobbyist shall identify in the
5 20 registration statement all clients of the lobbyist. Lobbyists

5 21 engaged in lobbying activities before the general assembly
5 22 shall file the statement with the chief clerk of the house of
5 23 representatives or the secretary of the senate. Lobbyists
5 24 engaged in lobbying activities before the office of the
5 25 governor or any state agency shall file the statement with
5 26 the board. The chief clerk of the house and the secretary
5 27 of the senate shall provide appropriate registration forms
5 28 to lobbyists before the general assembly. The board shall
5 29 prescribe appropriate registration forms for lobbyists before
5 30 the office of the governor and state agencies.

5 31 ~~5. All federal, state, and local officials or employees~~
~~5 32 representing the official positions of their departments,~~
~~5 33 commissions, boards, or agencies shall, when lobbying the~~
~~5 34 general assembly, present to the chief clerk of the house or~~
~~5 35 the secretary of the senate a letter of authorization from~~



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~~6 1 their department or agency heads prior to the commencement of~~
~~6 2 their lobbying. When lobbying a state agency or the office~~
~~6 3 of the governor, the letter shall be presented to the board.~~
~~6 4 The lobbyist registration statement of these officials and~~
~~6 5 employees shall not be deemed complete until the letter of~~
~~6 6 authorization is attached. Federal, state, and local officials~~
6 7 who wish to lobby in opposition to the official position of
6 8 their departments, commissions, boards, or agencies must
6 9 indicate this on their lobbyist registration statements.

6 10 Sec. 9. Section 68B.38, subsection 1, Code 2009, is amended
6 11 to read as follows:

6 12 1. On or before July 31 of each year, a lobbyist's client
6 13 shall file with the general assembly ~~or~~ and board a report that
6 14 contains information on all salaries, fees, retainers, and
6 15 reimbursement of expenses paid ~~or anticipated to be paid~~ by the
6 16 lobbyist's client to the lobbyist for lobbying purposes during
6 17 the preceding twelve calendar months, concluding on June 30 of
6 18 each year. The amount reported to the general assembly and the
6 19 board shall include the total amount of all salaries, fees,
6 20 retainers, and reimbursement of expenses paid to a lobbyist for
6 21 lobbying both the legislative and executive branches.

6 22 Sec. 10. REPEAL. Section 68B.37, Code 2009, is repealed.

6 23 EXPLANATION

6 24 This bill relates to ethics laws by establishing disclosure
6 25 requirements, providing jurisdictional authority, and allowing
6 26 certain procedures in resolving ethics complaints.

6 27 The bill amends an exception to the gift law that requires
6 28 public disclosure of expenses for a function sponsored by a
6 29 restricted donor where every member of the general assembly is
6 30 invited to attend a function that takes place during a regular
6 31 session of the general assembly. Currently, a report must
6 32 be filed with the general assembly detailing expenses by the
6 33 function sponsor within five business days following the date
6 34 of the function. A copy of the report is currently forwarded
6 35 to the Iowa ethics and campaign disclosure board. The bill



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7 1 changes the five-business-day deadline to 28 calendar days
7 2 following the date of the function. The bill also requires a
7 3 function registration to be filed with the general assembly
7 4 and the board prior to the function taking place. The bill
7 5 also allows the receipt of food, beverages, and entertainment
7 6 by anyone attending such a function. The bill requires the
7 7 function report to be filed with the general assembly and the
7 8 board.

7 9 The bill provides that complaints may be filed with the
7 10 ethics committee against a client of a lobbyist alleging
7 11 violations of Code chapter 68B, the code of ethics, or rules
7 12 governing lobbyists. The bill also provides for the issuance
7 13 of advisory opinions relating to clients of lobbyists.

7 14 The bill allows the ethics committees in the senate and
7 15 house of representatives to adopt rules enabling the committees
7 16 to take certain types of action on valid complaints without
7 17 requesting the appointment of independent special counsel and
7 18 without requiring action by the appropriate chamber. Such
7 19 action may only be taken if the committee determines that
7 20 there is no dispute between the parties regarding material
7 21 facts establishing a violation. Currently, if a complaint is
7 22 determined to be valid, the ethics committee is required to
7 23 request the appointment of an independent special counsel to
7 24 investigate the complaint and determine whether probable cause
7 25 exists.

7 26 The bill requires lobbyist registration statements to
7 27 include a list of clients of the lobbyist. The bill eliminates
7 28 a requirement that a letter of authorization be filed by all
7 29 federal, state, and local officials or employees representing
7 30 the official positions of their departments, commissions,
7 31 boards, or agencies.

7 32 Currently, the client of a lobbyist is required to file
7 33 an annual report that contains information on all salaries,
7 34 fees, retainers, and reimbursement of expenses paid by the
7 35 lobbyist's client to the lobbyist for lobbying purposes during



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8 1 the preceding 12 calendar months. The bill provides that the
8 2 amount reported to the general assembly and the ethics and
8 3 campaign disclosure board shall include the total amount of all
8 4 salaries, fees, retainers, and reimbursement of expenses paid
8 5 to a lobbyist for lobbying both the legislative and executive
8 6 branches.

8 7 Currently, a lobbyist before the general assembly and a
8 8 lobbyist before a state agency or the office of the governor
8 9 must file periodic reports disclosing information related to
8 10 campaign contributions, lobbying expenditures, and a listing of
8 11 clients. The bill eliminates these periodic reports and makes
8 12 conforming amendments.

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tm/rj



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House Study Bill 507

HOUSE FILE

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
SMITH)

A BILL FOR

1 An Act to allow therapeutically certified optometrists to
2 supply therapeutic contact lenses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5179HC (2) 83
jr/nh



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1 1 Section 1. Section 154.1, subsection 4, Code 2009, is
1 2 amended to read as follows:
1 3 4. a. Therapeutically certified optometrists may employ
1 4 all diagnostic and therapeutic pharmaceutical agents for the
1 5 purpose of diagnosis and treatment of conditions of the human
1 6 eye and adnexa pursuant to this subsection, excluding the
1 7 use of injections other than to counteract an anaphylactic
1 8 reaction, and notwithstanding section 147.107, may without
1 9 charge supply any of the above pharmaceuticals to commence a
1 10 course of therapy.
1 11 b. Therapeutically certified optometrists may employ and,
1 12 notwithstanding section 147.107, supply therapeutic contact
1 13 lenses for the purpose of treatment of conditions of the human
1 14 eye and adnexa. For purposes of this paragraph, "therapeutic
1 15 contact lenses" means contact lenses that contain one or more
1 16 therapeutic pharmaceutical agents authorized for employment
1 17 by this section for the purpose of treatment of conditions of
1 18 the human eye and adnexa and that deliver such agents into the
1 19 wearer's eye.
1 20 c. Therapeutically certified optometrists may prescribe
1 21 oral steroids for a period not to exceed fourteen days
1 22 without consultation with a physician. Therapeutically
1 23 certified optometrists shall not prescribe oral Imuran or oral
1 24 Methotrexate.
1 25 d. Therapeutically certified optometrists may be authorized,
1 26 where reasonable and appropriate, by rule of the board, to
1 27 employ new diagnostic and therapeutic pharmaceutical agents
1 28 approved by the United States food and drug administration on
1 29 or after July 1, 2002, for the diagnosis and treatment of the
1 30 human eye and adnexa.
1 31 e. The board shall not be required to adopt rules relating
1 32 to topical pharmaceutical agents, oral antimicrobial agents,
1 33 oral antihistamines, oral antiglaucoma agents, and oral
1 34 analgesic agents. Superficial foreign bodies may be removed
1 35 from the human eye and adnexa.



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2 1 f. The therapeutic efforts of a therapeutically certified
2 2 optometrist are intended for the purpose of examination,
2 3 diagnosis, and treatment of visual defects, abnormal
2 4 conditions, and diseases of the human eye and adnexa, for
2 5 proper optometric practice or referral for consultation or
2 6 treatment to persons licensed under chapter 148.
2 7 g. A therapeutically certified optometrist is an optometrist
2 8 who is licensed to practice optometry in this state and who
2 9 is certified by the board to use the agents and procedures
2 10 authorized pursuant to this subsection.

2 11 EXPLANATION

2 12 Code section 154.1 authorizes therapeutically certified
2 13 optometrists to employ all diagnostic and therapeutic
2 14 pharmaceutical agents for the purpose of diagnosis and
2 15 treatment of conditions of the human eye and adnexa. This
2 16 bill allows therapeutically certified optometrists to also
2 17 supply therapeutic contact lenses for the purpose of treatment
2 18 of conditions of the human eye and adnexa. The bill defines
2 19 these lenses as contact lenses that contain one or more of the
2 20 authorized therapeutic pharmaceutical agents and that deliver
2 21 the agents into the wearer's eye.

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House Study Bill 508

HOUSE FILE

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
SMITH)

A BILL FOR

1 An Act relating to the diagnosis of substance-related disorders
2 and problem gambling or pathological gambling disorders.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5064HC (5) 83
rh/rj



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1 1 Section 1. Section 125.1, subsection 1, Code 2009, is
1 2 amended to read as follows:
1 3 1. That substance abusers and persons suffering from
1 4 ~~chemical dependency substance-related disorders~~ be afforded
1 5 the opportunity to receive quality treatment and directed into
1 6 rehabilitation services which will help them resume a socially
1 7 acceptable and productive role in society.
1 8 Sec. 2. Section 125.2, subsection 2, Code 2009, is amended
1 9 by striking the subsection.
1 10 Sec. 3. Section 125.2, subsection 17, Code 2009, is amended
1 11 to read as follows:
1 12 17. "Substance abuse" means the use of chemical substances
1 13 by persons suffering from ~~chemical dependency substance-related~~
1 14 ~~disorders~~, persons who are incapacitated by a chemical
1 15 substance, substance abusers, or chronic substance abusers.
1 16 Sec. 4. Section 125.2, Code 2009, is amended by adding the
1 17 following new subsection:
1 18 NEW SUBSECTION. 19. "Substance-related disorder" means a
1 19 condition involving either the abuse of or dependence on a
1 20 chemical substance that is consistent with diagnostic criteria
1 21 in the most recent version of the diagnostic and statistical
1 22 manual of mental disorders of the American psychiatric
1 23 association or in a comparable professionally recognized
1 24 diagnostic manual.
1 25 Sec. 5. NEW SECTION. 125.80A Substance-related disorders ==
1 26 diagnosis.
1 27 A diagnosis of a substance-related disorder may be made
1 28 by a certified alcohol and drug counselor certified by the
1 29 nongovernmental Iowa board of substance abuse certification
1 30 if the diagnosis is reviewed and agreed to by a licensed
1 31 mental health professional as defined in section 228.1, while
1 32 practicing within the professional's scope of practice.
1 33 Sec. 6. NEW SECTION. 135.149A Problem gambling ==
1 34 pathological gambling == diagnosis.
1 35 1. A diagnosis of either problem gambling or pathological



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2 1 gambling may be made by a certified gambling counselor
2 2 certified by the nongovernmental Iowa board of substance
2 3 abuse certification or a certified alcohol and drug counselor
2 4 certified by the nongovernmental Iowa board of substance abuse
2 5 certification, either of whom has met the requisite continuing
2 6 education requirements for treatment of such conditions, if the
2 7 diagnosis is reviewed and agreed to by a licensed mental health
2 8 professional as defined in section 228.1, while practicing
2 9 within the professional's scope of practice.

2 10 2. For purposes of this section, unless the context
2 11 otherwise requires:

2 12 a. "Pathological gambling" means a pattern of persistent
2 13 maladaptive behavior consistent with diagnostic criteria in the
2 14 most recent version of the diagnostic and statistical manual of
2 15 mental disorders of the American psychiatric association or in
2 16 a comparable professionally recognized diagnostic manual.

2 17 b. "Problem gambling" means a pattern of gambling behavior
2 18 which may compromise, disrupt, or damage family, personal, or
2 19 vocational pursuits.

2 20 Sec. 7. NEW SECTION. 229.10A Mental illness == diagnosis.

2 21 A mental illness may be diagnosed by a licensed mental health
2 22 professional as defined in section 228.1 while practicing
2 23 within the mental health professional's scope of practice.

2 24 Such diagnosis shall be consistent with diagnostic criteria
2 25 consistent with the most recent version of the diagnostic
2 26 and statistical manual of mental disorders of the American
2 27 psychiatric association or in a comparable professionally
2 28 recognized diagnostic manual.

2 29 Sec. 8. Section 230A.16, Code 2009, is amended by adding the
2 30 following new subsection:

2 31 NEW SUBSECTION. 5. Require that a licensed mental health
2 32 professional, as defined in section 228.1, performs the
2 33 diagnostic functions for a center, while practicing within the
2 34 professional's scope of practice, and appropriately supervises
2 35 the center staff who are not licensed to perform the diagnostic



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3 1 functions.

3 2 Sec. 9. Section 411.6, subsection 16, paragraph a,
3 3 subparagraph (1), Code Supplement 2009, is amended to read as
3 4 follows:

3 5 (1) The disability would not exist but for the member's

3 6 ~~chemical dependency~~ substance-related disorder, as defined

3 7 in section 125.2, on a schedule I controlled substance,

3 8 as defined in section 124.204, or the member's ~~chemical~~

~~3 9 dependency~~ substance-related disorder on a schedule II

3 10 controlled substance, as defined in section 124.206, resulting

3 11 from the inappropriate use of the schedule II controlled

3 12 substance.

3 13

EXPLANATION

3 14 This bill relates to the diagnosis of substance-related

3 15 disorders and problem gambling or pathological gambling

3 16 disorders.

3 17 The bill repeals the definition of "chemical dependency"

3 18 in Code chapter 125 relating to chemical substance abuse and

3 19 replaces it with the definition of "substance-related disorder"

3 20 defined as either the abuse of or dependence on a substance

3 21 that is consistent with diagnostic criteria in the most recent

3 22 version of the diagnostic and statistical manual of mental

3 23 disorders of the American psychiatric association or in a

3 24 comparable professionally recognized diagnostic manual.

3 25 The bill provides that a diagnosis of a substance-related

3 26 disorder may be made by a certified alcohol and drug counselor

3 27 certified by the nongovernmental Iowa board of substance abuse

3 28 certification if the diagnosis is reviewed and agreed to by a

3 29 licensed mental health professional as defined in Code section

3 30 228.1, while practicing within the professional's scope of

3 31 practice. The bill also provides that a mental illness may

3 32 be diagnosed by a licensed mental health professional as

3 33 defined in Code section 228.1 while practicing within the

3 34 professional's scope of practice. Such diagnosis shall be

3 35 consistent with diagnostic criteria in the most recent version



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4 1 of the diagnostic and statistical manual of mental disorders.
4 2 The bill provides that a diagnosis of either problem
4 3 gambling or pathological gambling may be made by a certified
4 4 gambling counselor certified by the nongovernmental Iowa board
4 5 of substance abuse certification or a certified alcohol and
4 6 drug counselor certified by the nongovernmental Iowa board
4 7 of substance abuse certification, either of whom has met the
4 8 requisite continuing education requirements of treatment of
4 9 such conditions, if the diagnosis is reviewed and agreed to
4 10 by a licensed mental health professional as defined in Code
4 11 section 228.1 while practicing within the professional's scope
4 12 of practice. The bill defines "problem gambling" as a pattern
4 13 of gambling behavior which may compromise, disrupt, or damage
4 14 family, personal, or vocational pursuits, and "pathological
4 15 gambling" as a pattern of persistent maladaptive behavior
4 16 consistent with diagnostic criteria in the most recent version
4 17 of the diagnostic and statistical manual of mental disorders.
4 18 The bill amends Code section 230A.16, relating to
4 19 establishment of standards for community mental health
4 20 centers, by adding a requirement that a licensed mental health
4 21 professional, as defined by Code section 228.1, perform the
4 22 diagnostic functions for a center within the professional's
4 23 scope of practice and appropriately supervise the center staff
4 24 who are not licensed to perform the diagnostic functions.
4 25 The bill also makes a conforming change in Code section
4 26 411.6 relating to the change in terminology from "chemical
4 27 dependency" to "substance-related disorder" in Code chapter
4 28 125.

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House Study Bill 509

HOUSE FILE

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
SMITH)

A BILL FOR

- 1 An Act relating to the disclosure of disease information
- 2 reported to a public health department.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5387HC (2) 83
pf/nh



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1 1 Section 1. Section 22.7, subsection 16, Code Supplement
1 2 2009, is amended to read as follows:
1 3 16. Information in a report to the Iowa department of
1 4 public health, to a local board of health, or to a local health
1 5 department, which specifically identifies a person infected
1 6 with a reportable disease. However, this subsection shall
1 7 not be construed to prevent the disclosure of the county of
1 8 residence, health condition, sex, and approximate age of a
1 9 person infected with a reportable disease.

1 10 Sec. 2. Section 139A.3, subsection 2, paragraphs b and c,
1 11 Code 2009, are amended to read as follows:

1 12 b. A report or other information provided to or maintained
1 13 by the department, a local board, or a local department,
1 14 which specifically identifies a person infected with or
1 15 exposed to a reportable or other disease or health condition,
1 16 is confidential and shall not be accessible to the public.
1 17 However, this paragraph shall not be construed to prevent the
1 18 disclosure of the county of residence, health condition, sex,
1 19 and approximate age of a person infected with or exposed to a
1 20 reportable or other disease or health condition.

1 21 c. Notwithstanding paragraph "b", information contained
1 22 in the report, including the county of residence, health
1 23 condition, sex, and approximate age of a person infected
1 24 with or exposed to a reportable or other disease or health
1 25 condition, may be reported in public health records in a manner
1 26 which prevents the identification of any person or business
1 27 named in the report. If information contained in the report
1 28 concerns a business, information disclosing the identity of
1 29 the business may be released to the public when the state
1 30 epidemiologist or the director of public health determines such
1 31 a release of information necessary for the protection of the
1 32 health of the public.

1 33 EXPLANATION

1 34 This bill provides for the disclosure of information
1 35 included in reports to the department of public health, local



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2 1 boards of health, or local departments of health relating to
2 2 reportable or other diseases or health conditions which does
2 3 not specifically identify the individual. Such information
2 4 may include the county of residence, health condition, sex,
2 5 and approximate age of a person infected with or exposed to a
2 6 reportable or other disease or health condition.

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House Study Bill 510

HOUSE FILE

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
SMITH)

A BILL FOR

1 An Act relating to the provision of health benefit coverage
2 for certain cancer treatment delivered pursuant to
3 approved cancer clinical trials and including applicability
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5495HC (2) 83
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1 1 Section 1. NEW SECTION. 514C.26 Approved cancer clinical
1 2 trials coverage.
1 3 1. Definitions. For purposes of this section, unless the
1 4 context otherwise requires:
1 5 a. "Approved cancer clinical trial" means a scientific
1 6 study of a new therapy for the treatment of cancer in human
1 7 beings that meets the requirements set forth in subsection 3
1 8 and consists of a scientific plan of treatment that includes
1 9 specified goals, a rationale and background for the plan,
1 10 criteria for patient selection, specific directions for
1 11 administering therapy and monitoring patients, a definition of
1 12 quantitative measures for determining treatment response, and
1 13 methods for documenting and treating adverse reactions.
1 14 b. "Institutional review board" means a board, committee, or
1 15 other group formally designated by an institution and approved
1 16 by the national institutes of health, office for protection
1 17 from research risks, to review, approve the initiation of,
1 18 and conduct periodic review of biomedical research involving
1 19 human subjects. "Institutional review board" means the same as
1 20 "institutional review committee" as used in section 520(g) of
1 21 the federal Food, Drug, and Cosmetic Act, as codified in 21
1 22 U.S.C. { 301 et seq.
1 23 c. "Routine patient care costs" means physician fees,
1 24 laboratory expenses, and expenses associated with the
1 25 hospitalization, administration of treatment, and evaluation of
1 26 a patient during the course of treatment which are consistent
1 27 with usual and customary patterns and standards of care
1 28 incurred whenever an enrollee, subscriber, or insured receives
1 29 medical care associated with an approved cancer clinical trial,
1 30 and which would be covered if such items and services were
1 31 provided other than in connection with an approved cancer
1 32 clinical trial.
1 33 d. "Therapeutic intent" means that a treatment is aimed
1 34 at improving a patient's health outcome relative to either
1 35 survival or quality of life.



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2 1 2. Coverage required. Notwithstanding the uniformity of
2 2 treatment requirements of section 514C.6, a policy or contract
2 3 providing for third-party payment or prepayment of health or
2 4 medical expenses shall provide coverage benefits for routine
2 5 patient care costs incurred for cancer treatment in an approved
2 6 cancer clinical trial to the same extent that such policy or
2 7 contract provides coverage for treating any other sickness,
2 8 injury, disease, or condition covered under the policy or
2 9 contract, if the insured has been referred for such cancer
2 10 treatment by two physicians who specialize in oncology and
2 11 the cancer treatment is given pursuant to an approved cancer
2 12 clinical trial that meets the criteria set forth in subsection
2 13 3. Services that are furnished without charge to a participant
2 14 in the approved cancer clinical trial are not required to be
2 15 covered as routine patient care costs pursuant to this section.
2 16 3. Criteria. Routine patient care costs for cancer
2 17 treatment given pursuant to an approved cancer clinical
2 18 trial shall be covered pursuant to this section if all of the
2 19 following requirements are met:
2 20 a. The treatment is provided with therapeutic intent and is
2 21 provided pursuant to an approved cancer clinical trial that has
2 22 been authorized or approved by one of the following:
2 23 (1) The national institutes of health.
2 24 (2) The United States food and drug administration.
2 25 (3) The United States department of defense.
2 26 (4) The United States department of veterans affairs.
2 27 b. The proposed treatment has been reviewed and approved by
2 28 the applicable qualified institutional review board.
2 29 c. The available clinical or preclinical data indicate
2 30 that the treatment that will be provided pursuant to the
2 31 approved cancer clinical trial will be at least as effective
2 32 as the standard therapy and is anticipated to constitute an
2 33 improvement in therapeutic effectiveness for the treatment of
2 34 the disease in question.
2 35 4. Applicability.



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- 3 1 a. This section applies to the following classes of
3 2 third-party payment provider contracts or policies delivered,
3 3 issued for delivery, continued, or renewed in this state on or
3 4 after July 1, 2010:
- 3 5 (1) Individual or group accident and sickness insurance
3 6 providing coverage on an expense-incurred basis.
 - 3 7 (2) An individual or group hospital or medical service
3 8 contract issued pursuant to chapter 509, 514, or 514A.
 - 3 9 (3) An individual or group health maintenance organization
3 10 contract regulated under chapter 514B.
 - 3 11 (4) Any other entity engaged in the business of insurance,
3 12 risk transfer, or risk retention, which is subject to the
3 13 jurisdiction of the commissioner.
 - 3 14 (5) A plan established pursuant to chapter 509A for public
3 15 employees.
 - 3 16 (6) An organized delivery system licensed by the director
3 17 of public health.
- 3 18 b. This section shall not apply to accident-only,
3 19 specified disease, short-term hospital or medical, hospital
3 20 confinement indemnity, credit, dental, vision, Medicare
3 21 supplement, long-term care, basic hospital and medical=surgical
3 22 expense coverage as defined by the commissioner, disability
3 23 income insurance coverage, coverage issued as a supplement
3 24 to liability insurance, workers' compensation or similar
3 25 insurance, or automobile medical payment insurance.

3 26 EXPLANATION

3 27 This bill creates new Code section 514C.26 to require health
3 28 benefit coverage for cancer treatment delivered pursuant to an
3 29 approved cancer clinical trial. The bill defines "approved
3 30 cancer clinical trial" as a scientific study of a new therapy
3 31 for the treatment of cancer in human beings that meets
3 32 requirements specified in the bill and consists of a scientific
3 33 plan of treatment.
3 34 The bill requires that a policy or contract provide health
3 35 benefit coverage for routine patient care costs incurred for



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4 1 cancer treatment in an approved cancer clinical trial to the
4 2 same extent that the policy or contract provides coverage for
4 3 treating any other sickness, injury, disease, or condition
4 4 covered under the policy or contract, if the insured has been
4 5 referred for such cancer treatment by two physicians who
4 6 specialize in oncology, and the cancer treatment is given
4 7 pursuant to an approved cancer clinical trial as set forth in
4 8 the bill.

4 9 The bill applies to specified classes of third-party payment
4 10 provider contracts or policies delivered, issued for delivery,
4 11 continued, or renewed in this state on or after July 1, 2010.

LSB 5495HC (2) 83
av/nh



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House Study Bill 511

HOUSE FILE

BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIRPERSON
SMITH)

A BILL FOR

1 An Act relating to benefit coverage for medication therapy
2 management.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5295YC (1) 83
pf/rj



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1 1 Section 1. NEW SECTION. 514C.26 Medication therapy
1 2 management coverage.
1 3 1. As used in this section:
1 4 a. "Commissioner" means the commissioner of insurance.
1 5 b. "Medication therapy management" means a systematic
1 6 process performed by a licensed pharmacist, designed to
1 7 optimize therapeutic outcomes through improved medication use
1 8 and reduced risk of adverse drug events, including all of the
1 9 following services:
1 10 (1) A medication therapy review of all medications
1 11 currently being taken by an individual.
1 12 (2) A medication action plan communicated to the
1 13 individual and the individual's primary care physician
1 14 or other appropriate prescriber to address safety issues,
1 15 inconsistencies, duplicative therapy, omissions, and medication
1 16 costs. The medication action plan may include recommendations
1 17 to the prescriber for changes in drug therapy.
1 18 (3) Documentation and follow-up to ensure consistent levels
1 19 of pharmacy services and positive outcomes.
1 20 2. Notwithstanding the uniformity of treatment requirements
1 21 of section 514C.6, a contract, policy, or plan providing
1 22 for third-party payment or prepayment for health or medical
1 23 expenses that include pharmaceutical benefits shall provide
1 24 coverage for medication therapy management in accordance
1 25 with rules adopted by the commissioner. The provisions of
1 26 this section shall apply to all of the following classes of
1 27 third-party payment provider contracts, policies, or plans
1 28 delivered, issued for delivery, continued, or renewed in this
1 29 state on or after July 1, 2010:
1 30 a. Individual or group accident and sickness insurance
1 31 providing coverage on an expense-incurred basis.
1 32 b. An individual or group hospital or medical service
1 33 contract issued pursuant to chapter 509, 514, or 514A.
1 34 c. An individual or group health maintenance organization
1 35 contract regulated under chapter 514B.



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2 1 d. An individual or group Medicare supplemental policy,
2 2 unless coverage pursuant to such policy is preempted by federal
2 3 law.
2 4 e. A plan established pursuant to chapter 509A for public
2 5 employees.
2 6 3. This section shall not apply to accident-only, specified
2 7 disease, short-term hospital or medical, hospital confinement
2 8 indemnity, credit, dental, vision, long-term care, basic
2 9 hospital, and medical-surgical expense coverage as defined
2 10 by the commissioner, disability income insurance coverage,
2 11 coverage issued as a supplement to liability insurance,
2 12 workers' compensation or similar insurance, or automobile
2 13 medical payment insurance.
2 14 4. The commissioner shall adopt rules pursuant to chapter
2 15 17A regarding coverage of benefits for medication therapy
2 16 management based on all of the following:
2 17 a. Medication therapy management shall be a covered benefit
2 18 for any of the following individuals:
2 19 (1) An individual who takes four or more prescription drugs
2 20 to treat or prevent two or more chronic medical conditions.
2 21 (2) An individual who has a prescription drug therapy
2 22 problem as identified by the prescribing physician or other
2 23 appropriate prescriber, and is referred to a pharmacist for
2 24 medication therapy management.
2 25 (3) An individual who meets other criteria established by
2 26 the commissioner by rule in consultation with the director of
2 27 public health.
2 28 (4) An individual who meets other criteria established by
2 29 the third-party payment provider contract, policy, or plan
2 30 which is not inconsistent with or more restrictive than the
2 31 criteria otherwise specified in this paragraph "a".
2 32 b. Reimbursement of medication therapy management services
2 33 shall be separate from the reimbursement for prescription drug
2 34 product or dispensing services; shall be determined by each
2 35 third-party payment provider contract, policy, or plan; and



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3 1 shall be reasonably based on the resources and time required
3 2 to provide the services.
3 3 c. If any part of the medication therapy management
3 4 services provided by a pharmacist incorporates services which
3 5 are outside the pharmacist's independent scope of practice
3 6 including the initiation of therapy, modification of dosages,
3 7 therapeutic interchange, or changes in drug therapy, the
3 8 express authorization of the individual's physician or other
3 9 appropriate prescriber is required. Express authorization
3 10 includes but is not limited to a collaborative practice
3 11 agreement.

3 12 EXPLANATION

3 13 This bill relates to medication therapy management. The
3 14 bill defines "medication therapy management" and provides that
3 15 a contract, policy, or plan providing for third-party payment
3 16 or prepayment which includes coverage for health or medical
3 17 expenses that includes pharmaceutical benefits shall provide
3 18 coverage for medication therapy management in accordance
3 19 with rules adopted by the commissioner of insurance. The
3 20 bill specifies the classes of third-party payment provider
3 21 contracts, policies, or plans delivered, issued for delivery,
3 22 continued, or renewed in this state on or after July 1, 2010,
3 23 that must include or that are exempt from providing coverage
3 24 for medication therapy management. The bill directs the
3 25 commissioner of insurance to adopt rules pursuant to Code
3 26 chapter 17A regarding coverage of benefits for medication
3 27 therapy management based on specific provisions.

LSB 5295YC (1) 83

pf/rj



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House Study Bill 512

HOUSE FILE

BY (PROPOSED COMMITTEE ON REBUILD
IOWA AND DISASTER RECOVERY BILL BY
CHAIRPERSON SCHUELLER)

A BILL FOR

1 An Act relating to disclosures concerning the availability of
2 flood insurance and sewer back-up insurance coverage and
3 flood damage to property being transferred.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5317HC (4) 83
av/sc



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House Study Bill 512 continued

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1 1 Section 1. NEW SECTION. 515.138A Disclosure of availability
1 2 of flood and sewer back=up insurance coverage.

1 3 When an insurance company or association receives an
1 4 application for the issue or renewal of a policy of homeowner's
1 5 or renter's insurance coverage, an insurance producer licensed
1 6 under chapter 522B who is an agent of the insurance company or
1 7 association shall discuss with the applicant whether there is a
1 8 need for and the availability of flood insurance and optional
1 9 sewer back=up coverage. At that time the insurance producer
1 10 shall obtain a completed disclosure form signed and dated by
1 11 the applicant which states that the need for and availability
1 12 of flood insurance and optional sewer back=up coverage was
1 13 discussed with the applicant and the applicant either accepted
1 14 or declined to purchase such coverage.

1 15 Sec. 2. Section 558.70, subsection 1, Code 2009, is amended
1 16 to read as follows:

1 17 1. Prior to executing a residential real estate installment
1 18 sales contract, the contract seller shall deliver a written
1 19 contract disclosure statement to the contract purchaser which
1 20 shall clearly set forth the following information:

1 21 a. If the real estate subject to the contract has been
1 22 separately assessed for property tax purposes, the current
1 23 assessed value of the real estate.

1 24 b. (1) A complete description of any property taxes due
1 25 and payable on the real estate and a complete description of
1 26 any special assessment on the real estate and the term of the
1 27 assessment.

1 28 (2) Information on whether any property taxes or
1 29 special assessments are delinquent and whether any tax sale
1 30 certificates have been issued for delinquent property taxes or
1 31 special assessments on the real estate.

1 32 c. Information on the flood plain designation that has
1 33 been assigned to the property and, to the best of the seller's
1 34 knowledge, whether the property has ever been inundated by a
1 35 flood or payment has been made pursuant to flood insurance



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2 1 coverage or federal assistance has been received on account of
2 2 flood damage to the property.

2 3 ~~e.~~ d. A complete description of any mortgages or other
2 4 liens encumbering or secured by the real estate, including
2 5 the identity and address of the current owner of record with
2 6 respect to each such mortgage or lien, as well as a description
2 7 of the total outstanding balance and due date under any such
2 8 mortgage or lien.

2 9 ~~d.~~ e. A complete amortization schedule for all payments to
2 10 be made pursuant to the contract, which amortization schedule
2 11 shall include information on the portion of each payment to be
2 12 applied to principal and the portion to be applied to interest.

2 13 ~~e.~~ f. If the contract requires a balloon payment, a
2 14 complete description of the balloon payment, including the date
2 15 the payment is due, the amount of the balloon payment, and
2 16 other terms related to the balloon payment. For purposes of
2 17 this paragraph, a "balloon payment" is any scheduled payment
2 18 that is more than twice as large as the average of earlier
2 19 scheduled payments.

2 20 ~~f.~~ g. The annual rate of interest to be charged under the
2 21 contract.

2 22 ~~g.~~ h. A statement that the purchaser has a right to seek
2 23 independent legal counsel concerning the contract and any
2 24 matters pertaining to the contract.

2 25 ~~h.~~ i. A statement that the purchaser has a right to receive
2 26 a true and complete copy of the contract after it has been
2 27 executed by all parties to the contract.

2 28 ~~i.~~ j. The mailing address of each party to the contract.

2 29 ~~j.~~ k. If the contract is subject to forfeiture, a statement
2 30 that if the purchaser does not comply with the terms of the
2 31 contract, the purchaser may lose all rights in the real estate
2 32 and all sums paid under the contract.

2 33 Sec. 3. Section 558A.4, Code 2009, is amended by adding the
2 34 following new subsection:
2 35 NEW SUBSECTION. 1A. The disclosure statement shall include



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3 1 questions requiring the seller to disclose the flood plain
3 2 designation that has been assigned to the property and, to the
3 3 best of the seller's knowledge, whether the property has ever
3 4 been inundated by a flood or payment has been made pursuant
3 5 to flood insurance coverage or federal assistance has been
3 6 received on account of flood damage to the property.

3 7 EXPLANATION

3 8 This bill relates to disclosures concerning the availability
3 9 of flood insurance and optional sewer back-up insurance
3 10 coverage and flood damage to property being transferred.

3 11 New Code section 515.138A requires that when an insurance
3 12 company or association receives an application for the issue
3 13 or renewal of a policy of homeowner's or renter's insurance,
3 14 a licensed insurance producer must discuss with the applicant
3 15 whether there is a need for and the availability of flood
3 16 insurance and optional sewer back-up coverage. At that time
3 17 the insurance producer must also obtain a completed disclosure
3 18 form signed and dated by the applicant which states that this
3 19 information was discussed and the applicant either accepted or
3 20 declined to purchase the coverage.

3 21 New Code sections 558.70(1)(c) and 558A.4(1A) require that
3 22 the written property condition disclosure statements required
3 23 for transfers of real estate subject to Code chapters 558 and
3 24 558A must include questions requiring the seller to disclose
3 25 the flood plain designation that has been assigned to the
3 26 property and, to the best of the seller's knowledge, whether
3 27 the property has ever been inundated by a flood or payment
3 28 has been made pursuant to flood insurance coverage or federal
3 29 assistance has been received on account of flood damage to the
3 30 property.

LSB 5317HC (4) 83

av/sc



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House Study Bill 513

HOUSE FILE

BY (PROPOSED COMMITTEE ON REBUILD
IOWA AND DISASTER RECOVERY BILL BY
CHAIRPERSON SCHUELLER)

A BILL FOR

1 An Act relating to the distribution of moneys from the disaster
2 aid individual assistance grant fund.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5130HC (6) 83
tm/nh



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1 1 Section 1. Section 29C.20A, Code Supplement 2009, is
1 2 amended by adding the following new subsection:
1 3 NEW SUBSECTION. 3A. A recipient of grant funding shall
1 4 receive reimbursement for expenses upon presenting a receipt
1 5 for an eligible expense or shall receive a voucher through
1 6 a voucher system administered by the department of human
1 7 services. A voucher system shall ensure sufficient data
1 8 collection to discourage and prevent fraud.

1 9 EXPLANATION

1 10 This bill relates to the distribution of moneys from the
1 11 disaster aid individual assistance grant fund.

1 12 The bill provides that a recipient of grant funding shall
1 13 receive reimbursement for expenses upon presenting a receipt
1 14 for an eligible expense or shall receive a voucher through
1 15 a voucher system administered by the department of human
1 16 services. The bill requires a voucher system to ensure
1 17 sufficient data collection to discourage and prevent fraud.

LSB 5130HC (6) 83

tm/nh



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Senate File 2001 - Introduced

SENATE FILE
BY JOHNSON

A BILL FOR

1 An Act relating to informed consent to an abortion and
2 providing a criminal penalty, and providing effective dates.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5020SS (4) 83
pf/rj



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Senate File 2001 - Introduced continued

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1 1 Section 1. NEW SECTION. 146A.1 Title.
1 2 This chapter shall be known and may be cited as the "Woman's
1 3 Right to Know Act".
1 4 Sec. 2. NEW SECTION. 146A.2 Definitions.
1 5 As used in this chapter, unless the context otherwise
1 6 requires:
1 7 1. "Abortion" means abortion as defined in section 146.1.
1 8 2. "Attempt to perform an unlawful abortion" means an act,
1 9 or an omission of an act required by law, that constitutes a
1 10 substantial step in a course of conduct intended to culminate
1 11 in the performance of an abortion in violation of this chapter.
1 12 3. "Department" means the department of public health.
1 13 4. "Medical emergency" means any condition which, on
1 14 the basis of a physician's good faith clinical judgment,
1 15 so complicates the medical condition of a pregnant woman
1 16 as to necessitate the immediate performance of an abortion
1 17 to avert the pregnant woman's death, or to necessitate the
1 18 immediate performance of an abortion to avert a serious risk
1 19 of substantial and irreversible impairment of a major bodily
1 20 function if the performance of the abortion is delayed.
1 21 5. "Physician" means a person licensed to practice medicine
1 22 and surgery or osteopathic medicine and surgery pursuant to
1 23 chapter 148.
1 24 Sec. 3. NEW SECTION. 146A.3 Voluntary and informed consent.
1 25 1. An abortion shall not be performed in this state without
1 26 the voluntary and informed consent of the woman upon whom the
1 27 abortion is to be performed. Except in the case of a medical
1 28 emergency, consent to an abortion is voluntary and informed
1 29 only if the requirements of this section are met.
1 30 2. The referring physician, the physician who will perform
1 31 the abortion, or an agent of either physician shall provide
1 32 all of the following information to the woman by telephone,
1 33 by audiotape, or in person, at the time the woman initially
1 34 contacts the physician's private office or a facility
1 35 that provides abortions to inquire about or to schedule an



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2 1 appointment for an abortion:
2 2 a. Information that medical assistance benefits may be
2 3 available to the woman for prenatal care, childbirth, and
2 4 neonatal care.
2 5 b. Information that the putative father is liable to assist
2 6 in the support of the child and that efforts to collect support
2 7 may result in, but are not guaranteed to result in, financial
2 8 support of the child, even if the putative father has offered
2 9 to pay for the abortion.
2 10 c. Information that the woman has the right to review the
2 11 printed materials described in subsection 3.
2 12 d. Information that the woman has the right to have an
2 13 opportunity to receive and view an active ultrasound of
2 14 the fetus at least twenty-four hours before an abortion is
2 15 performed.
2 16 3. a. After being informed of the woman's right to review
2 17 printed materials pursuant to subsection 2, if the woman wishes
2 18 to review the materials, all of the following shall apply:
2 19 (1) If the department establishes an internet site, the
2 20 woman shall be informed that the materials are available
2 21 through a state-sponsored internet site and shall be informed
2 22 of the internet site address.
2 23 (2) If the woman initially contacts the physician's private
2 24 office or a facility that provides abortions in person, the
2 25 materials shall be provided to the woman at that time.
2 26 (3) If the woman initially contacts the physician's private
2 27 office or a facility that provides abortions by telephone and
2 28 wishes to review the materials, the materials shall be mailed
2 29 to the woman by regular mail or by restricted certified mail,
2 30 as defined in section 618.15, as requested by the woman.
2 31 (4) The woman shall be informed that the materials have been
2 32 provided by the state and that they describe the fetus and list
2 33 agencies that offer alternatives to abortion.
2 34 b. The printed materials shall include all of the following:
2 35 (1) Geographically indexed materials designed to inform



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3 1 the woman of public and private agencies and services
3 2 available to assist a woman through pregnancy, at the time
3 3 of childbirth, and while the child is dependent, including
3 4 adoption agencies. The materials shall include a comprehensive
3 5 list of the agencies available, categorized by the type of
3 6 services offered, and a description of the manner, including
3 7 telephone numbers, in which the agencies may be contacted. The
3 8 department may also provide a toll-free, twenty-four-hour-a-day
3 9 telephone number which may be called to obtain, orally, a list
3 10 and description of agencies in the locality of the caller and
3 11 of the services offered.

3 12 (2) Materials that encourage consideration of placement for
3 13 adoption. The materials shall inform the woman of the benefits
3 14 of adoption, including the requirements of confidentiality in
3 15 the adoption process, the importance of adoption to individuals
3 16 and society, and the state's interest in promoting adoption by
3 17 preferring childbirth over abortion.

3 18 (3) Materials designed to inform the woman of the probable
3 19 anatomical and physiological characteristics of the fetus
3 20 at two-week gestational increments from the time that it is
3 21 medically possible to make a determination of pregnancy to full
3 22 term. The materials shall include any relevant information
3 23 regarding the possibility of the survival of the fetus and
3 24 pictures or drawings representing the development of the fetus
3 25 at two-week gestational increments, provided that any pictures
3 26 or drawings shall contain the dimensions of the fetus and
3 27 shall be realistic and appropriate for the state of pregnancy
3 28 depicted. The materials shall be objective, nonjudgmental, and
3 29 designed to convey only accurate scientific information about
3 30 the fetus at various gestational stages. The materials shall
3 31 also contain objective information describing the methods of
3 32 abortion procedures commonly used, the medical risks commonly
3 33 associated with each such procedure, the possible detrimental
3 34 psychological effects of abortion, and the medical risks
3 35 commonly associated with carrying a fetus to term.



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4 1 4. A physician shall not perform an abortion on a woman
4 2 unless both of the following conditions are met:
4 3 a. The physician obtains written certification that the
4 4 information required pursuant to subsection 2 was provided
4 5 to the woman. The physician shall retain a copy of the
4 6 certification and shall provide a copy of the certification to
4 7 the woman.
4 8 b. The physician certifies that the woman has been offered
4 9 an opportunity to receive and view an active ultrasound of
4 10 the fetus. The offer and opportunity to receive and view an
4 11 ultrasound shall occur at least twenty-four hours before the
4 12 abortion is scheduled to be performed. In order to comply
4 13 with this requirement, the active ultrasound image must be
4 14 of a quality consistent with standard medical practice in
4 15 the community, must contain the dimensions of the fetus, and
4 16 must accurately portray the presence of external members
4 17 and internal organs, including the heartbeat, if present or
4 18 viewable, of the fetus. The auscultation of the fetal heart
4 19 tone also must be of a quality consistent with standard medical
4 20 practice in the community. The physician shall document the
4 21 woman's response to the offer, including the date and time of
4 22 the offer and the woman's signature attesting to the woman's
4 23 informed decision.
4 24 5. a. By October 1, 2010, the department shall cause
4 25 the information described in subsection 2 to be published in
4 26 printed format. The information shall be provided in an easily
4 27 comprehensible manner. The information shall be published in
4 28 a typeface large enough to be clearly legible. The printed
4 29 information shall be available from the department at no cost,
4 30 upon request, and in an appropriate number, to any person.
4 31 b. The department may establish and maintain an internet
4 32 site to provide the information described in subsection 2. The
4 33 internet site shall provide for confidentiality of individuals
4 34 who access the site and no information identifying the
4 35 individual shall be collected or maintained. The department



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5 1 shall monitor the internet site to ensure that the site is
5 2 secure and to prevent and correct any tampering with the site.
5 3 Sec. 4. NEW SECTION. 146A.4 Procedure in case of medical
5 4 emergency.
5 5 If a medical emergency necessitates the performance of
5 6 an abortion, the physician shall inform the woman, prior to
5 7 the performance of the abortion, if possible, of the medical
5 8 indications supporting the physician's judgment that the
5 9 immediate performance of an abortion is necessary to avert the
5 10 woman's death or that a delay in the performance of an abortion
5 11 will create a serious risk of substantial and irreversible
5 12 impairment of a major bodily function.
5 13 Sec. 5. NEW SECTION. 146A.5 Criminal penalties.
5 14 1. A person who knowingly or recklessly performs or attempts
5 15 to perform an abortion in violation of this chapter is guilty
5 16 of a simple misdemeanor.
5 17 2. A criminal penalty shall not be imposed under this
5 18 chapter on a woman upon whom an abortion is performed or
5 19 attempted to be performed. A criminal penalty shall not be
5 20 imposed for failure of a woman to comply with the requirement
5 21 of written certification pursuant to section 146A.3, if the
5 22 department has not made the information available at the time
5 23 the physician or the physician's agent is required to inform
5 24 the woman of the woman's right to review the information.
5 25 Sec. 6. NEW SECTION. 146A.6 Protection of privacy in court
5 26 proceedings == penalty.
5 27 1. In every criminal proceeding brought pursuant to this
5 28 chapter, the court proceedings shall be conducted in a manner
5 29 which protects the confidentiality of the woman, and all
5 30 court documents pertaining to the proceedings shall remain
5 31 confidential and shall be sealed. The court shall direct the
5 32 exclusion of individuals from courtrooms or hearing rooms to
5 33 the extent necessary to safeguard the woman's identity from
5 34 public disclosure.
5 35 2. This section shall not be construed to conceal the



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6 1 identity of witnesses from the defendant.

6 2 3. A person who knowingly violates the confidentiality
6 3 requirements of this section relating to court proceedings and
6 4 documents is guilty of a simple misdemeanor.

6 5 Sec. 7. EFFECTIVE DATES.

6 6 1. The provisions of this Act requiring the department
6 7 of public health to publish information described in section
6 8 146A.3, subsection 2, as enacted in this Act, by October 1,
6 9 2010, being deemed of immediate importance, take effect upon
6 10 enactment.

6 11 2. The remainder of this Act takes effect October 1, 2010.

6 12 EXPLANATION

6 13 This bill establishes new Code chapter 146A, relating to
6 14 informed consent prior to an abortion. The Code chapter is
6 15 known and cited as the "Woman's Right to Know Act".

6 16 The bill specifies the required informed consent provisions,
6 17 including provision of certain information to a woman by the
6 18 physician or an agent of the physician, required certification
6 19 by the woman of provision to the woman of the required
6 20 information, receipt of the certification by the physician
6 21 prior to the performance of an abortion, and receipt of
6 22 documentation by the physician regarding the offering of an
6 23 active ultrasound, prior to the performance of an abortion.
6 24 The bill requires the department of public health to publish
6 25 information by October 1, 2010, relating to options for
6 26 managing a pregnancy. The bill authorizes the department
6 27 to establish and maintain an internet site to provide the
6 28 information.

6 29 The bill also provides for alternatives to providing
6 30 informed consent in the case of a medical emergency.

6 31 The bill establishes a criminal penalty of a simple
6 32 misdemeanor for a person who knowingly or recklessly performs
6 33 or attempts to perform an abortion in violation of the new
6 34 Code chapter. The bill prohibits the imposition of a criminal
6 35 penalty against a woman upon whom an abortion is performed



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7 1 or attempted to be performed, and prohibits the imposition
7 2 of a criminal penalty against a woman for failure to comply
7 3 with certification requirements if the department has not made
7 4 the printed materials available as required. The bill also
7 5 provides for protection of confidentiality of a woman relative
7 6 to criminal court proceedings relating to an action under the
7 7 new Code chapter.
7 8 The provisions relating to the department of public health
7 9 publishing information as prescribed in the bill take effect
7 10 upon enactment. The remainder of the bill takes effect October
7 11 1, 2010.

LSB 5020SS (4) 83
pf/rj



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Senate File 2002 - Introduced

SENATE FILE
BY HECKROTH

A BILL FOR

1 An Act establishing a veterans recognition award program.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5140XS (2) 83
ec/nh



Iowa General Assembly
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Senate File 2002 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 35A.8B Veterans recognition award
1 2 program.

1 3 The department shall establish a veterans recognition
1 4 award program for eligible veterans. The program shall
1 5 provide eligible veterans with a certificate, designed by the
1 6 department in consultation with the commission, recognizing
1 7 their military service during World War II, the Korean
1 8 Conflict, or the Vietnam Conflict. The department shall
1 9 establish criteria for eligible veterans to apply for a
1 10 certificate which shall be consistent with the definition of a
1 11 veteran in section 35.1, who served in the armed forces during
1 12 World War II, the Korean Conflict, or the Vietnam Conflict.

1 13 EXPLANATION

1 14 This bill requires the department of veterans affairs to
1 15 develop a veterans recognition award for veterans who served
1 16 during World War II, the Korean Conflict, or the Vietnam
1 17 Conflict. The program shall provide eligible veterans with a
1 18 certificate honoring their service during any of these wars or
1 19 conflicts.

LSB 5140XS (2) 83

ec/nh



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Senate File 2003 - Introduced

SENATE FILE
BY McCOY

A BILL FOR

1 An Act requiring the department of administrative services to
2 issue a request for proposals regarding office space.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5234XS (3) 83
ec/rj



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Senate File 2003 - Introduced continued

PAG LIN

1 1 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES == OFFICE
1 2 SPACE REQUEST FOR PROPOSALS.
1 3 1. The department of administrative services shall issue a
1 4 request for proposals concerning the availability and cost of
1 5 office space for state employees in downtown Des Moines and in
1 6 other areas in close proximity to the state capitol complex.
1 7 The department shall consider the advantages of locating state
1 8 employees and their functions near the state capitol complex.
1 9 2. In issuing the request for proposals, the department
1 10 shall examine current leases for office space within the
1 11 greater Des Moines area, determine the current length and
1 12 duration of those leases, and consider the number of state
1 13 employees impacted by those leases.
1 14 3. The department of administrative services shall issue
1 15 the request for proposals by December 1, 2010, and shall submit
1 16 a written report to the general assembly concerning the request
1 17 for proposals by January 15, 2011.

1 18 EXPLANATION

1 19 This bill requires the department of administrative
1 20 services to issue a request for proposals by December 1, 2010,
1 21 concerning the availability and cost of office space for state
1 22 employees in downtown Des Moines and in other areas in close
1 23 proximity to the state capitol complex. The department shall
1 24 submit a written report to the general assembly concerning the
1 25 request for proposals by January 15, 2011.

LSB 5234XS (3) 83

ec/rj



Iowa General Assembly
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Senate File 2004 - Introduced

SENATE FILE
BY JOHNSON

A BILL FOR

1 An Act relating to an appropriation from the rebuild Iowa
2 infrastructure fund to the department of natural resources
3 for the restoration and renovation of a historical shelter.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5236SS (6) 83
rh/jp.1



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Senate File 2004 - Introduced continued

PAG LIN

1 1 Section 1. APPROPRIATION == DEPARTMENT OF NATURAL
1 2 RESOURCES. There is appropriated from the rebuild Iowa
1 3 infrastructure fund to the department of natural resources for
1 4 the fiscal year beginning July 1, 2010, and ending June 30,
1 5 2011, the following amount, or so much thereof as is necessary,
1 6 to be used for the purposes designated:

1 7 For purposes of preserving Iowa's cultural and historical
1 8 resources by supporting the restoration and renovation of a
1 9 civilian conservation corps shelter house located in a park on
1 10 the north shore of a lake in a county with a population between
1 11 16,400 and 16,435:

1 12 \$ 750,000

1 13 For purposes of section 8.33, unencumbered or unobligated
1 14 moneys made from an appropriation in this section shall not
1 15 revert but shall remain available for expenditure for the
1 16 purposes designated until the close of the fiscal year that
1 17 begins July 1, 2014. However, if the project for which such
1 18 appropriation was made is completed in an earlier fiscal year,
1 19 unencumbered or unobligated moneys shall revert at the close of
1 20 that same fiscal year.

EXPLANATION

1 21 This bill appropriates \$750,000 from the rebuild Iowa
1 22 infrastructure fund to the department of natural resources for
1 23 the fiscal year beginning July 1, 2010, and ending June 30,
1 24 2011, for purposes of preserving Iowa's cultural and historical
1 25 resources by supporting the restoration and renovation of a
1 26 civilian conservation corps shelter house located in a park on
1 27 the north shore of a lake in a county with a population between
1 28 16,400 and 16,435.

1 29 The bill further provides that unencumbered or unobligated
1 30 moneys made from this appropriation do not revert but remain
1 31 available for expenditure for the purposes designated until the
1 32 close of the fiscal year that begins July 1, 2014. However,
1 33 if the project is completed in an earlier fiscal year,
1 34 unencumbered or unobligated moneys revert at the close of that
1 35



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2 1 same fiscal year.
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Senate File 2005 - Introduced

SENATE FILE
BY JOHNSON

A BILL FOR

1 An Act relating to awards of noneconomic damages against health
2 care providers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5255SS (6) 83
rh/nh



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Senate File 2005 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 668B.1 Title.
1 2 This chapter may be cited as the "Noneconomic Damage Awards
1 3 Against Health Care Providers Act".
1 4 Sec. 2. NEW SECTION. 668B.2 Definitions.
1 5 As used in this chapter, unless the context otherwise
1 6 requires:
1 7 1. "Health care provider" means a physician as defined
1 8 in section 135.1, an advanced registered nurse practitioner
1 9 licensed pursuant to chapter 152, a hospital as defined in
1 10 section 135B.1, and a health care facility as defined in
1 11 section 135C.1.
1 12 2. "Health care services" means services that involve
1 13 diagnosis, treatment, medical evaluation, advice, or such acts
1 14 as may be permissible under the health care licensing statutes
1 15 of this state.
1 16 3. "Noneconomic damages" means damages arising from
1 17 pain, suffering, inconvenience, physical impairment, mental
1 18 anguish, emotional pain and suffering, loss of chance, loss of
1 19 consortium, and any other nonpecuniary damages.
1 20 Sec. 3. NEW SECTION. 668B.3 Damage awards.
1 21 In any action for damages for injury or death against any
1 22 health care provider, whether based in tort, contract, or
1 23 otherwise, arising out of an act or omission in connection with
1 24 the provision of health care services, the injured plaintiff
1 25 shall be entitled to recover noneconomic damages, but such
1 26 damages shall not exceed two hundred fifty thousand dollars,
1 27 except upon a finding of actual malice on the part of the
1 28 defendant.

1 29 EXPLANATION

1 30 This bill creates the noneconomic damage awards against
1 31 health care provider Act.
1 32 The bill provides that in any action for noneconomic damages
1 33 for injury or death against any health care provider whether
1 34 based in tort, contract, or otherwise, arising out of an act
1 35 or omission in connection with the provision of health care



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Senate File 2005 - Introduced continued

2 1 services, the injured plaintiff shall be entitled to recover
2 2 noneconomic damages not to exceed \$250,000, except upon a
2 3 finding of actual malice on the part of the defendant.
2 4 "Noneconomic damages" is defined as damages arising from
2 5 pain, suffering, inconvenience, physical impairment, mental
2 6 anguish, emotional pain and suffering, loss of chance, loss of
2 7 consortium, and any other nonpecuniary damages.
2 8 "Health care provider" means a physician defined as a
2 9 person licensed to practice medicine and surgery, osteopathic
2 10 medicine and surgery, osteopathy, chiropractic, podiatry, or
2 11 optometry under the laws of this state pursuant to Code section
2 12 135.1, an advanced registered nurse practitioner licensed
2 13 pursuant to Code chapter 152, a hospital defined as a place
2 14 which is devoted primarily to the maintenance and operation of
2 15 facilities for the medical diagnosis, treatment, or care over a
2 16 period exceeding 24 hours of two or more nonrelated individuals
2 17 pursuant to Code section 135B.1, and a health care facility
2 18 defined as a residential care facility, a nursing facility, an
2 19 intermediate care facility for persons with mental illness,
2 20 or an intermediate care facility for persons with mental
2 21 retardation pursuant to Code section 135C.1.

LSB 5255SS (6) 83

rh/nh



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Senate File 2006 - Introduced

SENATE FILE
BY JOHNSON

A BILL FOR

1 An Act relating to reduction or termination of visitation based
2 upon repeated willful failure to pay support.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5303SS (2) 83
pf/nh



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Senate File 2006 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 598.23B Willful failure to
1 2 pay support == repeated contempt citations == reduction or
1 3 termination of visitation time.
1 4 If a person against whom an order or decree for support has
1 5 been entered pursuant to this chapter or chapter 234, 252A,
1 6 252C, 252F, 600B, or any other support chapter, or a comparable
1 7 chapter of a foreign jurisdiction, willfully fails to make
1 8 payments or provide medical support pursuant to that order
1 9 or decree, and is repeatedly cited and punished by the court
1 10 for contempt under this or any other chapter, the court may
1 11 order modification of the visitation provisions of the order or
1 12 decree to reduce or terminate visitation time with the child.

1 13 EXPLANATION

1 14 This bill provides that if a person against whom an order or
1 15 decree for support has been entered, willfully fails to make
1 16 payments or provide medical support pursuant to the order or
1 17 decree and is repeatedly cited and punished by the court for
1 18 contempt, the court may order modification of the visitation
1 19 provisions of the decree or order to reduce or terminate
1 20 visitation time with the child.

LSB 5303SS (2) 83

pf/nh



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Senate File 2007 - Introduced

SENATE FILE
BY WARNSTADT

A BILL FOR

1 An Act modifying the timeline of the property assessment
2 protest process and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5199XS (13) 83
md/sc



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Senate File 2007 - Introduced continued

PAG LIN

1 1 Section 1. Section 441.17, subsection 7, Code 2009, is
1 2 amended to read as follows:
1 3 7. Submit on or before May ~~±~~ 15 of each year completed
1 4 assessment rolls to the board of review.
1 5 Sec. 2. Section 441.26, Code 2009, is amended to read as
1 6 follows:
1 7 441.26 Assessment rolls and books.
1 8 1. The director of revenue shall each year prescribe
1 9 the form of assessment roll to be used by all assessors in
1 10 assessing property, in this state, also the form of pages of
1 11 the assessor's assessment book. The assessment rolls shall
1 12 be in a form that will permit entering, separately, the names
1 13 of all persons assessed, and shall also contain a notice in
1 14 substantially the following form:
1 15 If you are not satisfied that the foregoing assessment is
1 16 correct, you may file a protest against such assessment with
1 17 the board of review on or after April 16, to and including
1 18 May ~~5~~ 20, of the year of the assessment, such protest to be
1 19 confined to the grounds specified in section 441.37.
1 20 Dated: _____ day of _____ (month), _____ (year)
1 21 _____
1 22 County/City Assessor.
1 23 2. The notice in 1981 and each odd-numbered year thereafter
1 24 shall contain a statement that the assessments are subject
1 25 to equalization pursuant to an order issued by the director
1 26 of revenue, that the county auditor shall give notice on or
1 27 before October 15 by publication in an official newspaper of
1 28 general circulation to any class of property affected by the
1 29 equalization order, and that the board of review shall be in
1 30 session from October 15 to November 15 to hear protests of
1 31 affected property owners or taxpayers whose valuations have
1 32 been adjusted by the equalization order.
1 33 3. The assessment rolls shall be used in listing the
1 34 property and showing the values affixed to the property of
1 35 all persons assessed. The rolls shall be made in duplicate.



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Senate File 2007 - Introduced continued

2 1 The duplicate roll shall be signed by the assessor, detached
2 2 from the original and delivered to the person assessed if
2 3 there has been an increase or decrease in the valuation of
2 4 the property. If there has been no change in the valuation,
2 5 the information on the roll may be printed on computer stock
2 6 paper and preserved as required by this chapter. If the person
2 7 assessed requests in writing a copy of the roll, the copy
2 8 shall be provided to the person. The pages of the assessor's
2 9 assessment book shall contain columns ruled and headed for
2 10 the information required by this chapter and that which the
2 11 director of revenue deems essential in the equalization work of
2 12 the director. The assessor shall return all assessment rolls
2 13 and schedules to the county auditor, along with the completed
2 14 assessment book, as provided in this chapter, and the county
2 15 auditor shall carefully keep and preserve the rolls, schedules,
2 16 and book for a period of five years from the time of its filing
2 17 in the county auditor's office.

2 18 4. Beginning with valuations for January 1, 1977, and each
2 19 succeeding year, for each parcel of property entered in the
2 20 assessment book, the assessor shall list the classification of
2 21 the property.

2 22 Sec. 3. Section 441.33, unnumbered paragraph 1, Code 2009,
2 23 is amended to read as follows:

2 24 The board of review shall be in session from May ~~±~~ 15 through
2 25 the period of time necessary to act on all protests filed under
2 26 section 441.37 but not later than ~~May 31~~ June 15 each year and
2 27 for an additional period as required under section 441.37 and
2 28 shall hold as many meetings as are necessary to discharge its
2 29 duties. On or before ~~May 31~~ June 15 in those years in which a
2 30 session has not been extended as required under section 441.37,
2 31 the board shall return all books, records, and papers to the
2 32 assessor except undisposed of protests and records pertaining
2 33 to those protests. If it has not completed its work by ~~May~~
2 34 ~~31~~ June 15, in those years in which the session has not been
2 35 extended under section 441.37, the director of revenue may



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Senate File 2007 - Introduced continued

3 1 authorize the board of review to continue in session for a
 3 2 period necessary to complete its work, but the director of
 3 3 revenue shall not approve a continuance extending beyond ~~July~~
~~3 4 15 August 1~~. On or before ~~May 31~~ June 15 or on the final
 3 5 day of any extended session required under section 441.37 or
 3 6 authorized by the director of revenue, the board of review
 3 7 shall adjourn until May ~~±~~ 15 of the following year. It shall
 3 8 adopt its own rules of procedure, elect its own chairperson
 3 9 from its membership, and keep minutes of its meetings. The
 3 10 board shall appoint a clerk who may be a member of the board or
 3 11 any other qualified person, except the assessor or any member
 3 12 of the assessor's staff. It may be reconvened by the director
 3 13 of revenue. All undisposed protests in its hands on ~~July~~
~~3 14 15 August 1~~ shall be automatically overruled and returned to
 3 15 the assessor together with its other records.

3 16 Sec. 4. Section 441.37, subsection 1, unnumbered paragraph
 3 17 1, Code 2009, is amended to read as follows:

3 18 Any property owner or aggrieved taxpayer who is dissatisfied
 3 19 with the owner's or taxpayer's assessment may file a protest
 3 20 against such assessment with the board of review on or after
 3 21 April 16, to and including May ~~5~~ 20, of the year of the
 3 22 assessment. In any county which has been declared to be a
 3 23 disaster area by proper federal authorities after March 1 and
 3 24 prior to ~~May 20~~ June 5 of said year of assessment, the board
 3 25 of review shall be authorized to remain in session until June
 3 26 ~~15~~ 30 and the time for filing a protest shall be extended to
 3 27 and include the period from ~~May 25~~ June 10 to June ~~5~~ 20 of such
 3 28 year. ~~Said~~ The protest shall be in writing and signed by the
 3 29 one protesting or by the protester's duly authorized agent.
 3 30 The taxpayer may have an oral hearing ~~thereon~~ on the protest if
 3 31 request ~~therefor in writing~~ for an oral hearing is made in
 3 32 writing at the time of filing the protest. ~~Said~~ The protest
 3 33 must be confined to one or more of the following grounds:

3 34 Sec. 5. Section 441.38, subsection 1, Code 2009, is amended
 3 35 to read as follows:



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Senate File 2007 - Introduced continued

4 1 1. Appeals may be taken from the action of the local
4 2 board of review with reference to protests of assessment, to
4 3 the district court of the county in which the board holds
4 4 its sessions within twenty days after its adjournment or ~~May~~
~~4 5 31~~ June 15, whichever date is later. Appeals may be taken
4 6 from the action of the property assessment appeal board to the
4 7 district court of the county where the property which is the
4 8 subject of the appeal is located within twenty days after the
4 9 letter of disposition of the appeal by the property assessment
4 10 appeal board is postmarked to the appellant. No new grounds
4 11 in addition to those set out in the protest to the local board
4 12 of review as provided in section 441.37, or in addition to
4 13 those set out in the appeal to the property assessment appeal
4 14 board, if applicable, can be pleaded. Additional evidence
4 15 to sustain those grounds may be introduced in an appeal from
4 16 the local board of review to the district court. However, no
4 17 new evidence to sustain those grounds may be introduced in
4 18 an appeal from the property assessment appeal board to the
4 19 district court. The assessor shall have the same right to
4 20 appeal and in the same manner as an individual taxpayer, public
4 21 body, or other public officer as provided in section 441.42.
4 22 Appeals shall be taken by filing a written notice of appeal
4 23 with the clerk of district court. Filing of the written notice
4 24 of appeal shall preserve all rights of appeal of the appellant.
4 25 Sec. 6. Section 441.45, Code 2009, is amended to read as
4 26 follows:
4 27 441.45 Abstract to state department of revenue.
4 28 1. The county assessor of each county and each city assessor
4 29 shall, on or before July ~~±~~ 15 of each year, make out and
4 30 transmit to the department of revenue an abstract of the real
4 31 property in the assessor's county or city, as the case may be,
4 32 and file a copy of the abstract with the county auditor, in
4 33 which the assessor shall set forth:
4 34 ~~1-a.~~ The number of acres of land and the aggregate taxable
4 35 values of the land, exclusive of city lots, returned by the



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Senate File 2007 - Introduced continued

5 1 assessors, as corrected by the board of review.
5 2 ~~2.b.~~ The aggregate taxable values of real estate by class
5 3 in each township and city in the county, returned as corrected
5 4 by the board of review.
5 5 ~~3.c.~~ Other facts required by the director of revenue.
5 6 2. If a board of review continues in session beyond June
5 7 ~~± 15~~, under sections 441.33 and 441.37, the abstract of
5 8 the real property shall be made out and transmitted to the
5 9 department of revenue within fifteen days after the date of
5 10 final adjournment by the board.
5 11 Sec. 7. APPLICABILITY. This Act applies to assessment years
5 12 beginning on or after January 1, 2011.

5 13 EXPLANATION

5 14 This bill provides property owners or taxpayers wishing to
5 15 appeal an assessment to the local board of review an additional
5 16 15 days in which to appeal the assessment. All corresponding
5 17 dates relating to the appeal process are moved back 15 days.
5 18 The bill applies to assessment years beginning on or after
5 19 January 1, 2011.

LSB 5199XS (13) 83
md/sc



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Senate File 2008 - Introduced

SENATE FILE
BY WARNSTADT

A BILL FOR

1 An Act relating to campaign finance disclosure report due dates
2 and providing a penalty.

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

TLSB 5192XS (4) 83

jr/sc



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Senate File 2008 - Introduced continued

PAG LIN

1 1 Section 1. Section 68A.701, Code 2009, is amended to read
1 2 as follows:

1 3 68A.701 Penalty.

1 4 1. ~~Any~~ Except as provided in subsection 2, any person who
1 5 willfully violates any provisions of this chapter shall, upon
1 6 conviction, be guilty of a serious misdemeanor.

1 7 2. Any person who willfully fails to meet the reporting
1 8 requirements set out in subchapter IV by one week prior to the
1 9 election which is subject to the reporting requirements shall,
1 10 upon conviction, be guilty of a class "D" felony. A failure
1 11 to meet the reporting requirements within the time period
1 12 specified in this subsection is sufficient grounds to initiate
1 13 a criminal investigation.

1 14 EXPLANATION

1 15 Under current law any person who willfully violates any
1 16 provisions of the Campaign Disclosure == Income Tax Checkoff
1 17 Act commits a serious misdemeanor. This bill creates a
1 18 specific penalty for willfully failing to meet the campaign
1 19 finance reporting requirements by one week prior to the
1 20 election which is subject to the reporting requirements. The
1 21 bill makes violation of this filing deadline a class "D"
1 22 felony. A failure to meet the reporting requirements within
1 23 the one-week period is sufficient grounds to initiate a
1 24 criminal investigation.

1 25 A class "D" felony is punishable by confinement for no more
1 26 than five years and a fine of at least \$750 but not more than
1 27 \$7,500.

LSB 5192XS (4) 83

jr/sc



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Senate File 2009 - Introduced

SENATE FILE
BY KIBBIE

A BILL FOR

1 An Act relating to fee schedules established for the provision
2 of certain dental services.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5364XS (3) 83

av/rj



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Senate File 2009 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 514C.3B Dental coverage == fee
1 2 schedules.
1 3 1. A contract between a dental plan and a dentist for the
1 4 provision of services to covered individuals under the plan
1 5 shall not require that a dentist provide services to those
1 6 covered individuals at a fee set by the dental plan unless such
1 7 services are covered services under the dental plan.
1 8 2. A person or entity providing third-party administrator
1 9 services shall not make available any dentists in its dentist
1 10 network to a dental plan that does any of the following:
1 11 a. Sets fees for dental services that are not covered
1 12 services.
1 13 b. Sets fees for dental services that exceed the maximum fee
1 14 for dental services covered by the dental plan.
1 15 3. For the purposes of this section:
1 16 a. "Covered services" means services reimbursed under the
1 17 dental plan.
1 18 b. "Dental plan" means any policy or contract of insurance
1 19 which provides for coverage of dental services not in
1 20 connection with a medical plan that provides for the coverage
1 21 of medical services.

1 22 EXPLANATION

1 23 This bill creates new Code section 514C.3B which prohibits
1 24 a dental plan from setting fee schedules for participating
1 25 dentists for the provision of dental services that are not
1 26 covered by the plan. The bill also prohibits a third-party
1 27 administrator from making a dentist in its provider network
1 28 available to a dental plan that sets fees for services that are
1 29 not covered or sets fees for dental services that exceed the
1 30 maximum fee for dental services covered by the dental plan.

1 31 For the purposes of the bill, a "covered service" is a
1 32 service reimbursed under the applicable dental plan. A "dental
1 33 plan" is any policy or contract of insurance which provides for
1 34 coverage of dental services not in connection with a medical
1 35 plan which provides for the coverage of medical services.

LSB 5364XS (3) 83

av/rj



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Senate File 2010 - Introduced

SENATE FILE
BY SCHOENJAHN

A BILL FOR

1 An Act relating to the uses of physical plant and equipment
2 levy funds by school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5652XS (4) 83
ak/sc



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Senate File 2010 - Introduced continued

PAG LIN

1 1 Section 1. Section 298.3, subsection 1, paragraph c, Code
1 2 Supplement 2009, is amended to read as follows:
1 3 c.(1) The purchase, lease, or lease=purchase of a single
1 4 unit of equipment or technology exceeding five hundred dollars
1 5 in value per unit, or computers or computer-related equipment
1 6 regardless of value per unit.

1 7 (2) The funding for technical support, including technical
1 8 support services provided by contractual agreement and
1 9 technical support training of school district personnel.

1 10 Sec. 2. Section 298.3, subsection 1, paragraph i, Code
1 11 Supplement 2009, is amended to read as follows:

1 12 i. Purchase of transportation equipment for transporting
1 13 students and for transportation equipment parts essential to
1 14 the operation of such transportation equipment.

1 15 EXPLANATION

1 16 This bill modifies the purposes for which physical plant and
1 17 equipment levy (PPEL) funds may be used by school districts.

1 18 The bill expands the authorized uses of the funds to include
1 19 the purchase of computers and computer-related equipment;
1 20 payment of technical support, including contractual support
1 21 and in-house technical support training; and purchase of
1 22 transportation equipment parts essential to the operation of
1 23 such transportation equipment.

LSB 5652XS (4) 83

ak/sc



Iowa General Assembly
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Senate File 2011 - Introduced

SENATE FILE
BY SCHOENJAHN

A BILL FOR

1 An Act requiring certain employers to provide written
2 information to employees about certain employment policies
3 without written requests from employees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5133XS (5) 83
ak/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 11, 2010

Senate File 2011 - Introduced continued

PAG LIN

1 1 Section 1. Section 91A.6, subsection 1, paragraph c, Code
1 2 2009, is amended to read as follows:
1 3 c. ~~Make available~~ Provide to its employees ~~upon written~~
~~1 4 request,~~ a written statement enumerating employment agreements
1 5 and policies with regard to vacation pay, sick leave,
1 6 reimbursement for expenses, retirement benefits, severance
1 7 pay, or other comparable matters with respect to wages when an
1 8 employee is hired and to all employees when there is a change
1 9 in policy. ~~Notice of such availability shall be given to each~~
~~1 10 employee in writing or by a notice posted at a place where~~
~~1 11 employee notices are routinely posted.~~

1 12 EXPLANATION

1 13 This bill strikes the requirement that, in order to receive
1 14 such information, employees must provide a written request to
1 15 employers who have paid claims or been assessed civil penalties
1 16 relating to wage payments and who have been directed by the
1 17 labor commissioner to make available written information about
1 18 the employer's agreements and policies about vacation pay,
1 19 sick leave, reimbursement for expenses, retirement benefits,
1 20 severance pay, or other comparable matters with respect to
1 21 wages. The bill provides that such employers must provide the
1 22 information when an employee is hired or to all employees when
1 23 there is a change in policy.

LSB 5133XS (5) 83

ak/nh



Iowa General Assembly
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Senate File 2012 - Introduced

SENATE FILE
BY SCHOENJAHN

A BILL FOR

1 An Act extending the voluntary shared unemployment compensation
2 work program for additional weeks.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5132SS (3) 83
ak/rj



Iowa General Assembly
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Senate File 2012 - Introduced continued

PAG LIN

1 1 Section 1. Section 96.40, subsection 2, paragraph i, Code
1 2 Supplement 2009, is amended to read as follows:
1 3 i. The duration of the shared work plan will not
1 4 exceed ~~fifty-two~~ one hundred four weeks. An employing
1 5 unit is eligible for approval of only one plan during a
1 6 twenty-four-month period.

1 7 EXPLANATION
1 8 This bill extends the voluntary shared unemployment
1 9 compensation work program from 52 weeks to 104 weeks. In this
1 10 unemployment compensation program, an individual is entitled
1 11 to a percentage of the work benefit amount equal to the
1 12 individual's reduction in hours worked due to the shared work
1 13 plan.

LSB 5132SS (3) 83
ak/rj



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate File 2013 - Introduced

SENATE FILE
BY BOLKCOM

A BILL FOR

1 An Act concerning the wagering tax rate on gambling games.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TL5B 5205XS (5) 83
ec/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate File 2013 - Introduced continued

PAG LIN

1 1 Section 1. Section 99F.11, subsection 2, Code Supplement
1 2 2009, is amended to read as follows:
1 3 2.a. On and after July 1, 2012, the tax rate imposed each
1 4 fiscal year on any amount of adjusted gross receipts over three
1 5 million dollars shall be twenty-five percent.
1 6 ~~b. The~~ Prior to July 1, 2012, the tax rate imposed each
1 7 fiscal year on any amount of adjusted gross receipts over three
1 8 million dollars shall be as follows:
1 9 ~~a. (1)~~ (1) If the licensee is an excursion gambling boat or
1 10 gambling structure, ~~twenty-two percent.~~ the tax rate shall be
1 11 as follows:
1 12 (a) For the fiscal year beginning July 1, 2010, twenty-three
1 13 percent.
1 14 (b) For the fiscal year beginning July 1, 2011, twenty-four
1 15 percent.
1 16 ~~b. (2)~~ (2) If the licensee is a racetrack enclosure conducting
1 17 gambling games and another licensee that is an excursion
1 18 gambling boat or gambling structure is located in the same
1 19 county, then the following rate, as applicable:
1 20 ~~(1)~~ (a) If the licensee of the racetrack enclosure has not
1 21 been issued a table games license during the fiscal year or if
1 22 the adjusted gross receipts from gambling games of the licensee
1 23 in the prior fiscal year were less than one hundred million
1 24 dollars, ~~twenty-two percent.~~ the tax rate shall be as follows:
1 25 (i) For the fiscal year beginning July 1, 2010,
1 26 twenty-three percent.
1 27 (ii) For the fiscal year beginning July 1, 2011,
1 28 twenty-four percent.
1 29 ~~(2)~~ (b) If the licensee of the racetrack enclosure has
1 30 been issued a table games license during the fiscal year or
1 31 prior fiscal year and the adjusted gross receipts from gambling
1 32 games of the licensee in the prior fiscal year were one hundred
1 33 million dollars or more, ~~twenty-two percent on adjusted gross~~
1 34 ~~receipts received prior to the operational date and twenty-four~~
1 35 ~~percent on adjusted gross receipts received on or after the~~



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~~Senate File 2013 — Introduced continued~~

~~2 1 operational date twenty-five percent. For purposes of this
2 2 subparagraph, the operational date is the date the commission
2 3 determines table games became operational at the racetrack
2 4 enclosure.~~

2 5 ~~e.~~ (3) If the licensee is a racetrack enclosure conducting
2 6 gambling games and no licensee that is an excursion gambling
2 7 boat or gambling structure is located in the same county,
2 8 ~~twenty-four~~ twenty-five percent.

2 9 (4) This paragraph "b" is repealed July 1, 2012.

2 10 EXPLANATION

2 11 This bill increases the wagering tax on adjusted gross
2 12 receipts from gambling games over \$3 million until reaching 25
2 13 percent on all facilities licensed under Code chapter 99F by
2 14 the fiscal year beginning July 1, 2012.

2 15 For excursion gambling boats, gambling structures, and
2 16 racetrack enclosures with gross receipts less than \$100
2 17 million, current law provides that the wagering tax is 22
2 18 percent. The bill increases the tax rate by one percentage
2 19 point each fiscal year beginning July 1, 2010, until reaching
2 20 25 percent for these facilities on July 1, 2012.

2 21 For racetrack enclosures with gross receipts of \$100 million
2 22 or more or racetracks in a county without an excursion gambling
2 23 boat or gambling structure, current law provides that the
2 24 wagering tax is 24 percent. The bill increases the wagering
2 25 tax on these facilities to 25 percent for each fiscal year
2 26 beginning on and after July 1, 2010.

LSB 5205XS (5) 83

ec/nh



Iowa General Assembly
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Senate File 2014 - Introduced

SENATE FILE
BY JOHNSON

A BILL FOR

1 An Act providing for the operation of all-terrain vehicles
2 during daylight hours within cities of a certain size and
3 on secondary roads within a limited distance of the owner's
4 residence, and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5310SS (2) 83
dea/nh



Iowa General Assembly
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Senate File 2014 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.234A, subsection 1, Code 2009, is
1 2 amended by adding the following new paragraphs:
1 3 NEW PARAGRAPH. f. The operation is between sunrise and
1 4 sunset on a highway within a city with a population of six
1 5 thousand or less.
1 6 NEW PARAGRAPH. g. The operation is between sunrise and
1 7 sunset on a secondary road not more than four miles from the
1 8 residence of the owner of the all-terrain vehicle.
1 9 Sec. 2. Section 321.234A, Code 2009, is amended by adding
1 10 the following new subsection:
1 11 NEW SUBSECTION. 2A. The motor vehicle laws and penalties
1 12 applicable to operators of motor vehicles pursuant to this
1 13 chapter apply to a person operating an all-terrain vehicle on a
1 14 public highway to the extent practically applicable.
1 15 EXPLANATION
1 16 This bill eases restrictions on the operation of all-terrain
1 17 vehicles on public highways. Currently, an all-terrain vehicle
1 18 may not be operated on a highway except for agricultural
1 19 purposes during daylight hours; for land surveying by a
1 20 licensed engineer or land surveyor; by an employee of a
1 21 political subdivision or public utility for construction or
1 22 maintenance purposes; by an employee or agent of a public
1 23 agency for the provision of emergency services or rescue;
1 24 or for the purpose of mowing, installing trail signs,
1 25 or performing maintenance on a designated snowmobile or
1 26 all-terrain vehicle trail.
1 27 The bill allows a person to operate an all-terrain vehicle
1 28 between sunrise and sunset on a highway within a city with
1 29 a population of 6,000 or less or on a secondary road not
1 30 more than four miles from the residence of the owner of the
1 31 all-terrain vehicle.
1 32 The bill specifies that a person operating an all-terrain
1 33 vehicle on a public highway is subject to the motor vehicle
1 34 laws and penalties applicable to operators of motor vehicles,
1 35 to the extent those laws and penalties are applicable.



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Senate File 2014 - Introduced continued

2 1 Pursuant to current law, a violation of provisions specific
2 2 to the use of all-terrain vehicles on a highway is a simple
2 3 misdemeanor punishable by a scheduled fine of \$50.
LSB 5310SS (2) 83
dea/nh



Iowa General Assembly
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Senate File 2015 - Introduced

SENATE FILE
BY SCHOENJAHN

A BILL FOR

1 An Act relating to motor vehicle window transparency
2 requirements, providing for a motor vehicle decal for
3 persons who qualify for an exemption, providing a fee, and
4 making a penalty applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5037XS (5) 83
dea/nh



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate File 2015 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.438, subsection 2, Code 2009, is
1 2 amended to read as follows:

1 3 2. A person shall not operate on the highway a motor
1 4 vehicle equipped with a front windshield, a side window to
1 5 the immediate right or left of the driver, or a side-wing
1 6 forward of and to the left or right of the driver which is
1 7 excessively dark or reflective so that it is difficult for a
1 8 person outside the motor vehicle to see into the motor vehicle
1 9 through the windshield, window, or sidewing. The department
1 10 shall adopt rules establishing a minimum measurable standard
1 11 of transparency which shall apply to violations of this
1 12 subsection.

1 13 a. A person suffering from a severe sensitivity to light
1 14 may apply to the department for an exemption from the minimum
1 15 measurable standard of transparency established pursuant to
1 16 this subsection for one motor vehicle other than a commercial
1 17 motor vehicle. The application shall be on a form prescribed
1 18 by the department and shall be accompanied by a statement from
1 19 a physician licensed under chapter 148, 151, or 154 documenting
1 20 the need for the exemption. A person granted an exemption by
1 21 the department shall do one of the following:

1 22 (1) Obtain a form provided by the department, to be
1 23 signed by the person's physician attesting to the person's
1 24 light sensitivity. The form shall be carried at all times in
1 25 the vehicle to which the exemption applies, whether or not
1 26 the person qualifying for the exemption is the driver or a
1 27 passenger in the vehicle at the time, and shall be available to
1 28 any peace officer upon the officer's request.

1 29 (2) Display, on the vehicle to which the exemption applies,
1 30 a decal issued by the department signifying that the vehicle's
1 31 front windshield, side windows to the immediate right and left
1 32 of the driver, and side-wings forward of and to the right and
1 33 left of the driver, as applicable, meet the minimum standard
1 34 of transparency for exempt vehicles, as established by the
1 35 department by rule. An applicant for a decal shall provide



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Senate File 2015 - Introduced continued

2 1 evidence to the department that the vehicle to which the
2 2 exemption applies has passed a tint meter test acceptable to
2 3 the department and administered by a certified peace officer.
2 4 The department may charge a fee for exemption decals to cover
2 5 the necessary costs of issuing the decals.
2 6 b. The department shall adopt rules to implement this
2 7 subsection, including but not limited to rules establishing a
2 8 minimum standard of transparency of not less than thirty-five
2 9 percent light transmittance for vehicles which are exempt under
2 10 paragraph "a", providing for the duration of an exemption,
2 11 prescribing requirements for the display of exemption decals,
2 12 and providing for the disposition of an exemption decal upon
2 13 transfer of ownership of a motor vehicle.

2 14 EXPLANATION

2 15 This bill concerns the exemption from motor vehicle
2 16 window transparency standards that is available for certain
2 17 light-sensitive persons.
2 18 Under current law, the front windshield, side windows, and
2 19 any side-wings to the right and left of the driver must not
2 20 be excessively dark or reflective so that it is difficult
2 21 for a person outside the motor vehicle to see into the motor
2 22 vehicle. Pursuant to administrative rules, "excessively dark
2 23 or reflective" means that the window does not meet a minimum
2 24 standard of transparency of 70 percent light transmittance. A
2 25 person suffering from a severe light-sensitive condition may be
2 26 exempted from the standard by the department of transportation
2 27 if the need is documented by a physician. Currently, a
2 28 person who requires windows with less than 70 percent but not
2 29 less than 35 percent transparency can obtain a form from the
2 30 department, to be signed by the person's physician, which must
2 31 be carried in the exempt motor vehicle at all times. The bill
2 32 specifies that an exemption applies to only one motor vehicle,
2 33 and cannot apply to a commercial vehicle.
2 34 The bill retains the current exemption process, but also
2 35 creates a second option for a person with light sensitivity who



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Senate File 2015 - Introduced continued

3 1 qualifies for an exemption from the 70 percent transparency
3 2 standard. Rather than carry a form inside the vehicle, the
3 3 person can obtain a decal from the department to be displayed
3 4 on the vehicle in a manner to be prescribed by rule. The
3 5 applicant for an exemption decal must provide evidence that
3 6 the vehicle to which the exemption applies has undergone a
3 7 tint meter test administered by a certified peace officer,
3 8 establishing that the vehicle's windshield, front windows,
3 9 and front side-wings permit at least 35 percent light
3 10 transmittance. The department is authorized to charge a fee
3 11 for exemption decals to cover the costs of issuing the decals.
3 12 The bill requires the department to adopt rules concerning
3 13 the minimum standard of transparency for exempt vehicles, the
3 14 duration of an exemption, and requirements for the display of
3 15 exemption decals and the disposition of decals upon transfer of
3 16 ownership of an exempt vehicle.
3 17 The existing penalty for a violation of motor vehicle window
3 18 transparency applies to the new exemption decal provisions
3 19 under the bill. A violation is a simple misdemeanor punishable
3 20 by a scheduled fine of \$15.

LSB 5037XS (5) 83
dea/nh



Iowa General Assembly
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Senate File 2016 - Introduced

SENATE FILE
BY SODDERS

A BILL FOR

1 An Act establishing an annual registration fee for certain
2 motor trucks equipped to assist a person with a disability
3 or owned or used by a person who uses a wheelchair.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5055XS (4) 83
dea/nh



Iowa General Assembly
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Senate File 2016 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.122, subsection 1, paragraph a, Code
1 2 2009, is amended by adding the following new subparagraph:
1 3 NEW SUBPARAGRAPH. (3) Notwithstanding subparagraphs
1 4 (1) and (2), the annual registration fee for a vehicle
1 5 registered for a combined gross weight of five tons or less
1 6 with permanently installed equipment manufactured for and
1 7 necessary to assist a person with a disability who is either
1 8 the owner or a member of the owner's household in entry and
1 9 exit of the vehicle or for such a vehicle if the vehicle's
1 10 owner or a member of the vehicle owner's household uses a
1 11 wheelchair as the only means of mobility shall not be more
1 12 than sixty dollars. For purposes of this subparagraph, "uses
1 13 a wheelchair" does not include use of a wheelchair due to a
1 14 temporary injury or medical condition.

1 15 Sec. 2. Section 321.122, subsection 1, paragraph b, Code
1 16 2009, is amended by adding the following new subparagraph:
1 17 NEW SUBPARAGRAPH. (3) Notwithstanding subparagraphs
1 18 (1) and (2), the annual registration fee for a vehicle
1 19 registered for a combined gross weight of five tons or less
1 20 with permanently installed equipment manufactured for and
1 21 necessary to assist a person with a disability who is either
1 22 the owner or a member of the owner's household in entry and
1 23 exit of the vehicle or for such a vehicle if the vehicle's
1 24 owner or a member of the vehicle owner's household uses a
1 25 wheelchair as the only means of mobility shall not be more
1 26 than sixty dollars. For purposes of this subparagraph, "uses
1 27 a wheelchair" does not include use of a wheelchair due to a
1 28 temporary injury or medical condition.

1 29 EXPLANATION

1 30 This bill establishes a maximum annual registration fee
1 31 of \$60 for certain motor trucks equipped to assist a person
1 32 with a disability to enter and exit the vehicle if the person
1 33 with a disability is the owner of the motor truck or a member
1 34 of the owner's household. The \$60 fee also applies if the
1 35 owner of the motor truck or a member of the owner's household



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Senate File 2016 - Introduced continued

2 1 uses a wheelchair as the only means of mobility and use of
2 2 the wheelchair is not due to a temporary injury or condition.
2 3 Motor trucks registered for a combined gross weight of five
2 4 tons or less are eligible for the reduced fee. However, if the
2 5 regular annual fee for the motor truck would be less than \$60,
2 6 the lower fee applies.

2 7 Currently, the \$60 person with a disability or wheelchair
2 8 fee is available for newer motor trucks with an unladen weight
2 9 of 10,000 pounds or less that are otherwise registered for a
2 10 fee based on weight and value. The bill extends eligibility
2 11 to business trade trucks and older trucks registered for a fee
2 12 based on the combined gross weight of the vehicle.

LSB 5055XS (4) 83

dea/nh



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Senate File 2017 - Introduced

SENATE FILE
BY SODDERS

A BILL FOR

1 An Act providing an exemption from the state individual income
2 tax for federal retirement pay received for military service
3 and including a retroactive applicability date provision.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5141XS (6) 83
tw/sc



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Senate File 2017 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.7, Code Supplement 2009, is amended
1 2 by adding the following new subsection:
1 3 NEW SUBSECTION. 31A. a. Subtract, to the extent included,
1 4 retirement pay received from the federal government for
1 5 military service performed in the armed forces, armed forces
1 6 military reserve, or national guard.
1 7 b. The exclusion of retirement benefits under this
1 8 subsection is in addition to any exclusion provided under
1 9 subsection 31.

1 10 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
1 11 retroactively to January 1, 2010, for tax years beginning on
1 12 or after that date.

1 13 EXPLANATION

1 14 This bill provides for the exclusion of retirement benefits
1 15 from federal military service in the armed forces, military
1 16 reserve, or national guard. The exemption is in addition to
1 17 the general pension exclusion.

1 18 The bill applies retroactively to January 1, 2010, for tax
1 19 years beginning on or after that date.

LSB 5141XS (6) 83

tw/sc



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Senate File 2018 - Introduced

SENATE FILE
BY SCHOENJAHN

A BILL FOR

1 An Act relating to city general obligation bonds by designating
2 certain projects relating to multipurpose facilities as an
3 essential corporate purpose and by modifying the definition
4 of general corporate purpose.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5125XS (10) 83
md/sc



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Senate File 2018 - Introduced continued

PAG LIN

1 1 Section 1. Section 384.24, subsection 3, Code Supplement
 1 2 2009, is amended by adding the following new paragraph:
 1 3 NEW PARAGRAPH. y. The acquisition, construction,
 1 4 reconstruction, enlargement, improvement, and equipping of a
 1 5 facility that is intended to be or that is currently being
 1 6 used for two or more of the purposes listed in subsection 4,
 1 7 paragraph "c", and the acquisition of real estate therefor, if
 1 8 the city has a population of five thousand or less.

1 9 Sec. 2. Section 384.24, subsection 4, paragraph c, Code
 1 10 Supplement 2009, is amended to read as follows:

1 11 c. ~~The~~ Except as otherwise provided in subsection 3,
 1 12 paragraph "y", the acquisition, construction, reconstruction,
 1 13 enlargement, improvement, and equipping of city halls, jails,
 1 14 police stations, fire stations, garages, libraries, ambulance
 1 15 service facilities, and hospitals, including buildings to be
 1 16 used for any combination of the foregoing purposes, and the
 1 17 acquisition of real estate therefor.

EXPLANATION

1 18
 1 19 This bill amends the definition of "essential corporate
 1 20 purpose" to include the acquisition, construction,
 1 21 reconstruction, enlargement, improvement, and equipping of a
 1 22 facility that is intended to be or that is currently being
 1 23 used for two or more specified purposes, and the acquisition
 1 24 of real estate therefor, if the city has a population of 5,000
 1 25 or less. The specified purposes include city halls, police
 1 26 stations, fire stations, garages, libraries, ambulance service
 1 27 facilities, and hospitals. A city council may approve the
 1 28 issuance of general obligation bonds to carry out an essential
 1 29 corporate purpose without approval by voters at an election.
 1 30 The bill also amends the definition of "general corporate
 1 31 purpose" to include ambulance service facilities.

LSB 5125XS (10) 83

md/sc



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Senate File 2019 - Introduced

SENATE FILE
BY BEALL

A BILL FOR

1 An Act relating to eligible lenders for the home ownership
2 assistance program for military members.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5546XS (3) 83
md/sc



Iowa General Assembly
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Senate File 2019 - Introduced continued

PAG LIN

1 1 Section 1. Section 16.54, subsection 4, paragraphs a and b,
1 2 Code 2009, are amended to read as follows:

1 3 a. The person eligible for the program shall, for financed
1 4 home purchases that close on or after July 1, 2008, use a
1 5 lender that participates in the authority's applicable programs
1 6 for first-time homebuyers or a lender approved by the authority
1 7 under subsection 4A.

1 8 b. If the person eligible for the program is a first-time
1 9 homebuyer, then, for financed home purchases that close on or
1 10 after July 1, 2008, the eligible person shall participate, if
1 11 eligible to participate, in one of the authority's applicable
1 12 programs for first-time homebuyers. However, a person eligible
1 13 for the program may use a lender that does not participate in
1 14 the authority's applicable programs for first-time homebuyers
1 15 if such lender is approved by the authority under subsection
1 16 4A.

1 17 Sec. 2. Section 16.54, Code 2009, is amended by adding the
1 18 following new subsection:

1 19 NEW SUBSECTION. 4A. A person eligible for the program
1 20 may submit an application to the authority for approval of
1 21 a lender, even if such lender does not participate in the
1 22 authority's applicable programs for first-time homebuyers.
1 23 The authority shall have discretion to approve or disapprove
1 24 any application under this subsection. The authority shall
1 25 prescribe a form for such applications.

1 26 EXPLANATION

1 27 This bill allows eligible persons for the home ownership
1 28 assistance program for military members to submit an
1 29 application for approval of a lender other than those lenders
1 30 who participate in the Iowa finance authority's applicable
1 31 programs for first-time homebuyers. The bill gives the Iowa
1 32 finance authority discretion to approve or disapprove an
1 33 application to use an alternative lender. The bill also
1 34 requires the Iowa finance authority to prescribe a form for
1 35 such applications.

LSB 5546XS (3) 83

md/sc



Iowa General Assembly
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Senate File 2020 - Introduced

SENATE FILE
BY BEALL and FEENSTRA

A BILL FOR

1 An Act relating to choice of automobile repair facilities under
2 automobile liability insurance policies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5190XS (7) 83
av/nh



Iowa General Assembly
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Senate File 2020 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 516B.4 Choice of automobile repair
1 2 facilities.

1 3 1. An insurer transacting business in this state,
1 4 including its producers and adjusters, that issues or renews an
1 5 automobile liability policy shall not do any of the following:

1 6 a. Require that a claimant under the policy use a particular
1 7 automobile repair business or location for an estimate or a
1 8 repair.

1 9 b. Engage in any act or practice that intimidates, coerces,
1 10 or threatens a claimant or that provides an incentive or
1 11 inducement for a claimant to use a particular automobile repair
1 12 business or location.

1 13 2. An insurer transacting business in this state,
1 14 including its producers and adjusters, that issues or renews
1 15 an automobile liability policy is entitled to have access
1 16 to a claimant's automobile for the purpose of preparing a
1 17 competitive repair estimate.

1 18 3. If an insurer has a direct repair program with automobile
1 19 repair businesses or locations, the insurer shall not limit the
1 20 number of automobile repair businesses or locations with whom
1 21 it maintains a direct repair program except that an insurer may
1 22 limit the number of automobile repair businesses or locations
1 23 participating in the insurer's direct repair program to
1 24 those automobile repair businesses or locations that meet the
1 25 requirements of subsection 4. An insurer is not required to
1 26 establish a direct repair program in a particular market area
1 27 where the insurer's number of policyholders does not support
1 28 establishing a direct repair program in that area.

1 29 4. If an insurer has a direct repair program, the insurer,
1 30 upon request, shall provide to a claimant, without prejudice or
1 31 bias, a list of all automobile repair businesses or locations
1 32 that are reasonably close or convenient to the claimant
1 33 and willing to provide services and that meet the insurer's
1 34 criteria for participation in its direct repair program by:

1 35 a. Possessing the equipment necessary to undertake repairs.



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Senate File 2020 - Introduced continued

2 1 b. Undertaking training of management and technical
2 2 personnel with respect to repair information and the claims
2 3 process.
2 4 c. Agreeing to perform quality repairs at market price and
2 5 that meet industry quality repair standards.
2 6 d. Agreeing to warrant the quality of work including
2 7 refinishing, in writing, to the claimant or insured, for a
2 8 period of not less than one year from the date of repair.
2 9 e. Agreeing to inspection of their repairs and services by
2 10 the insurer and agreeing that the insurer may terminate the
2 11 direct repair program with the automobile repair business or
2 12 location if the repair and services provided are below the
2 13 standards of quality required by the automotive industry.
2 14 f. If requested, agreeing to execute an agreement with
2 15 the insurer that may contain additional criteria that are not
2 16 designed to unfairly limit the number of automobile repair
2 17 businesses or locations with whom the insurer maintains direct
2 18 repair programs. The additional criteria may include criteria
2 19 determined to be necessary by the insurer and designed to
2 20 ensure that the automobile repair business or location has
2 21 the necessary estimating systems and programs and equipment
2 22 to communicate electronically with the insurer and that the
2 23 automobile repair business or location has taken steps to
2 24 ensure the privacy of the insurer and the claimant. However,
2 25 the insurer shall not abrogate the right of an automobile
2 26 repair business or location to purchase parts or supplies from
2 27 any vendor, at the sole discretion of the automobile repair
2 28 business or location.
2 29 5. An insurer transacting business in this state,
2 30 including its producers and adjusters, that issues or renews
2 31 an automobile liability policy shall not abrogate the right of
2 32 a claimant to use any automobile repair business or location
2 33 at the claimant's sole discretion, and the insurer shall pay
2 34 for the reasonable and necessary cost of the automobile repair
2 35 services for covered damages, less any deductible under the



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3 1 terms of the policy. This section does not require an insurer
3 2 to pay more for automobile repair services than the market
3 3 price.
3 4 6. For the purposes of this section:
3 5 a. "Automobile repair business or location" does not include
3 6 a business or location that exclusively provides automobile
3 7 glass replacement, glass repair services, or glass products.
3 8 b. "Claimant" means a person seeking repair of an automobile
3 9 whether that person is the insured person or a third party
3 10 making a claim against the insurer.
3 11 c. (1) "Market price" means either of the following:
3 12 (a) The price agreed upon between the insurer and the
3 13 policyholder or the service provider.
3 14 (b) The price that is reasonable within the market of the
3 15 local area where the repair or replacement is being performed.
3 16 (2) The market price shall not be less than the cost of the
3 17 repair or replacement work to the service provider.
3 18 Sec. 2. NEW SECTION. 516B.5 Automobile glass repair ==
3 19 prohibited activities.
3 20 1. An insurer transacting business in this state,
3 21 including its producers and adjusters, that issues or renews
3 22 an automobile liability policy shall not, individually or with
3 23 others, directly or indirectly, do any of the following:
3 24 a. Establish an agreement with any person to act as a glass
3 25 broker for the insurer under which the glass broker sets a
3 26 price that must be met by a glass repair shop as a condition for
3 27 doing glass replacement or glass repair work for the insurer.
3 28 b. Establish an agreement with a glass broker that requires
3 29 a glass repair shop to bill through a glass broker as a
3 30 condition of doing glass replacement or glass repair work for
3 31 the insurer.
3 32 c. Establish a price that must be met by a glass repair
3 33 shop as a condition for doing glass replacement or glass repair
3 34 work for the insurer that is below the market price as defined
3 35 in section 516B.4.



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4 1 d. Require that an insured under the policy use a particular
4 2 company or location for providing automobile glass replacement,
4 3 glass repair services, or glass products insured, in whole or
4 4 in part, under the terms of the policy.

4 5 e. Engage in any act or practice of intimidation, coercion,
4 6 or threat for or against an insured to use a particular company
4 7 or location to provide automobile glass replacement, glass
4 8 repair services, or glass products insured, in whole or in
4 9 part, under the terms of the policy.

4 10 2. An insurer shall not establish an agreement with a
4 11 glass broker that has any affiliation or relation to or with
4 12 manufacturing, distribution, wholesaling, or retailing of
4 13 automobile glass, including windshield repair resin and tool
4 14 manufacturers, distributors, wholesalers, and retailers.

4 15 3. This section does not require an insurer to pay more for
4 16 automobile glass replacement, glass repair services, or glass
4 17 products than the market price as defined in section 516B.4.

4 18 4. This section does not prohibit an insurer from agreeing
4 19 to pay the full cost of glass replacement or repair, less any
4 20 deductible under the terms of the policy.

4 21 5. As used in this section, "glass broker" means an
4 22 automobile glass company that acts as a third-party agent for
4 23 the insurer whenever the automobile glass company enters into
4 24 agreements with other automobile glass dealers to provide glass
4 25 replacement, glass repair services, or glass products for the
4 26 insurer.

4 27 EXPLANATION

4 28 This bill relates to choice of automobile repair and glass
4 29 repair facilities under automobile liability policies issued or
4 30 renewed in this state.

4 31 New Code section 516B.4 prohibits an automobile liability
4 32 insurer from requiring that a claimant under the policy use
4 33 a particular automobile repair business or location for an
4 34 estimate or repair. A claimant may use any automobile repair
4 35 business or location of the claimant's choice and the insurer



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5 1 must pay the reasonable and necessary cost of the repair
5 2 service for covered damages, less any deductible under the
5 3 terms of the policy. This section does not require an insurer
5 4 to pay more for repairs than the market price.
5 5 An insurer may have a direct repair program and provide to a
5 6 claimant, upon request, a list of participants in the direct
5 7 repair program that are reasonably close or convenient to the
5 8 claimant and that meet criteria, as specified in the bill, for
5 9 participation in the program.
5 10 An insurer is prohibited from infringing on the right of an
5 11 automobile repair business or location to purchase parts or
5 12 supplies from a vendor of its choice.
5 13 New Code section 516B.5 prohibits an automobile liability
5 14 insurer from establishing an agreement with any person to
5 15 act as a glass broker for the insurer under which the glass
5 16 broker sets a price that must be met by a glass repair shop
5 17 as a condition for doing glass repair or replacement work
5 18 for the insurer, that requires a glass repair shop to bill
5 19 through a glass broker as a condition of doing glass repair or
5 20 replacement work for the insurer, or that establishes a price
5 21 that must be met by a glass repair shop that is below the market
5 22 price as a condition of doing business with the insurer. An
5 23 insurer is prohibited from establishing an agreement with a
5 24 glass broker that has any affiliation or relation to or with
5 25 manufacturing, distribution, wholesaling, or retailing of
5 26 automobile glass, including windshield repair resin and tool
5 27 manufacturers, distributors, wholesalers, and retailers.
5 28 An automobile liability insurer is also prohibited from
5 29 requiring an insured to use a particular company or location
5 30 for providing automobile glass replacement, glass repair
5 31 services, or glass products pursuant to the policy. An insurer
5 32 is not required to pay more than the market price for such
5 33 services.
5 34 For the purposes of Code section 516B.5, a "glass broker"
5 35 means an automobile glass company that acts as a third-party



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Senate File 2020 - Introduced continued

6 1 agent for an automobile liability insurer whenever the company
6 2 enters into agreements with other automobile glass dealers to
6 3 provide glass replacement or repair services or glass products
6 4 for the insurer.
6 5 For the purposes of the bill, "market price" means either the
6 6 price agreed upon between the insurer and the policyholder or
6 7 the service provider, or the price that is reasonable within
6 8 the market of the local area where the repair or replacement is
6 9 being performed. The market price cannot be less than the cost
6 10 of the repair or replacement to the service provider.

LSB 5190XS (7) 83

av/nh



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Senate File 2021 - Introduced

SENATE FILE
BY NOBLE

A BILL FOR

1 An Act relating to protections for persons with mental illness
2 in a dissolution of marriage action.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5148XS (5) 83
pf/nh



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Senate File 2021 - Introduced continued

PAG LIN

1 1 Section 1. Section 598.5, subsection 1, Code 2009, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. 1. State that the respondent has no mental
1 4 illness that prevents the respondent from obtaining legal
1 5 counsel, entering a general or special appearance, or filing a
1 6 motion or pleading in the case.
1 7 Sec. 2. Section 598.8, subsection 2, paragraph a, Code 2009,
1 8 is amended by adding the following new subparagraph:
1 9 NEW SUBPARAGRAPH. (4) The petitioner has stated in the
1 10 petition, as verified by the petitioner and established by
1 11 competent evidence, that the respondent has no mental illness
1 12 that prevents the respondent from obtaining legal counsel,
1 13 entering a general or special appearance, or filing a motion
1 14 or pleading in the case.
1 15 Sec. 3. Section 598.8, subsection 2, paragraph b, Code 2009,
1 16 is amended by adding the following new subparagraph:
1 17 NEW SUBPARAGRAPH. (3) The petitioner has stated in the
1 18 petition, as verified by the petitioner and established by
1 19 competent evidence, that the respondent has no mental illness
1 20 that prevents the respondent from obtaining legal counsel,
1 21 entering a general or special appearance, or filing a motion
1 22 or pleading in the case.
1 23 Sec. 4. Section 598.21, subsection 5, paragraph d, Code
1 24 Supplement 2009, is amended to read as follows:
1 25 d. The age and physical, mental, and emotional health of the
1 26 parties.
1 27 Sec. 5. Section 598.21A, subsection 1, paragraph b, Code
1 28 2009, is amended to read as follows:
1 29 b. The age and physical, mental, and emotional health of the
1 30 parties.

1 31 EXPLANATION

1 32 This bill requires that a petition for dissolution of
1 33 marriage state that the respondent does not have a mental
1 34 illness that prevents the respondent from obtaining legal
1 35 counsel, entering a general or special appearance, or filing



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Senate File 2021 - Introduced continued

2 1 a motion or pleading in the case. Current law provides that a
2 2 petitioner must verify the petition and the allegations of the
2 3 petition must be established by competent evidence. The bill
2 4 also requires that in order for the court to enter a decree of
2 5 dissolution without a hearing, one of the criterion that must
2 6 be met is for the petitioner to have stated in the petition,
2 7 as verified by the petitioner and established by competent
2 8 evidence, that the respondent has no mental illness that
2 9 prevents the respondent from obtaining legal counsel, entering
2 10 a general or special appearance, or filing a motion or pleading
2 11 in the case.

2 12 The bill also provides that in division of the property of
2 13 the parties and in granting spousal support, the court must
2 14 consider the mental health of the parties in addition to the
2 15 age and physical and emotional health of the parties.

LSB 5148XS (5) 83

pf/nh



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Senate Resolution 101 - Introduced

PAG LIN

SENATE RESOLUTION NO.

BY KIBBIE

1 1 A Resolution to recognize Iowa's school bus drivers as
1 2 indispensable members of the education community and
1 3 to recognize Thursday, April 29, 2010, as School Bus
1 4 Driver Day.

1 5 WHEREAS, every day of the school year parents,
1 6 teachers, and entire communities entrust Iowa's
1 7 school bus drivers with the responsibility of safely
1 8 transporting their children to and from school;and

1 9 WHEREAS, like school educators and administrators,
1 10 Iowa school bus drivers are regulated both in statute
1 11 and rule, and are held to the highest standard of
1 12 fitness and professionalism;and

1 13 WHEREAS, great amounts of personal time and
1 14 energies are expended by drivers for initial training,
1 15 maintaining current licensing, and enhancing skills
1 16 and knowledge of school bus laws through continuing
1 17 education classes;and

1 18 WHEREAS, working under the most trying
1 19 circumstances, Iowa school bus drivers consistently
1 20 demonstrate the virtues of patience, considerateness,
1 21 even temperament, and calmness under stress;and

1 22 WHEREAS, many school bus drivers perform their
1 23 services for thousands and thousands of accident-free
1 24 miles, year after year;NOW THEREFORE,

1 25 BE IT RESOLVED BY THE SENATE, That on behalf of
1 26 Iowa's school children and their parents, the Senate
1 27 thanks Iowa's school bus drivers for their continuing
1 28 and excellent services to the schools and school



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Senate Resolution 101 - Introduced continued

2 1 children of Iowa;and
2 2 BE IT FURTHER RESOLVED, That the Senate recognizes
2 3 April 29, 2010, as School Bus Driver Day, as a tribute
2 4 to the hard work and dedication of the men and women
2 5 who provide a safe ride to and from school for our
2 6 children.

LSB 5047SS (4) 83

jr/rj



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Senate Study Bill 3001

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act relating to annual motor vehicle registration fees for
2 older-model multipurpose vehicles and certain vehicles
3 equipped for a person with a disability or used by a person
4 who relies on a wheelchair.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5410DP (6) 83
dea/nh



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Senate Study Bill 3001 continued

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1 1 Section 1. Section 321.109, subsection 1, Code 2009, is
1 2 amended to read as follows:
1 3 1. a. The annual fee for all motor vehicles including
1 4 vehicles designated by manufacturers as station wagons, ~~1993~~
~~1 5 and subsequent model year~~ multipurpose vehicles, and 2010 and
1 6 subsequent model year motor trucks with an unladen weight of
1 7 ten thousand pounds or less, except motor trucks registered
1 8 under section 321.122, business=trade trucks, special trucks,
1 9 motor homes, ambulances, hearses, motorcycles, and motorized
1 10 bicycles, ~~and 1992 and older model year multipurpose~~
~~1 11 vehicles,~~ shall be equal to one percent of the value as
1 12 fixed by the department plus forty cents for each one hundred
1 13 pounds or fraction thereof of weight of vehicle, as fixed
1 14 by the department. The weight of a motor vehicle, fixed by
1 15 the department for registration purposes, shall include the
1 16 weight of a battery, heater, bumpers, spare tire, and wheel.
1 17 Provided, however, that for any new vehicle purchased in
1 18 this state by a nonresident for removal to the nonresident's
1 19 state of residence, the purchaser may make application to the
1 20 county treasurer in the county of purchase for a transit plate
1 21 for which a fee of ten dollars shall be paid. And provided,
1 22 however, that for any used vehicle held by a registered dealer
1 23 and not currently registered in this state, or for any vehicle
1 24 held by an individual and currently registered in this state,
1 25 when purchased in this state by a nonresident for removal to
1 26 the nonresident's state of residence, the purchaser may make
1 27 application to the county treasurer in the county of purchase
1 28 for a transit plate for which a fee of three dollars shall
1 29 be paid. The county treasurer shall issue a nontransferable
1 30 certificate of registration for which no refund shall be
1 31 allowed+, and the transit plates shall be void thirty days
1 32 after issuance. Such purchaser may apply for a certificate
1 33 of title by surrendering the manufacturer's or importer's
1 34 certificate or certificate of title, duly assigned as provided
1 35 in this chapter. In this event, the treasurer in the county



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Senate Study Bill 3001 continued

2 1 of purchase shall, when satisfied with the genuineness and
2 2 regularity of the application, and upon payment of a fee of
2 3 twenty dollars, issue a certificate of title in the name and
2 4 address of the nonresident purchaser delivering the title
2 5 to the owner. If there is a security interest noted on the
2 6 title, the county treasurer shall mail to the secured party an
2 7 acknowledgment of the notation of the security interest. The
2 8 county treasurer shall not release a security interest that
2 9 has been noted on a title issued to a nonresident purchaser
2 10 as provided in this paragraph. The application requirements
2 11 of section 321.20 apply to a title issued as provided in this
2 12 subsection, except that a natural person who applies for a
2 13 certificate of title shall provide either the person's social
2 14 security number, passport number, or driver's license number,
2 15 whether the license was issued by this state, another state, or
2 16 another country. ~~The provisions of this subsection relating to~~
~~2 17 multipurpose vehicles are effective for all 1993 and subsequent~~
~~2 18 model years. The annual registration fee for multipurpose~~
~~2 19 vehicles that are 1992 model years and older shall be in~~
~~2 20 accordance with section 321.124.~~

2 21 b. The annual registration fee shall be sixty dollars for a
2 22 vehicle, ~~otherwise subject to paragraph "a"~~, with permanently
2 23 installed equipment manufactured for and necessary to assist a
2 24 person with a disability who is either the owner or lessee of
2 25 the vehicle or a member of the owner's or lessee's household
2 26 in entry and exit of the vehicle or ~~for such a vehicle~~ if the
2 27 ~~vehicle's~~ owner or lessee of the vehicle or a member of the
2 28 ~~vehicle~~ owner's or lessee's household uses a wheelchair as the
2 29 only means of mobility ~~shall be sixty dollars~~. This paragraph
2 30 applies only to vehicles that are otherwise subject to
2 31 paragraph "a" and to motor trucks with an unladen weight of ten
2 32 thousand pounds or less that are otherwise subject to section
2 33 321.122. For purposes of this paragraph, "uses a wheelchair"
2 34 does not include use of a wheelchair due to a temporary injury
2 35 or medical condition.



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Senate Study Bill 3001 continued

3 1 Sec. 2. Section 321.124, subsection 3, Code 2009, is amended
3 2 to read as follows:

3 3 3. The annual registration fee for motor homes ~~and 1992 and~~
~~3 4 older model years for multipurpose vehicles~~ is as follows:

3 5 a. For class A motor homes with a list price of eighty
3 6 thousand dollars or more as certified to the department by the
3 7 manufacturer, four hundred dollars for registration each year
3 8 through five model years and three hundred dollars for each
3 9 succeeding registration.

3 10 b. For class A motor homes with a list price of forty
3 11 thousand dollars or more but less than eighty thousand dollars
3 12 as certified to the department by the manufacturer, two hundred
3 13 dollars for registration each year through five model years and
3 14 one hundred fifty dollars for each succeeding registration.

3 15 c. For class A motor homes with a list price of twenty
3 16 thousand dollars or more but less than forty thousand dollars
3 17 as certified to the department by the manufacturer, one hundred
3 18 forty dollars for the first five registrations and one hundred
3 19 five dollars for each succeeding registration.

3 20 d. For class A motor homes with a list price of less than
3 21 twenty thousand dollars as certified to the department by the
3 22 manufacturer, one hundred twenty dollars for registration each
3 23 year through five model years and eighty-five dollars for each
3 24 succeeding registration.

3 25 e. For a class A motor home which is a passenger-carrying
3 26 bus which has been registered at least five times as a motor
3 27 truck and which has been converted, modified, or altered
3 28 to provide temporary living quarters, ninety dollars for
3 29 registration each year through ten model years and sixty-five
3 30 dollars for each succeeding registration. In computing the
3 31 number of registrations, the registrations shall be cumulative
3 32 beginning with the registration of the class A motor home
3 33 as a motor truck prior to its conversion, modification, or
3 34 alteration to provide temporary living quarters.

3 35 f. For class B motor homes, ninety dollars for registration



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Senate Study Bill 3001 continued

4 1 each year through five model years and sixty-five dollars for
4 2 each succeeding registration.
4 3 g. For class C motor homes, one hundred ten dollars for
4 4 registration each year through five model years and eighty
4 5 dollars for each succeeding registration.
4 6 h. ~~For multipurpose vehicles in accordance with the~~
~~4 7 following:~~
~~4 8 (1) Two hundred dollars for registration for the first and~~
~~4 9 second model years.~~
~~4 10 (2) One hundred seventy-five dollars for registration for~~
~~4 11 the third and fourth model years.~~
~~4 12 (3) One hundred fifty dollars for registration for the fifth~~
~~4 13 model year.~~
~~4 14 (4) Seventy-five dollars for registration for the sixth~~
~~4 15 model year.~~
~~4 16 (5) Fifty-five dollars for registration for each succeeding~~
~~4 17 model year.~~
~~4 18 (6) The annual registration fee for a multipurpose vehicle~~
~~4 19 with permanently installed equipment manufactured for and~~
~~4 20 necessary to assist a person with a disability who is either~~
~~4 21 the owner or a member of the owner's household in entry and~~
~~4 22 exit of the vehicle or for a multipurpose vehicle if the~~
~~4 23 vehicle's owner or a member of the vehicle owner's household~~
~~4 24 uses a wheelchair as the only means of mobility shall be~~
~~4 25 sixty dollars. For purposes of this subparagraph, "uses a~~
~~4 26 wheelchair" does not include use of a wheelchair due to a~~
~~4 27 temporary injury or medical condition.~~
4 28 The registration fees required by this lettered paragraph
4 29 are applicable to all 1992 and older model years for
4 30 multipurpose vehicles beginning January 1, 1993. The
4 31 registration fees for multipurpose vehicles that are 1993 and
4 32 subsequent model years shall be in accordance with section
4 33 321.109.
4 34 For purposes of determining that portion of the annual
~~4 35 registration fee which is based upon the value of the~~



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~~Senate Study Bill 3001 continued~~

~~5 1 multipurpose vehicle, sixty percent of the annual fee is
5 2 attributable to the value of the vehicle.~~

5 3 EXPLANATION

5 4 This bill eliminates a disparity in the annual registration
5 5 fees for older multipurpose vehicles. Under existing law,
5 6 a flat fee schedule applies for 1992 model year and older
5 7 multipurpose vehicles, and fees based on weight and value apply
5 8 for 1993 and subsequent model year multipurpose vehicles.
5 9 Under the flat fee schedule, the annual fee is \$55 for a
5 10 1992 model year or older multipurpose vehicle, but under the
5 11 weight and value system, the annual fee is \$50 for a 1993
5 12 or subsequent model year multipurpose vehicle that is 12
5 13 model years old or older. The bill strikes the obsolete flat
5 14 fee schedule and treats all multipurpose vehicles the same,
5 15 thereby reducing the annual fee for a 1992 model year or older
5 16 multipurpose vehicle to \$50.

5 17 The bill revises existing provisions that establish an
5 18 annual registration fee of \$60 for a vehicle equipped to assist
5 19 a person with a disability to enter and exit the vehicle if
5 20 the person with a disability is the owner of the vehicle or a
5 21 member of the owner's household. The \$60 fee also applies if
5 22 the owner of the vehicle or a member of the owner's household
5 23 uses a wheelchair as the only means of mobility and use of
5 24 the wheelchair is not due to a temporary injury or condition.
5 25 The bill extends the \$60 fee to lessees as well as owners.
5 26 In addition, the bill extends the \$60 fee to motor trucks
5 27 registered as business=trade trucks and older model trucks
5 28 which are otherwise subject to a fee based on the combined
5 29 gross weight of the vehicle or combination of vehicles.
5 30 Currently, only 2010 and subsequent model year motor trucks
5 31 with a combined gross weight of 10,000 pounds or less that are
5 32 registered for a fee based on weight and value are eligible for
5 33 the \$60 fee.

LSB 5410DP (6) 83

dea/nh



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Senate Study Bill 3002

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR'S BILL)

A BILL FOR

1 An Act providing for a retirement incentive program for state
2 employees and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5589XL (7) 83
ec/rj



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Senate Study Bill 3002 continued

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1 1 Section 1. 2010 STATE EMPLOYEE RETIREMENT INCENTIVE
1 2 PROGRAM.
1 3 1. Definitions. As used in this section, unless the context
1 4 provides otherwise:
1 5 a. "Eligible employee" means an employee who has filed
1 6 a completed application for benefits with the Iowa public
1 7 employees' retirement system created in chapter 97B in which
1 8 the employee's intended first month of entitlement, as defined
1 9 in section 97B.1A, is no later than July 2010.
1 10 b. "Employee" means an employee, as defined by section
1 11 97B.1A, who is employed within the executive branch of this
1 12 state, including an employee of the department of justice.
1 13 However, "employee" does not mean an employee of a judicial
1 14 district department of correctional services, an employee of
1 15 the state board of regents, an elected official, or an employee
1 16 eligible for the sick leave conversion program as described in
1 17 section 70A.23, subsection 4.
1 18 c. "Employer" means a department, agency, board, or
1 19 commission within the executive branch of the state that
1 20 employs individuals.
1 21 d. "Health insurance premium benefit" means the amount
1 22 representing the monthly premium cost of an affordable group
1 23 health care plan offered by the state, as determined by the
1 24 department of administrative services, providing coverage to
1 25 the participant and, if applicable, the participant's spouse
1 26 for the applicable period of coverage.
1 27 e. "Participant" means a person who timely submits an
1 28 election to participate, is accepted to participate, and does
1 29 participate, in the state employee retirement incentive program
1 30 established under this section.
1 31 f. "Program" means the state employee retirement incentive
1 32 program established under this section.
1 33 g. "Years of service incentive benefit" means an amount equal
1 34 to the entire value of an eligible employee's accumulated but
1 35 unused vacation plus, for eligible employees with at least ten



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Senate Study Bill 3002 continued

2 1 years of state employment, one thousand dollars for each year
2 2 of state employment up to a maximum of twenty-five years of
2 3 state employment.

2 4 2. Program eligibility. To become a participant in the
2 5 program, an eligible employee shall do all of the following:

2 6 a. Submit by April 15, 2010, a written application, on
2 7 forms prescribed by the department of administrative services,
2 8 seeking participation in the program.

2 9 b. Acknowledge in writing the employee's agreement to
2 10 voluntarily terminate employment in exchange for the state
2 11 employee retirement incentive program as provided in this
2 12 section.

2 13 c. Agree to waive all rights to file suit against the state
2 14 of Iowa, including all of its departments, agencies, and other
2 15 subdivisions, based on state or federal claims arising out of
2 16 the employment relationship.

2 17 d. Acknowledge, in writing, that participation in the
2 18 program waives any right to accept any employment with the
2 19 state other than as an elected official on or after the date
2 20 the eligible employee separates from employment.

2 21 e. Agree to separate from employment with the state no later
2 22 than June 1, 2010.

2 23 3. Participant acceptance. An eligible employee shall
2 24 be accepted to participate in the program if the following
2 25 conditions are met:

2 26 a. The department of administrative services determines that
2 27 the eligible employee meets the requirements to be eligible to
2 28 participate in the program.

2 29 b. The department of management determines that authorizing
2 30 the eligible employee to participate in the program will
2 31 generate sufficient savings to the state based upon criteria
2 32 established by the department.

2 33 4. Program benefits. Upon acceptance to participate in the
2 34 program and separation from employment with the state no later
2 35 than June 1, 2010, a participant shall receive the following



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3 1 benefits:

3 2 a. During September 2010, and each September thereafter for
3 3 a total of five years, the state shall pay to the participant,
3 4 or the participant's beneficiary, an amount equal to twenty
3 5 percent of the years of service incentive benefit for that
3 6 participant.

3 7 b. For the period of time commencing with the first month
3 8 in which a participant is ineligible for or exhausts the
3 9 participant's available remaining value of sick leave used
3 10 to pay the state share for the participant's continuation of
3 11 state group health insurance coverage as provided in section
3 12 70A.23, subsection 3, and ending five years from the date
3 13 the participant separates from employment with the state as
3 14 provided in this section, the participant, or the participant's
3 15 surviving spouse, shall be entitled to receive a health
3 16 insurance premium benefit to be used by the participant or the
3 17 participant's beneficiary to pay the premium cost for eligible
3 18 state group health insurance. The department of administrative
3 19 services shall determine what health insurance plans constitute
3 20 eligible state group health insurance for purposes of this
3 21 paragraph "b".

3 22 5. Vacancies and reemployment.

3 23 a. An employer shall not fill a position vacancy created
3 24 as a result of employee participation in the program without
3 25 approval from the department of management.

3 26 b. An employer shall not offer permanent part-time
3 27 employment, permanent full-time employment, or temporary
3 28 employment to a participant.

3 29 6. Program administration.

3 30 a. The department of administrative services shall
3 31 administer the program and shall adopt administrative rules
3 32 to administer the program. The department of administrative
3 33 services and the department of management may adopt rules on an
3 34 emergency basis under section 17A.4, subsection 3, and section
3 35 17A.5, subsection 2, paragraph "b", to implement this section



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4 1 and the rules shall be effective immediately upon filing unless
4 2 a later date is specified in the rules.

4 3 b. Records of the Iowa public employees' retirement system
4 4 shall be released for the purposes of administering and
4 5 monitoring the program subject to the requirements of section
4 6 97B.17, subsection 5.

4 7 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
4 8 immediate importance, takes effect upon enactment.

4 9 EXPLANATION

4 10 This bill establishes a state employee retirement incentive
4 11 program.

4 12 The bill establishes a state employee retirement incentive
4 13 program for eligible employees of the executive branch of
4 14 the state, including employees of the department of justice
4 15 (office of attorney general). Employees of a judicial district
4 16 department of correctional services, the state board of
4 17 regents, an elected official, or an employee eligible for an
4 18 enhanced sick leave conversion program under Code section
4 19 70A.23(4) are excluded from participating in the program.

4 20 The program shall be administered by the department of
4 21 administrative services. The bill permits eligible executive
4 22 branch employees who have completed an application for benefits
4 23 under the Iowa public employees' retirement system (IPERS) with
4 24 an intended first month of entitlement of no later than July
4 25 2010 to separate from service with the state and receive a
4 26 benefit under the program. To receive the incentive benefit,
4 27 an eligible employee must submit an application to participate
4 28 in the program by April 15, 2010, be accepted to participate
4 29 in the program by the departments of administrative services
4 30 and management, separate from state employment by June 1,
4 31 2010, and acknowledge the employee's ineligibility to return
4 32 to employment with the state.

4 33 The bill provides that the benefit provided to an eligible
4 34 employee who participates in the program is an amount equal to
4 35 the entire value of the eligible employee's accumulated but



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5 1 unused vacation plus, if the employee has at least 10 years
5 2 of state employment, \$1,000 for each year of state employment
5 3 up to 25 years. The bill provides that this amount shall be
5 4 payable in five equal installments each year during September
5 5 beginning in September 2010. In addition, the bill provides
5 6 that a participant in the program, or the participant's
5 7 surviving spouse, shall receive a health insurance premium
5 8 benefit to pay the premium cost for eligible state group
5 9 health insurance for five years following the participant's
5 10 termination from state employment. However, the bill provides
5 11 that a participant shall receive the health insurance premium
5 12 benefit only when the participant is no longer eligible for,
5 13 or exhausts, the participant's available remaining value of
5 14 sick leave used to pay the state share for the participant's
5 15 continuation of state group health insurance coverage as
5 16 provided in Code section 70A.23, subsection 3.

5 17 The bill further provides that an employer shall not fill
5 18 vacancies created by employees participating in the program
5 19 except upon approval of the department of management. In
5 20 addition, the bill provides that an employer shall not hire a
5 21 participant in the program for any employment.

5 22 The bill takes effect upon enactment.

LSB 5589XL (7) 83

ec/rj



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Senate Study Bill 3003

SENATE/HOUSE FILE
BY (PROPOSED IOWA PUBLIC EMPLOYEES?
RETIREMENT SYSTEM BILL)

A BILL FOR

1 An Act concerning the administration of the Iowa public
2 employees' retirement system.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5360DP (7) 83
ec/nh



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Senate Study Bill 3003 continued

PAG LIN

1 1 Section 1. Section 97B.4, subsection 2, paragraph c, Code
1 2 2009, is amended to read as follows:
1 3 c. ~~In administering this chapter, the system may enter into~~
~~1 4 a biennial agreement with the department of administrative~~
~~1 5 services concerning the sharing of resources between the~~
~~1 6 system and department which are of benefit to each and~~
~~1 7 which are consistent with the mission of the system and~~
~~1 8 the department.~~ The budget program for the system shall be
1 9 established by the chief executive officer in consultation with
1 10 the board and other staff of the system and shall be compiled
1 11 and submitted by the system pursuant to section 8.23.
1 12 Sec. 2. Section 97B.4, subsection 4, paragraph a, Code 2009,
1 13 is amended to read as follows:
1 14 a. Annual report to governor. Not later than the
1 15 thirty-first day of December of each year, the system shall
1 16 submit to the governor a report covering the administration
1 17 and operation of this chapter during the preceding fiscal
1 18 year and shall make recommendations for amendments to this
1 19 chapter. The report shall include a balance sheet of the
1 20 moneys in the retirement fund. The report shall also include
1 21 information concerning the investment management expenses
1 22 for the retirement fund for each fiscal year expressed as a
1 23 percent of the market value of the retirement fund investment
1 24 assets, ~~including the information described in section 97B.7,~~
~~1 25 subsection 3, paragraph "d".~~ The information provided under
1 26 this paragraph shall also include information on the investment
1 27 policies and investment performance of the retirement fund.
1 28 In providing this information, to the extent possible, the
1 29 system shall include the total investment return for the entire
1 30 fund, for portions of the fund managed by investment managers,
1 31 and for internally managed portions of the fund, and the cost
1 32 of managing the fund per thousand dollars of assets. The
1 33 performance shall be based upon market value, and shall be
1 34 contrasted with relevant market indices and with performances
1 35 of pension funds of similar asset size.



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Senate Study Bill 3003 continued

2 1 Sec. 3. Section 97B.58, Code 2009, is amended to read as
2 2 follows:
2 3 97B.58 Information furnished by employer.
2 4 To enable the system to administer this chapter and perform
2 5 its functions, the employer shall, upon the request of and
2 6 in the manner provided by the system, ~~supply full~~ provide
2 7 accurate, complete, and timely information to the system of
2 8 all matters relating to the pay of all members, date of birth,
2 9 their retirement, death, or other cause for termination of
2 10 employment, and other pertinent facts the system may require
2 11 in the manner provided by the system. The system shall not be
2 12 liable to any member, retiree, or beneficiary for any monetary
2 13 or other relief due to the failure of the employer to comply
2 14 with this section.

2 15

EXPLANATION

2 16 This bill concerns the administration of the Iowa public
2 17 employees' retirement system (IPERS).
2 18 Code section 97B.4(2)(c) is amended by striking the
2 19 provision which authorized the system to enter into a biennial
2 20 agreement with the department of administrative services
2 21 concerning the sharing of resources between IPERS and the
2 22 department.
2 23 Code section 97B.4(4)(a), concerning the annual report
2 24 to the governor, is amended by striking the inclusion of
2 25 information relative to investment management expenses
2 26 described in Code section 97B.7(3)(d). Legislation enacted
2 27 in 2008 struck the requirement in Code section 97B.7(3)(d)
2 28 limiting investment management expenses to .4 percent of the
2 29 fund value.
2 30 Code section 97B.58, concerning information furnished by
2 31 employers under IPERS, is amended. The bill provides that
2 32 the employer shall provide accurate and complete information
2 33 requested by IPERS to administer the Code chapter and further
2 34 provides that IPERS shall not be liable to any member, retiree,
2 35 or beneficiary for any monetary or other relief due to the



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- 3 1 failure of an employer to comply with the Code section.
LSB 5360DP (7) 83
ec/nh



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Senate Study Bill 3004

SENATE/HOUSE FILE
BY (PROPOSED IOWA TELECOMMUNICATIONS
AND TECHNOLOGY COMMISSION BILL)

A BILL FOR

1 An Act relating to the provision of services through Iowa
2 communications network connection facilities under specified
3 circumstances.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5319DP (6) 83
rn/nh



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Senate Study Bill 3004 continued

PAG LIN

1 1 Section 1. Section 8D.13, subsection 5, Code 2009, is
1 2 amended to read as follows:
1 3 5. a. The state shall lease all fiberoptic cable
1 4 facilities or facilities with ~~DS=3~~ sufficient capacity as
1 5 determined by the commission for Part III connections, for
~~1 6 which state funding is provided. The state shall lease~~
~~1 7 all fiberoptic cable facilities or facilities with DS=3 or~~
~~1 8 DS=1 capacity for the judicial branch, judicial district~~
1 9 department departments of correctional services, and state
1 10 agency connections for which state funding is provided. In
1 11 determining the capacity to be provided, the commission
1 12 shall consult with the authorized users associated with
1 13 the Part III connections, the judicial branch, the judicial
1 14 district departments of correctional services, and state
1 15 agencies associated with connections for which state funding
1 16 is provided. Such facilities shall be leased from qualified
1 17 providers. The state shall not own such facilities, except for
1 18 those facilities owned by the state as of January 1, 1994.
1 19 The lease provisions of this subsection do not apply to a
1 20 school district which elects to provide one hundred percent of
1 21 the financing for the district's connection.
1 22 b. (1) Notwithstanding paragraph "a", the state may provide
1 23 fiberoptic cable facilities or other facilities with sufficient
1 24 capacity as determined under paragraph "a" in a manner other
1 25 than pursuant to a lease if any of the following apply:
1 26 (a) An incumbent provider providing an existing leased
1 27 connection terminates ownership of the leased connection.
1 28 (b) An incumbent provider providing an existing leased
1 29 connection ceases to provide the necessary level of maintenance
1 30 service associated with the leased connection.
1 31 (c) The commission determines that it is in the long-term
1 32 best interest of the state to provide an existing or otherwise
1 33 authorized network connection in a manner other than pursuant
1 34 to a lease. In making this determination, the commission, at a
1 35 minimum, shall consider the cost to taxpayers and the ability



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Senate Study Bill 3004 continued

2 1 of the network to provide a level of service necessary to meet
2 2 the demands of network users.
2 3 (2) Prior to proceeding as permitted under subparagraph
2 4 (1), the commission shall make a determination that an
2 5 alternative cost-effective solution other than proceeding
2 6 under subparagraph (1) is not available from a private
2 7 sector qualified provider. For purposes of state ownership
2 8 of a network connection, the commission shall also make a
2 9 determination that utilization of a competitive bidding process
2 10 would not be effective and is not in the best interest of the
2 11 state.
2 12 (3) The commission shall by rule establish procedures and
2 13 criteria for proceeding as permitted under subparagraph (1).
2 14 The commission shall publish network connection changes made
2 15 pursuant to this paragraph "b" in the commission's annual report
2 16 related to the network.

2 17 EXPLANATION

2 18 This bill relates to the provision of services over
2 19 presently leased Iowa communications network connection
2 20 facilities. Currently, the state is required to lease all
2 21 connections that apply to Part III connections, the judicial
2 22 branch, the judicial district departments of correctional
2 23 services, and state agencies that are paid for with state
2 24 funding from qualified providers and is prohibited from owning
2 25 such connections except for facilities owned by the state as
2 26 of January 1, 1994. The bill authorizes the state to provide
2 27 fiberoptic cable facilities or other facilities with sufficient
2 28 capacity as determined by the Iowa telecommunications and
2 29 technology commission, in consultation with authorized
2 30 users, in a manner other than through a lease under specified
2 31 circumstances. Provision other than through leasing will be
2 32 permitted when an incumbent connection qualified provider
2 33 terminates ownership of an existing leased connection, or
2 34 ceases to provide the necessary level of maintenance service
2 35 associated with an existing leased connection. Provision other



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3 1 than through leasing will also be permitted when the state
3 2 telecommunications and technology commission determines that
3 3 such provision is in the best interest of the state.
3 4 Prior to proceeding with an alternative connection to an
3 5 existing or otherwise authorized network connection, the
3 6 commission shall determine that an alternate cost-effective
3 7 solution is not available from a private sector qualified
3 8 provider. The commission shall also determine that utilization
3 9 of a competitive bidding process will not be effective and is
3 10 not in the best interest of the state for providing an existing
3 11 or otherwise authorized network connection. The commission is
3 12 directed to establish by rule procedures and criteria for the
3 13 process and to publish notice of the changes contained in the
3 14 bill in the commission's annual report related to the network.
3 15 The bill additionally deletes specific reference to DS=3 and
3 16 DS=1 facility capacity.

LSB 5319DP (6) 83

rn/nh



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Senate Study Bill 3005

SENATE/HOUSE FILE
BY (PROPOSED ETHICS AND CAMPAIGN
DISCLOSURE BOARD BILL)

A BILL FOR

1 An Act requiring certain campaign finance statements and
2 reports to be filed in an electronic format.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5229DP (6) 83
jr/sc



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Senate Study Bill 3005 continued

PAG LIN

1 1 Section 1. Section 68A.201, subsection 5, Code 2009, is
1 2 amended by striking the subsection.
1 3 Sec. 2. NEW SECTION. 68A.201A Contributions from federal
1 4 and out-of-state committees or organizations.
1 5 1. When either a committee or organization not organized
1 6 as a committee under section 68A.201 makes a contribution to
1 7 a committee organized in Iowa, that committee or organization
1 8 shall disclose each contribution in excess of fifty dollars to
1 9 the board.
1 10 2. A committee or organization not organized as a committee
1 11 under section 68A.201 that is not registered and filing full
1 12 disclosure reports of all financial activities with the federal
1 13 election commission or another state's disclosure commission
1 14 shall register and file full disclosure reports with the board
1 15 pursuant to this chapter. The committee or organization
1 16 shall either appoint an eligible Iowa elector as committee or
1 17 organization treasurer, or shall maintain all committee funds
1 18 in an account in a financial institution located in Iowa.
1 19 3. A committee that is currently filing a disclosure report
1 20 in another jurisdiction shall either file a statement of
1 21 organization under section 68A.201 and file disclosure reports
1 22 under section 68A.402, or shall file a verified statement with
1 23 the board within fifteen days of the contribution being made.
1 24 4. The verified statement shall be on forms prescribed by
1 25 the board and shall attest that the committee is filing reports
1 26 with the federal election commission or in a jurisdiction with
1 27 reporting requirements which are substantially similar to those
1 28 of this chapter, and that the contribution is made from an
1 29 account that does not accept contributions that would be in
1 30 violation of section 68A.503.
1 31 5. The verified statement shall include the complete name,
1 32 address, and telephone number of the contributing committee,
1 33 the state or federal jurisdiction under which it is registered
1 34 or operates, the identification of any parent entity or other
1 35 affiliates or sponsors, its purpose, the name and address of an



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2 1 Iowa resident authorized to receive service of original notice,
2 2 the name and address of the receiving committee, the amount of
2 3 the cash or in-kind contribution, and the date the contribution
2 4 was made.

2 5 6. Effective January 1, 2011, the verified statement shall
2 6 be filed in an electronic format by 4:30 p.m. of the day the
2 7 filing is due.

2 8 Sec. 3. Section 68A.401, subsection 1, Code Supplement
2 9 2009, is amended to read as follows:

2 10 1. All statements and reports required to be filed under
2 11 this chapter shall be filed with the board as provided in
2 12 section 68A.402, subsection 1. The board shall post on its
2 13 internet website all statements and reports filed under this
2 14 chapter. For purposes of this section, the term "statement"
2 15 does not include a bank statement.

2 16 a. A candidate's committee of a candidate for statewide
2 17 office or the general assembly shall file all statements and
2 18 reports in an electronic format by 4:30 p.m. of the day the
2 19 filing is due and according to rules adopted by the board.
2 20 ~~Any other candidate or political committee may submit the~~
~~2 21 statements and reports in an electronic format as prescribed~~
~~2 22 by rule.~~

2 23 b. Effective January 1, 2011, a county statutory political
2 24 committee shall file all statements and reports in an
2 25 electronic format by 4:30 p.m. of the day the filing is due and
2 26 according to rules adopted by the board.

2 27 c. Effective January 1, 2011, any other candidate or
2 28 committee involved in a county, city, school, or other
2 29 political subdivision election that accepts monetary or in-kind
2 30 contributions in excess of two thousand dollars, or incurs
2 31 indebtedness in excess of two thousand dollars in the aggregate
2 32 in a calendar year, or makes expenditures in excess of two
2 33 thousand dollars in a calendar year to expressly advocate for
2 34 or against a clearly identified candidate or ballot issue shall
2 35 file all statements and reports in an electronic format by



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3 1 4:30 p.m.of the day the filing is due and according to rules
3 2 adopted by the board. The committee shall continue to file
3 3 subsequent statements and reports in an electronic format until
3 4 being certified as dissolved under section 68A.402B.

3 5 d. Any other candidate or political committee not otherwise
3 6 required to file a statement or report in an electronic format
3 7 under this section shall file the statements and reports in
3 8 either an electronic format as prescribed by rule or by one of
3 9 the methods specified in section 68A.402, subsection 1.

3 10 ~~b.~~ e. If the board determines that a violation of this
3 11 subsection has occurred, the board may impose any of the
3 12 remedies or penalties provided for under section 68B.32D,
3 13 except that the board shall not refer any complaint or
3 14 supporting information of a violation of this section to the
3 15 attorney general or any county attorney for prosecution.

3 16 EXPLANATION

3 17 This bill makes changes relating to electronic filing of
3 18 campaign finance statements and reports.

3 19 The bill transfers current language codified as Code
3 20 section 68A.201(5) and recodifies it as a separate Code
3 21 section, 68A.201A, requiring that contributions in excess of
3 22 \$50 from federal and out-of-state committees or organizations
3 23 be disclosed to the board. Effective January 1, 2011, the
3 24 disclosure shall be filed in an electronic format.

3 25 Under current law, effective January 1, 2010, all statements
3 26 and reports filed by new committees for state office must
3 27 be filed electronically. Effective January 1, 2012, all
3 28 statements and reports filed by all committees for state
3 29 office must be filed electronically. Commencing May 1,
3 30 2010, this requirement will also apply to a state statutory
3 31 political committee and to a political committee expressly
3 32 advocating for or against the nomination, election, or
3 33 defeat of a candidate for statewide office or the general
3 34 assembly. The bill provides that, commencing January 1, 2011,
3 35 a county statutory political committee and any other candidate



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4 1 or committee involved in a county, city, school, or other
4 2 political subdivision election that accepts monetary or in-kind
4 3 contributions in excess of \$2,000 or incurs indebtedness
4 4 in excess of \$2,000 in the aggregate in a calendar year or
4 5 makes expenditures in excess of \$2,000 in a calendar year
4 6 to expressly advocate for or against a clearly identified
4 7 candidate or ballot issue shall file all statements and reports
4 8 in an electronic format until being certified as dissolved.

LSB 5229DP (6) 83

jr/sc



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Senate Study Bill 3006

SENATE/HOUSE FILE
BY (PROPOSED ETHICS AND CAMPAIGN
DISCLOSURE BOARD BILL)

A BILL FOR

1 An Act relating to ethics regulations for the executive branch,
2 legislative branch, and local officials and employees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5304XD (12) 83
tm/rj



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Senate Study Bill 3006 continued

PAG LIN

1 1 Section 1. Section 17A.2, subsection 11, Code 2009, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. 1. An advisory opinion of the Iowa ethics
1 4 and campaign disclosure board.
1 5 Sec. 2. Section 68B.3, subsection 1, Code 2009, is amended
1 6 to read as follows:
1 7 1. ~~An~~ Except as part of official state duties, an official,
1 8 a state employee, a member of the general assembly, or a
1 9 legislative employee shall not sell, in any one occurrence,
1 10 any goods or services having a value in excess of two thousand
1 11 dollars to any state agency unless the sale is made pursuant to
1 12 an award or contract let after public notice and competitive
1 13 bidding.
1 14 Sec. 3. Section 68B.3, Code 2009, is amended by adding the
1 15 following new subsection:
1 16 NEW SUBSECTION. 5. Except when performing official state
1 17 duties, an official or a state employee making a permissible
1 18 sale under this section shall file a report with the board
1 19 within twenty days of making the sale. The report shall
1 20 include but not be limited to the parties to the sale, the date
1 21 of the sale, the total amount of the sale, and the type of goods
1 22 or services being sold.
1 23 Sec. 4. Section 68B.32A, subsections 5 and 9, Code
1 24 Supplement 2009, are amended to read as follows:
1 25 5. Receive and file registration all registrations and
1 26 reports from lobbyists of the executive branch of state
~~1 27 government, client disclosure from clients of lobbyists of~~
~~1 28 the executive branch of state government, personal financial~~
~~1 29 disclosure information from officials and employees in the~~
~~1 30 executive branch of state government who are required to file~~
~~1 31 personal financial disclosure information under that are~~
1 32 required to be filed with the board under this chapter, and
~~1 33 gift and bequest disclosure information pursuant to or section~~
1 34 8.7. The board, upon its own motion, may initiate
1 35 action, and conduct a hearing hearings, impose sanctions,



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Senate Study Bill 3006 continued

2 1 and order administrative resolutions relating to reporting
2 2 requirements under this chapter or section 8.7.
2 3 9. Establish and impose penalties, and recommendations
2 4 for punishment of persons who are subject to penalties of or
2 5 punishment by the board or by other bodies, for the failure to
2 6 comply with the requirements of this chapter, chapter 68A, or
2 7 section 8.7. Unless the imposition of the penalty is waived
2 8 by the board or is otherwise reversed on judicial review, the
2 9 board shall receive and retain ten percent of any civil penalty
2 10 imposed by the board which shall be considered repayment
2 11 receipts as defined in section 8.2.

2 12 Sec. 5. Section 68B.32A, Code Supplement 2009, is amended by
2 13 adding the following new subsection:
2 14 NEW SUBSECTION. 19. Impose penalties upon, or refer matters
2 15 relating to, persons who provide false information to the board
2 16 during a board investigation of a potential violation of this
2 17 chapter, chapter 68A, section 8.7, or rules of the board. The
2 18 board shall adopt rules to administer this subsection.

2 19 EXPLANATION

2 20 This bill relates to ethics regulations for the executive
2 21 branch, legislative branch, and local officials and employees.
2 22 The bill adds an opinion of the ethics and campaign
2 23 disclosure board to the list of exceptions that are not
2 24 considered an administrative rule under the definition of
2 25 "rule" as defined in Code chapter 17A.
2 26 Currently, there are restrictions on the ability of an
2 27 official, a state employee, a member of the general assembly,
2 28 or a legislative employee to sell goods or services of a
2 29 certain value to any state agency unless the sale is made
2 30 pursuant to an award or contract let after public notice and
2 31 competitive bidding. The bill provides that an official,
2 32 a state employee, a member of the general assembly, or a
2 33 legislative employee may sell such goods or services if the
2 34 sale is conducted as part of the official duties of the person.
2 35 The bill also provides that an official or an employee of the



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3 1 executive branch making such a sale shall file a report with
3 2 the ethics and campaign disclosure board within 20 days of
3 3 making the sale.
3 4 The bill provides that the ethics and campaign disclosure
3 5 board shall receive all registrations and reports required to
3 6 be filed with the board under Code chapter 68B and Code section
3 7 8.7. The bill provides that the board, under its own motion,
3 8 may initiate action, conduct hearings, impose sanctions,
3 9 and order administrative resolutions relating to reporting
3 10 requirements.
3 11 The bill provides that the ethics and campaign disclosure
3 12 board may receive and retain 10 percent of any civil penalty
3 13 imposed by the board which shall be considered repayment
3 14 receipts.
3 15 The bill allows the ethics and campaign disclosure board to
3 16 impose penalties upon, or refer matters relating to, persons
3 17 who provide false information to the board during a board
3 18 investigation of a potential violation. The board is given
3 19 rulemaking authority to administer this penalty provision.
LSB 5304XD (12) 83
tm/rj



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Senate Study Bill 3007

SENATE/HOUSE FILE
BY (PROPOSED IOWA PUBLIC EMPLOYEES?
RETIREMENT SYSTEM BILL)

A BILL FOR

1 An Act concerning bona fide retirement requirements under the
2 Iowa public employees' retirement system and including
3 effective date and retroactive applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5359DP (9) 83
ec/nh



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Senate Study Bill 3007 continued

PAG LIN

1 1 Section 1. Section 97B.52A, subsection 1, paragraph c, Code
1 2 2009, is amended to read as follows:

1 3 c. (1) For a member whose first month of entitlement
1 4 is July 2000 or later, the member does not return to any
1 5 employment with a covered employer until the member has
1 6 qualified for at least one calendar month of retirement
1 7 benefits, and the member does not return to covered employment
1 8 until the member has qualified for no fewer than four calendar
1 9 months of retirement benefits.

1 10 (2) For purposes of determining a bona fide retirement
1 11 under this paragraph "c", effective the following provisions
1 12 apply:

1 13 (a) Effective July 1, 2000, any employment with a covered
1 14 employer does not include employment as an elective official
1 15 or member of the general assembly if the member is not covered
1 16 under this chapter for that employment.

1 17 (b) ~~For purposes of determining a bona fide retirement~~
1 18 ~~under this paragraph and for a member whose first month of~~
1 19 ~~entitlement is July 2004 or later, but before July 2010 2011,~~
1 20 ~~covered employment does not include employment as a licensed~~
1 21 ~~health care professional by a public hospital as defined in~~
1 22 ~~section 249J.3, with the exception of public hospitals governed~~
1 23 ~~pursuant to chapter 226.~~

1 24 (c) Effective May 25, 2008, any employment with a covered
1 25 employer does not include noncovered employment as a member of
1 26 the national guard called to state active duty as defined in
1 27 section 29A.1.

1 28 Sec. 2. EFFECTIVE UPON ENACTMENT. The provision of this
1 29 Act enacting section 97B.52A, subsection 1, paragraph "c",
1 30 subparagraph (2), subparagraph division (c), being deemed of
1 31 immediate importance, takes effect upon enactment.

1 32 Sec. 3. RETROACTIVE APPLICABILITY. The provision of
1 33 this Act enacting section 97B.52A, subsection 1, paragraph
1 34 "c", subparagraph (2), subparagraph division (c), applies
1 35 retroactively to May 25, 2008.



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January 11, 2010

Senate Study Bill 3008

SENATE FILE

BY (PROPOSED COMMITTEE ON JUDICIARY
BILL BY CHAIRPERSON KREIMAN)

A BILL FOR

1 An Act concerning penalties for failure to obey an official
2 traffic control device when the violation results in death
3 or serious injury.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5171XC (4) 83
dea/nh



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1 1 Section 1. Section 321.482A, unnumbered paragraph 1, Code
1 2 2009, is amended to read as follows:
1 3 Notwithstanding section 321.482, a person who is convicted
1 4 of operating a motor vehicle in violation of section
1 5 321.256, section 321.275, subsection 4, section 321.297,
1 6 321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306,
1 7 321.307, 321.308, section 321.309, subsection 2, or section
1 8 321.311, 321.319, 321.320, 321.321, 321.322, 321.323, 321.323A,
1 9 321.324, 321.324A, 321.327, 321.329, or 321.333 causing serious
1 10 injury to or the death of another person may be subject to the
1 11 following penalties in addition to the penalty provided for
1 12 a scheduled violation in section 805.8A or any other penalty
1 13 provided by law:

1 14 EXPLANATION

1 15 This bill adds failure to obey an official traffic control
1 16 device to the list of simple misdemeanor offenses that may be
1 17 subject to additional fines and licensing sanctions if the
1 18 violation causes injury or death. Currently, a motor vehicle
1 19 operator convicted of failing to obey an official traffic
1 20 control device is subject to a scheduled fine of \$35. Under
1 21 the bill, if the violation causes serious injury to another
1 22 person, the court may impose an additional fine of \$500 or
1 23 driver's license suspension for up to 90 days, or both. For
1 24 a violation which causes the death of a person, the court
1 25 may impose an additional fine of \$1,000 or driver's license
1 26 suspension for up to 180 days, or both.

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Senate Study Bill 3009

SENATE FILE

BY (PROPOSED COMMITTEE ON JUDICIARY
BILL BY CHAIRPERSON KREIMAN)

A BILL FOR

1 An Act relating to preservation of claims to mineral rights in
2 or on land.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5184XC (8) 83
av/nh



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1 1 Section 1. NEW SECTION. 614.24A Reservation or granting of
1 2 mineral rights in or on land == preservation.
1 3 1. No action based upon any claim arising or existing
1 4 by reason of the provisions of any deed, lease, conveyance,
1 5 contract, will, or other document reserving or granting any
1 6 mineral rights in or on the land therein described shall be
1 7 maintained in any court in this state to recover or establish
1 8 any interest in or claim to such real estate, legal or
1 9 equitable, against the holder of record title to such real
1 10 estate after twenty=one years from the recording of such
1 11 deed, lease, conveyance, contract, or other document or after
1 12 twenty=one years from the admission of such will to probate
1 13 unless the claimant shall, personally, or by the claimant's
1 14 attorney or agent, or if the claimant is a minor or under legal
1 15 disability, by the claimant's guardian, trustee, or either
1 16 parent or next friend, file a verified claim for such mineral
1 17 rights with the recorder of the county where the real estate
1 18 is located within the twenty=one=year period. In the event
1 19 that such deed, lease, conveyance, contract, or other document
1 20 was recorded, or will was admitted to probate, more than twenty
1 21 years prior to July 1, 2010, then such claim may be filed on or
1 22 before three years after July 1, 2010.
1 23 2. Claims for mineral rights filed shall set forth the
1 24 nature of the claim, the time and manner in which the interest
1 25 claimed was acquired, the name and address of the affiant
1 26 making the claim, the present owner or owners of the claim, and
1 27 that the claim was mailed to the assessor of the county where
1 28 the real estate is located by certified mail, return receipt
1 29 requested.
1 30 3. For the purposes of this section, "mineral rights"
1 31 includes but is not limited to interests in minerals as defined
1 32 in section 556.1, and any inanimate substance which may be
1 33 present in or on real estate, and any other substance defined
1 34 as a mineral by a law of this state, except coal.
1 35 4. For the purposes of this section, a claimant may be any



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2 1 person or persons claiming any interest in or to such mineral
2 2 rights, whether the same is a present interest or an interest
2 3 which would come into existence if the happening or contingency
2 4 provided in the deed, lease, conveyance, contract, will, or
2 5 other document were to happen at once. A claimant may also be
2 6 any member of a class of persons entitled to or claiming such
2 7 rights or interests.

2 8 5. Nothing in this section shall be interpreted or construed
2 9 to revive or extinguish interests in coal described in chapter
2 10 557C.

2 11 6. The limitations of this section shall not run in respect
2 12 of any period in which the mineral rights are being separately
2 13 assessed for taxation under chapter 441 as against the person
2 14 who has paid the taxes so assessed.

2 15 7. This section shall not impair the validity of an
2 16 environmental covenant established pursuant to chapter 455I.

2 17 8. Nothing in this section shall be interpreted or construed
2 18 to revive any interest which has terminated or expired under
2 19 the terms of the instrument creating the interest.

2 20 Sec. 2. Section 614.25, Code 2009, is amended to read as
2 21 follows:

2 22 614.25 Effect of filing ~~claim~~ claims.

2 23 The filing of ~~such a claim~~ pursuant to section 614.24 or
2 24 614.24A shall extend for a further period of twenty-one years
2 25 the time within which such action may be brought by any person
2 26 entitled thereto, and successive claims for further like
2 27 extensions may be filed.

2 28 Sec. 3. Section 614.28, Code 2009, is amended to read as
2 29 follows:

2 30 614.28 Barred claims.

2 31 The provisions of sections 614.24 to 614.27, inclusive, or
2 32 the filing of a claim or claims, hereunder, shall not revive or
2 33 permit an action to be brought or maintained upon any claim or
2 34 cause of action which is barred by any other statute. Provided
2 35 further, that nothing contained in these sections shall affect



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3 1 litigation pending on ~~July 4, 1965~~ July 1, 2010.

3 2 EXPLANATION

3 3 New Code section 614.24A relates to the preservation of
3 4 claims to mineral rights reserved or granted in or on land.
3 5 This bill provides that no action on a claim for such mineral
3 6 rights granted by the provisions of a deed, lease, conveyance,
3 7 contract, will, or other document can be maintained in a court
3 8 in this state against the holder of record title to the land
3 9 after 21 years from the recording of such a document unless
3 10 the claimant or claimant's representative has filed a verified
3 11 claim for such mineral rights with the county recorder where
3 12 the land is located within that 21-year period. If such a
3 13 deed, lease, conveyance, contract, or other document was
3 14 recorded, or will was admitted to probate, more than 20 years
3 15 prior to July 1, 2010, then a claim for such mineral rights may
3 16 be filed on or before three years after July 1, 2010.

3 17 Claims for mineral rights filed pursuant to new Code section
3 18 614.24A must set forth the nature of the claim, the time and
3 19 manner in which the interest claimed was acquired, the present
3 20 owner or owners of the claim, and that the claim was mailed
3 21 to the assessor of the county where the land is located by
3 22 certified mail, return receipt requested.

3 23 "Minerals" are defined as in Code section 556.1(7), except
3 24 not including coal. Code section 614.25 relating to filing
3 25 and extensions of claims, Code section 614.26 relating to
3 26 indexing of claims by the county recorder, Code section 614.27
3 27 relating to the inapplicability of extended time limitations
3 28 for minors and persons with mental illness, and Code section
3 29 614.28 relating to the revival or barring of claims, are also
3 30 applicable to new Code section 614.24A.

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Senate Study Bill 3010

SENATE FILE

BY (PROPOSED COMMITTEE ON JUDICIARY
BILL BY CHAIRPERSON KREIMAN)

A BILL FOR

1 An Act modifying the authority to enter certain dispositional
2 orders in juvenile court.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 5160XC (3) 83
jm/nh



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1 1 Section 1. Section 232.22, subsection 1, paragraph f, Code
1 2 Supplement 2009, is amended by striking the paragraph.
1 3 Sec. 2. Section 232.52, subsection 2, paragraph g, Code
1 4 Supplement 2009, is amended by striking the paragraph.
1 5 EXPLANATION
1 6 This bill modifies the authority to enter certain
1 7 dispositional orders in juvenile court.
1 8 The bill strikes a provision permitting the juvenile court
1 9 to place a child in a secure facility for not more than two days
1 10 in addition to any other dispositional order under Code section
1 11 232.52(2).
LSB 5160XC (3) 83
jm/nh