



Iowa General Assembly  
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House Amendment 8372

PAG LIN

1 1 Amend Senate File 2349, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 21 and 22 and  
1 4 inserting <or group providing treatment of autism  
1 5 spectrum disorders. An autism service provider  
1 6 that provides treatment of autism spectrum disorders  
1 7 that includes applied behavioral analysis shall be  
1 8 certified as a behavior analyst by the behavior analyst  
1 9 certification board or shall be a health professional  
1 10 licensed under chapter 147.>  
1 11 #2. By striking page 1, line 32, through page 2,  
1 12 line 3.  
1 13 #3. Page 3, by striking lines 7 through 10 and  
1 14 inserting <or reevaluation performed in consultation  
1 15 with the patient and the patient's representative.>  
1 16 #4. By striking page 5, line 12, through page 6,  
1 17 line 16.  
1 18 #5. Title page, line 4, by striking <behavior  
1 19 specialists> and inserting <certain autism service  
1 20 providers>  
1 21 #6. By renumbering as necessary.

COMMITTEE ON COMMERCE  
PETERSEN of Polk, Chairperson  
SF2349.1964 (2) 83  
av/rj



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**House Amendment 8373**

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1 1 Amend the amendment, H=8341, to Senate File 2265,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 2, by striking lines 15 through 23 and  
1 5 inserting <in subsection 2, paragraphs "j" through  
1 6 "o", at least one member shall have experience in real  
1 7 estate, at least one member shall have experience in  
1 8 land development, and at least one member shall have  
1 9 experience in residential construction.>  
1 10 #2. Page 2, line 26, by striking <25 through> and  
1 11 inserting <29 and>  
1 12 #3. Page 2, line 28, by striking <f.> and inserting  
1 13 <g.>

D. OLSON of Boone  
SF2265.1930 (2) 83  
md/sc



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## House Amendment 8374

PAG LIN

1 1 Amend the amendment, H=8350, to Senate File 2357,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, after line 2 by inserting:  
1 5 <\_\_\_\_. Page 1, before line 1 by inserting:  
1 6 <Section 1. Section 236.2, subsection 2, paragraph  
1 7 b, Code Supplement 2009, is amended to read as follows:  
1 8 b. The assault is between separated spouses or  
1 9 persons divorced from each other and not residing  
1 10 together at the time of the assault. For purposes of  
1 11 this section, "spouse" means a spouse of a marriage  
1 12 that is valid pursuant to chapter 595. >>  
1 13 #2. Page 1, line 21, after <victim.> by inserting  
1 14 <For purposes of this paragraph, "spouse" means a  
1 15 spouse of a marriage that is valid pursuant to chapter  
1 16 595.>  
1 17 #3. By renumbering as necessary.

HAGENOW of Polk  
SF2357.4748 (2) 83  
rh/rj



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## House Amendment 8375

PAG LIN

1 1 Amend Senate File 2150, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 3, after line 9 by inserting:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 321.180C Intermediate  
1 5 driver's license == special procedure.  
1 6 1. Teaching parent. As an alternative to the  
1 7 driver education requirements under section 321.178,  
1 8 a teaching parent may instruct a student in a driver  
1 9 education course that meets the requirements of this  
1 10 section and provide evidence that the requirements  
1 11 under this section have been met.  
1 12 2. Definitions. For purposes of this section:  
1 13 a. "Approved course" means driver education  
1 14 curriculum approved by the department pursuant to rules  
1 15 adopted under chapter 17A. An approved course shall,  
1 16 at a minimum, meet the requirements of subsection 3  
1 17 and be appropriate for teaching=parent=directed driver  
1 18 education and related street or highway instruction.  
1 19 Driver education materials that meet or exceed  
1 20 standards established by the department for an approved  
1 21 course in driver education for a public or private  
1 22 school shall be approved unless otherwise determined by  
1 23 the department. The list of approved courses shall be  
1 24 posted on the department's internet site.  
1 25 b. "Student" means a person between the ages of  
1 26 fourteen and twenty=one years who is within the custody  
1 27 and control of the teaching parent and who satisfies  
1 28 preliminary licensing requirements of the department.  
1 29 c. "Teaching parent" means a parent, guardian,  
1 30 or legal custodian of a student who is currently  
1 31 providing competent private instruction to the student  
1 32 pursuant to section 299A.2 or 299A.3 and who provided  
1 33 such instruction to the student during the previous  
1 34 year; who has a valid driver's license, other than a  
1 35 motorized bicycle license or a temporary restricted  
1 36 license, that permits unaccompanied driving; and who  
1 37 has maintained a clear driving record for the previous  
1 38 two years. For purposes of this paragraph, "clear  
1 39 driving record" means the individual has not been  
1 40 identified as a candidate for suspension of a driver's  
1 41 license under the habitual offender provisions of the  
1 42 department's regulations; is not subject to a driver's  
1 43 license suspension, revocation, denial, cancellation,  
1 44 disqualification, or bar; and has no record of a  
1 45 conviction for a moving traffic violation determined to  
1 46 be the cause of a motor vehicle accident.  
1 47 3. Course of instruction.  
1 48 a. An approved course administered by a teaching  
1 49 parent shall consist of but not be limited to the  
1 50 following:



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House Amendment 8375 continued

- 2 1 (1) Thirty clock hours of classroom instruction.  
2 2 (2) Forty hours of street or highway driving  
2 3 including four hours of driving after sunset and before  
2 4 sunrise while accompanied by the teaching parent.  
2 5 (3) Four hours of classroom instruction concerning  
2 6 substance abuse.  
2 7 (4) A minimum of twenty minutes of instruction  
2 8 concerning railroad crossing safety.  
2 9 (5) Instruction relating to becoming an organ  
2 10 donor under the revised uniform anatomical gift Act as  
2 11 provided in chapter 142C.  
2 12 (6) Instruction providing an awareness about  
2 13 sharing the road with bicycles and motorcycles.  
2 14 b. The content of the course of instruction  
2 15 required under this subsection shall be equivalent  
2 16 to that required under section 321.178. However,  
2 17 reference and study materials, physical classroom  
2 18 requirements, and extra vehicle safety equipment  
2 19 required for instruction under section 321.178 shall  
2 20 not be required for the course of instruction provided  
2 21 under this section.  
2 22 4. Course completion and certification. Upon  
2 23 application by a student for an intermediate license,  
2 24 the teaching parent shall provide evidence showing  
2 25 the student's completion of an approved course and  
2 26 substantial compliance with the requirements of  
2 27 subsection 3 by affidavit signed by the teaching  
2 28 parent on a form to be provided by the department. The  
2 29 evidence shall include all of the following:  
2 30 a. Documentation that the instructor is a teaching  
2 31 parent as defined in subsection 2.  
2 32 b. Documentation that the student is receiving  
2 33 competent private instruction under section 299A.2  
2 34 or the name of the school district within which the  
2 35 student is receiving instruction under section 299A.3.  
2 36 c. The name of the approved course completed by the  
2 37 student.  
2 38 d. An affidavit attesting to satisfactory  
2 39 completion of course work and street or highway driving  
2 40 instruction.  
2 41 e. Copies of written tests completed by the  
2 42 student.  
2 43 f. A statement of the number of classroom hours of  
2 44 instruction.  
2 45 g. A log of completed street or highway driving  
2 46 instruction including the dates when the lessons were  
2 47 conducted, the student's and the teaching parent's name  
2 48 and initials noted next to each entry, notes on driving  
2 49 activities including a list of driving deficiencies and  
2 50 improvements, and the duration of the driving time for



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3 1 each session.  
3 2 5. Intermediate license. Any student who  
3 3 successfully completes an approved course as  
3 4 provided in this section, passes a driving test to  
3 5 be administered by the department, and is otherwise  
3 6 qualified under section 321.180B, subsection 2, shall  
3 7 be eligible for an intermediate license pursuant  
3 8 to section 321.180B. Twenty of the forty hours of  
3 9 street or highway driving instruction required under  
3 10 subsection 3, paragraph "a", subparagraph (2), may  
3 11 be utilized to satisfy the requirement of section  
3 12 321.180B, subsection 2.  
3 13 6. Full license. A student must comply with  
3 14 section 321.180B, subsection 4, to be eligible for a  
3 15 full driver's license pursuant to section 321.180B.>  
3 16 #2. By renumbering as necessary.

HAGENOW of Polk  
SF2150.1766 (3) 83  
dea/nh



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House Amendment 8376

PAG LIN

1 1 Amend House File 2197, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, line 9, after <Day> by inserting <,  
1 4 unless providing time off would impact public health  
1 5 or safety or would cause the employer to experience  
1 6 significant economic or operational disruption>  
1 7 #2. Page 1, line 10, after <3.> by inserting <a.>  
1 8 #3. Page 1, after line 16 by inserting:  
1 9 <b. The employer shall, at least ten days prior  
1 10 to Veterans Day, notify the employee if the employee  
1 11 shall be provided paid or unpaid time off on Veterans  
1 12 Day. If the employer determines that the employer is  
1 13 unable to provide time off for Veterans Day for all  
1 14 employees who request time off, the employer shall deny  
1 15 time off to the minimum number of employees needed by  
1 16 the employer to protect public health and safety or to  
1 17 maintain minimum operational capacity, as applicable.>  
1 18 #4. By renumbering as necessary.  
HF2197.1979 (2) 83



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## House Amendment 8377

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1 1 Amend House File 788, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 4, line 27, after <permit.> by inserting  
1 4 <However, the absence of security personnel on the  
1 5 licensed premises is insufficient, without additional  
1 6 evidence, to prove that criminal activity occurring  
1 7 on the licensed premises was knowingly permitted in  
1 8 violation of this paragraph "j".>  
1 9 #2. Page 4, line 29, after <to the> by inserting  
1 10 <premises of a liquor licensee or permittee authorized  
1 11 to sell alcoholic beverages for consumption on the>  
1 12 #3. Page 5, line 22, after <Code> by inserting  
1 13 <Supplement>  
HF788.1968 (3) 83



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## House Amendment 8378

PAG LIN

- 1 1 Amend House File 2200 as follows:
- 1 2 #1. Page 1, line 7, by striking <permanently>  
HF2200.1978 (5) 83



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## House Amendment 8379

PAG LIN

1 1 Amend House File 734, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by striking line 34 and inserting  
1 4 <adjudged by a court to meet one of the>  
1 5 #2. Page 15, line 10, by striking <February 15,> and  
1 6 inserting <July 1,>  
HF734.1971 (4) 83



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## House Amendment 8380

PAG LIN

1 1 Amend House File 2284 as follows:  
1 2 #1. By striking page 1, line 25, through page 4,  
1 3 line 22, and inserting:  
1 4 <Sec. \_\_\_\_ . Section 154.1, Code 2009, is amended by  
1 5 adding the following new subsection:  
1 6 NEW SUBSECTION. 5. Beginning July 1, 2012,  
1 7 all licensed optometrists shall meet requirements  
1 8 established by the board by rule to employ diagnostic  
1 9 and therapeutic pharmaceutical agents for the practice  
1 10 of optometry. All licensees practicing optometry in  
1 11 this state shall have demonstrated qualifications  
1 12 and obtained certification to use diagnostic and  
1 13 therapeutic pharmaceutical agents as a condition of  
1 14 license renewal.>  
1 15 #2. Page 4, by striking lines 23 through 30.  
1 16 #3. Page 5, by striking lines 8 through 21 and  
1 17 inserting:  
1 18 <Sec. \_\_\_\_ . Section 157.8, subsection 2, paragraph  
1 19 a, Code 2009, is amended to read as follows:>  
1 20 #4. By striking page 5, line 34, through page 6,  
1 21 line 1.  
1 22 #5. Page 6, by striking lines 12 and 13.  
1 23 #6. Title page, by striking lines 4 and 5 and  
1 24 inserting <and barbering licensure.>  
HF2284.1987.S (3) 83



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# House Amendment 8381

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1 1 Amend Senate File 2357, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting clause  
1 4 and inserting:  
1 5 <Section 1. Section 423.4, Code Supplement 2009, is  
1 6 amended by adding the following new subsection:  
1 7 NEW SUBSECTION. 9. A person in possession of a  
1 8 certificate of completion of a self-defense training  
1 9 course issued pursuant to section 724.9A may apply to  
1 10 the director for a refund of the amount of sales tax  
1 11 imposed and paid upon purchases of self-defense items  
1 12 and firearms made by the applicant as provided in  
1 13 section 724.9A.  
1 14 Sec. 2. Section 602.8102, subsection 135A, Code  
1 15 2009, is amended to read as follows:  
1 16 135A. Assess the surcharges provided by sections  
1 17 911.1, 911.2, 911.3, ~~and~~ 911.4, and 911.5.  
1 18 Sec. 3. Section 602.8108, subsection 2, Code  
1 19 Supplement 2009, is amended to read as follows:  
1 20 2. Except as otherwise provided, the clerk of the  
1 21 district court shall report and submit to the state  
1 22 court administrator, not later than the fifteenth  
1 23 day of each month, the fines and fees received during  
1 24 the preceding calendar month. Except as provided in  
1 25 subsections 3, 4, 5, 7, 8, 9, ~~and~~ 10, and 11, the state  
1 26 court administrator shall deposit the amounts received  
1 27 with the treasurer of state for deposit in the general  
1 28 fund of the state. The state court administrator shall  
1 29 report to the legislative services agency within thirty  
1 30 days of the beginning of each fiscal quarter the amount  
1 31 received during the previous quarter in the account  
1 32 established under this section.  
1 33 Sec. 4. Section 602.8108, Code 2009, is amended by  
1 34 adding the following new subsection:  
1 35 NEW SUBSECTION. 11. The clerk of the district  
1 36 court shall remit all moneys collected from the  
1 37 domestic abuse assault surcharge provided in section  
1 38 911.5 to the state court administrator no later than  
1 39 the fifteenth day of each month for deposit in the  
1 40 domestic abuse assault fund created in section 708.2D.  
1 41 Sec. 5. NEW SECTION. 708.2D Domestic abuse assault  
1 42 fund.  
1 43 A domestic abuse assault fund is established as a  
1 44 separate fund in the state treasury. Moneys deposited  
1 45 in the fund shall be administered by the department of  
1 46 justice and dedicated and used for purposes of funding  
1 47 the self-defense training course in section 724.9A.  
1 48 Sec. 6. NEW SECTION. 724.9A Self-defense training  
1 49 course == sales tax refund for self-defense items.  
1 50 1. A self-defense training course consisting



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House Amendment 8381 continued

2 1 of physical defense training and firearms training  
2 2 shall be offered by the county sheriff to all county  
2 3 residents who have been victims of domestic abuse, who  
2 4 have been granted a protective order or a no-contact  
2 5 order, or who, in the discretion of the county  
2 6 sheriff, would otherwise benefit from such training.  
2 7 The sheriff shall notify shelter services and other  
2 8 support services provided to victims of domestic abuse  
2 9 of the availability of such training. The training  
2 10 course shall be offered at no cost to all eligible  
2 11 participants.  
2 12 2. Upon successful completion of such a course,  
2 13 the county sheriff shall issue a participant a  
2 14 certification of completion allowing such person  
2 15 to apply to the department of revenue pursuant to  
2 16 section 423.4 for a sales tax refund on purchases  
2 17 of self-defense items and firearms made by the  
2 18 participant within ninety days from the issuance of the  
2 19 certificate.  
2 20 Sec. 7. Section 903.1, subsection 4, Code 2009, is  
2 21 amended to read as follows:  
2 22 4. The surcharges required by sections 911.1,  
2 23 911.2, 911.3, ~~and~~ 911.4, and 911.5 shall be added to  
2 24 a fine imposed on a misdemeanor as provided in those  
2 25 sections, and are not a part of or subject to the  
2 26 maximums set in this section.  
2 27 Sec. 8. NEW SECTION. 911.5 Domestic abuse assault  
2 28 surcharge  
2 29 1. In addition to any other surcharge, the court  
2 30 or clerk of the district court shall assess a domestic  
2 31 abuse assault surcharge of five hundred dollars if an  
2 32 adjudication of guilt or a deferred judgment has been  
2 33 entered for a criminal violation of section 708.2A.  
2 34 2. In the event of multiple offenses, the surcharge  
2 35 shall be imposed for each applicable offense.  
2 36 3. The surcharge shall be remitted by the clerk of  
2 37 court as provided in section 602.8108, subsection 11.>  
2 38 #2. Title page, by striking lines 1 through 5 and  
2 39 inserting <An Act relating to physical defense training  
2 40 and firearms training and providing for a sales tax  
2 41 refund.>

WINDSCHITL of Harrison  
SF2357.1937 (6) 83  
rh/rj



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**House Amendment 8382**

PAG LIN

- 1 1 Amend Senate File 2201, as amended, passed, and
- 1 2 reprinted by the Senate, as follows:
- 1 3 #1. Page 16, by striking lines 9 through 27.
- 1 4 #2. By renumbering as necessary.

OLDSON of Polk  
SF2201.1881 (2) 83  
av/nh



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House Amendment 8383

PAG LIN

1 1 Amend Senate File 2265, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting clause  
1 4 and inserting:  
1 5 <Section 1. IOWA SMART PLANNING PRINCIPLES.  
1 6 It is the intent of the general assembly that this  
1 7 section assist state agencies, local governments,  
1 8 and other public entities during consideration and  
1 9 development of innovative planning strategies and  
1 10 policies to reduce the impact of future natural  
1 11 disasters, promote growth, protect natural resources,  
1 12 and safeguard the quality of life for all Iowans.  
1 13 Nothing in this section shall be construed to limit  
1 14 the authority of a state agency, local government,  
1 15 or other public entity relating to planning, zoning,  
1 16 development, and resource management. State agencies,  
1 17 local governments, and other public entities may  
1 18 consider and apply the following principles during  
1 19 deliberation of all appropriate planning, zoning,  
1 20 development, and resource management decisions:  
1 21 1. Collaboration. Governmental, community, and  
1 22 individual stakeholders, including those outside  
1 23 the jurisdiction of the entity, are encouraged to be  
1 24 involved and provide comment during deliberation of  
1 25 planning, zoning, development, and resource management  
1 26 decisions and during implementation of such decisions.  
1 27 The state agency, local government, or other public  
1 28 entity is encouraged to develop and implement a  
1 29 strategy to facilitate such participation.  
1 30 2. Efficiency, transparency, and  
1 31 consistency. Planning, zoning, development, and  
1 32 resource management should be undertaken to provide  
1 33 efficient, transparent, and consistent outcomes.  
1 34 Individuals, communities, regions, and governmental  
1 35 entities should share in the responsibility to promote  
1 36 the equitable distribution of development benefits and  
1 37 costs.  
1 38 3. Clean, renewable, and efficient  
1 39 energy. Planning, zoning, development, and resource  
1 40 management should be undertaken to promote clean and  
1 41 renewable energy use and increased energy efficiency.  
1 42 4. Occupational diversity. Planning, zoning,  
1 43 development, and resource management should promote  
1 44 increased diversity of employment and business  
1 45 opportunities, promote access to education and  
1 46 training, expand entrepreneurial opportunities,  
1 47 and promote the establishment of businesses in  
1 48 locations near existing housing, infrastructure, and  
1 49 transportation.  
1 50 5. Revitalization. Planning, zoning, development,



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House Amendment 8383 continued

2 1 and resource management should facilitate the  
2 2 revitalization of established town centers and  
2 3 neighborhoods by promoting development that conserves  
2 4 land, protects historic resources, promotes pedestrian  
2 5 accessibility, and integrates different uses of  
2 6 property. Remediation and reuse of existing sites,  
2 7 structures, and infrastructure is preferred over new  
2 8 construction in undeveloped areas.  
2 9 6. Housing diversity. Planning, zoning,  
2 10 development, and resource management should encourage  
2 11 diversity in the types of available housing, support  
2 12 the rehabilitation of existing housing, and promote the  
2 13 location of housing near public transportation.  
2 14 7. Community character. Planning, zoning,  
2 15 development, and resource management should promote  
2 16 activities and development that are consistent with the  
2 17 character and architectural style of the community and  
2 18 should respond to local values regarding the physical  
2 19 character of the community.  
2 20 8. Natural resources and agricultural protection.  
2 21 Planning, zoning, development, and resource management  
2 22 should emphasize protection, preservation, and  
2 23 restoration of natural resources, agricultural  
2 24 land, and cultural and historic landscapes, and  
2 25 should increase the availability of open spaces and  
2 26 recreational facilities.  
2 27 9. Sustainable design. Planning, zoning,  
2 28 development, and resource management should promote  
2 29 developments, buildings, and infrastructure that  
2 30 utilize sustainable design and construction standards  
2 31 and conserve natural resources by reducing waste and  
2 32 pollution through efficient use of land, energy, water,  
2 33 and materials.  
2 34 10. Transportation diversity. Planning, zoning,  
2 35 development, and resource management should promote  
2 36 expanded transportation options for residents of  
2 37 the community. Consideration should be given to  
2 38 transportation options that maximize mobility, reduce  
2 39 congestion, conserve fuel, and improve air quality.  
2 40 11. For purposes of this section:  
2 41 a. "Development" means any of the following:  
2 42 (1) Construction, reconstruction, renovation,  
2 43 mining, extraction, dredging, filling, excavation, or  
2 44 drilling activity or operation.  
2 45 (2) Man-made changes in the use or appearance of  
2 46 any structure or in the land itself.  
2 47 (3) The division or subdivision of land.  
2 48 (4) Any change in the intensity of use or the use  
2 49 of land.  
2 50 b. "Development" does not include any of the



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House Amendment 8383 continued

3 1 following:  
3 2 (1) Activities on or uses of agricultural land,  
3 3 farm houses, or agricultural buildings or structures,  
3 4 unless such buildings or structures are located in the  
3 5 flood plain of a river or stream.  
3 6 (2) Installation, operation, and maintenance of  
3 7 soil and water conservation practices.  
3 8 (3) The choice of crops or a change in the choice  
3 9 of crops on agricultural land.  
3 10 12. On or before December 31, 2010, the rebuild  
3 11 Iowa office shall provide to the director or  
3 12 administrator of each state agency and to the governing  
3 13 body of each city and county in the state the contents  
3 14 of this Act by electronic mail.>  
3 15 #2. Title page, by striking lines 1 through 4  
3 16 and inserting <An Act establishing smart planning  
3 17 principles and requiring the distribution of such  
3 18 smart planning principles to state agencies and local  
3 19 governments.>

DEYOE of Story

SF2265.1955 (2) 83  
md/sc



Iowa General Assembly  
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House Amendment 8384

PAG LIN

1 1 Amend House File 2481 as follows:  
1 2 #1. Page 27, after line 27 by inserting:  
1 3 <Sec. \_\_\_\_ Section 483A.8, subsection 3, paragraph  
1 4 c, Code Supplement 2009, is amended to read as follows:  
1 5 c. The commission shall annually limit to  
1 6 ~~six~~ twelve thousand the number of nonresidents allowed  
1 7 to have antlered or any sex deer hunting licenses. Of  
1 8 the ~~six~~ twelve thousand nonresident antlered or any sex  
1 9 deer hunting licenses issued, not more than thirty-five  
1 10 percent of the licenses shall be bow season licenses.  
1 11 After the ~~six~~ twelve thousand antlered or any sex  
1 12 nonresident deer hunting licenses have been issued,  
1 13 all additional licenses shall be issued for antlerless  
1 14 deer only. The commission shall annually determine the  
1 15 number of nonresident antlerless deer only deer hunting  
1 16 licenses that will be available for issuance.>  
1 17 #2. By renumbering as necessary.

PETTENGILL of Benton  
HF2481.2029 (2) 83  
av/sc



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House Amendment 8385

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1 1 Amend Senate File 2317, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, after line 27 by inserting:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 466B.11 Watershed  
1 5 demonstration pilot projects.  
1 6 The department of natural resources and the  
1 7 department of agriculture and land stewardship, in  
1 8 collaboration with the United States department of  
1 9 agriculture's natural resources conservation service  
1 10 and the Iowa flood center established pursuant to  
1 11 section 466C.1, and in cooperation with the council,  
1 12 shall seek funding to plan, implement, and monitor  
1 13 one or more watershed demonstration pilot projects  
1 14 for urban and rural areas involving a twelve-digit  
1 15 hydrologic unit code subwatershed as defined by the  
1 16 United States geological survey. The pilot projects  
1 17 shall include features that seek to do all of the  
1 18 following:  
1 19 1. Maximize soil water holding capacity from  
1 20 precipitation.  
1 21 2. Minimize severe scour erosion and sand  
1 22 deposition during floods.  
1 23 3. Manage water runoff in uplands under saturated  
1 24 soil moisture conditions.  
1 25 4. Reduce and mitigate structural and nonstructural  
1 26 flood damage.>  
1 27 #2. Title page, by striking lines 1 and 2 and  
1 28 inserting <An Act relating to watershed management.>  
1 29 #3. By renumbering as necessary.

SCHUELLER of Jackson  
SF2317.1876 (3) 83  
tm/sc



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## House Amendment 8386

PAG LIN

1 1 Amend House File 2478 as follows:  
1 2 #1. Page 3, by striking lines 16 and 17 and  
1 3 inserting <registered agent and need not be responsive  
1 4 to subsection 1,>  
1 5 #2. Page 3, line 30, by striking <an agency> and  
1 6 inserting <the agent's agency>  
1 7 #3. Page 3, line 35, by striking <registered or>  
1 8 #4. Page 4, line 26, after <perfected> by inserting  
1 9 <under this subsection>  
1 10 #5. Page 7, line 1, by striking <delivered.> and  
1 11 inserting <delivered->  
1 12 #6. Page 8, line 12, before <489.209> by inserting  
1 13 <section>  
1 14 #7. By renumbering as necessary.  
HF2478.2030.S (3) 83



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## House Amendment 8387

PAG LIN

1 1 Amend Senate File 2252, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 1, after line 4 by inserting:  
 1 4 <Sec. \_\_\_\_\_. Section 216A.132, Code 2009, is amended  
 1 5 to read as follows:  
 1 6 216A.132 Council established == terms ==  
 1 7 compensation.  
 1 8 1. A criminal and juvenile justice planning  
 1 9 advisory council is established consisting of  
 1 10 ~~twenty-three~~ twenty-five members.  
 1 11 a. The governor shall appoint ~~seven~~ five members  
 1 12 each for a four-year term beginning and ending as  
 1 13 provided in section 69.19 and subject to confirmation  
 1 14 by the senate as follows:  
 1 15 (1) ~~Three~~ Two persons, each of whom is a ~~county~~  
 1 16 ~~supervisor, county sheriff, mayor, or a city chief of~~  
 1 17 ~~police, or county attorney.~~  
 1 18 (2) ~~Two persons who represent the general public~~  
 1 19 ~~and are not employed in any law enforcement, judicial,~~  
 1 20 ~~or corrections capacity~~ are knowledgeable about Iowa's  
 1 21 juvenile justice system.  
 1 22 (3) ~~Two persons who are knowledgeable about Iowa's~~  
 1 23 ~~juvenile justice system~~ One person representing a crime  
 1 24 victim group.  
 1 25 b. The departments of human services, corrections,  
 1 26 and public safety, the division on the status of  
 1 27 African-Americans, the ~~Iowa~~ department of public  
 1 28 health, the chairperson of the board of parole, the  
 1 29 attorney general, the state public defender, and the  
 1 30 governor's office of drug control policy, ~~and the chief~~  
 1 31 ~~justice of the supreme court~~ shall each designate a  
 1 32 person to serve on the council. ~~The person appointed~~  
 1 33 ~~by the Iowa department of public health shall be from~~  
 1 34 ~~the departmental staff who administer the comprehensive~~  
 1 35 ~~substance abuse program under chapter 125.~~  
 1 36 c. The chief justice of the supreme court shall  
 1 37 appoint ~~two additional members currently serving as~~  
 1 38 ~~district judges~~ one member who is a district judge  
 1 39 and one member who is either a district associate  
 1 40 judge or associate juvenile judge. ~~Two members of the~~  
 1 41 ~~senate and two members of the house of representatives~~  
 1 42 ~~shall be ex officio members and shall be appointed~~  
 1 43 ~~by the majority and minority leaders of the senate~~  
 1 44 ~~and the speaker and minority leader of the house of~~  
 1 45 ~~representatives pursuant to section 69.16 and shall~~  
 1 46 ~~serve terms as provided in section 69.16B.~~ The  
 1 47 chairperson and ranking member of the senate committee  
 1 48 on judiciary shall be members. In alternating  
 1 49 four-year intervals, the chairperson and ranking  
 1 50 member of the house committee on judiciary or of the



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House Amendment 8387 continued

2 1 house committee on public safety shall be members,  
2 2 with the chairperson and ranking member of the house  
2 3 committee on public safety serving during the initial  
2 4 interval. Nonlegislative members appointed pursuant  
2 5 to this paragraph shall serve for four-year terms  
2 6 beginning and ending as provided in section 69.19  
2 7 unless the member ceases to serve as a district court  
2 8 judge.  
2 9 d. The Iowa state bar association and the American  
2 10 civil liberties union of Iowa shall each designate a  
2 11 person to serve on the council.  
2 12 e. Two members representing peace officers shall  
2 13 be designated by the Iowa association of chiefs of  
2 14 police and peace officers, the Iowa state troopers  
2 15 association, and the Iowa state sheriffs' and deputies'  
2 16 association on a rotating basis. Every four years  
2 17 two of the associations shall designate one peace  
2 18 officer from their respective association who is not  
2 19 in a supervisory position at the peace officer's place  
2 20 of employment to serve a four-year term. The Iowa  
2 21 association of chiefs of police and peace officers and  
2 22 the Iowa state troopers association shall designate the  
2 23 initial peace officer members.  
2 24 f. The Iowa county attorneys association shall  
2 25 designate a person to serve on the council.  
2 26 2. Members of the council shall receive  
2 27 reimbursement from the state for actual and necessary  
2 28 expenses incurred in the performance of their official  
2 29 duties. Members may also be eligible to receive  
2 30 compensation as provided in section 7E.6.>  
2 31 #2. Page 3, after line 28 by inserting:  
2 32 <Sec. \_\_\_\_ . APPOINTMENTS TO CRIMINAL AND JUVENILE  
2 33 JUSTICE PLANNING ADVISORY COUNCIL. Notwithstanding  
2 34 chapter 69, vacant positions on the criminal and  
2 35 juvenile justice planning advisory council shall be  
2 36 filled in accordance with this section. The member  
2 37 appointed to represent a crime victim group on the  
2 38 criminal and juvenile justice planning advisory council  
2 39 pursuant to this Act shall replace both general public  
2 40 members appointed by the governor pursuant to section  
2 41 216A.132, subsection 1, paragraph "a", subparagraph  
2 42 (2), Code 2009, as of July 1, 2010, and shall serve  
2 43 a four-year term beginning July 1, 2010. The member  
2 44 designated by the chief justice of the supreme court  
2 45 pursuant to section 216A.132, subsection 1, paragraph  
2 46 "b", Code 2009, shall cease being a member of the  
2 47 council on June 30, 2010. A member appointed by the  
2 48 chief justice pursuant to section 216A.132, subsection  
2 49 1, paragraph "c", Code 2009, shall cease being a member  
2 50 of the council on June 30, 2010, and the member who



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House Amendment 8387 continued

3 1 is either a district associate judge or associate  
3 2 juvenile judge shall become a member July 1, 2010.  
3 3 The Iowa state bar association, the American civil  
3 4 liberties union of Iowa, the Iowa association of chiefs  
3 5 of police and peace officers, the Iowa state troopers  
3 6 association, and the Iowa county attorneys association  
3 7 shall each designate a person to serve on the council  
3 8 beginning July 1, 2010.>  
3 9 #3. By renumbering as necessary.

BAUDLER of Adair  
SF2252.2038 (4) 83  
jm/nh



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House Amendment 8388

PAG LIN

1 1 Amend Senate File 2357, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, after line 25 by inserting:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 708.2D Domestic violence ==  
1 5 rights of citizenship.  
1 6 Notwithstanding any other law to the contrary,  
1 7 a person who is convicted of a misdemeanor crime of  
1 8 domestic violence, as defined in section 724.26, shall  
1 9 have such person's rights of citizenship regarding  
1 10 the possession, shipment, transportation, or receipt  
1 11 of a firearm restored one year after any period of  
1 12 incarceration for such conviction, after any period  
1 13 of probation or parole, when a criminal no-contact  
1 14 order relating to the conviction is no longer in  
1 15 effect, or upon the fulfillment of all court ordered  
1 16 sentencing provisions including payment in full of  
1 17 all restitution, fines, surcharges, and court costs,  
1 18 whichever is the last to occur.>  
1 19 #2. Title page, line 1, after <to> by inserting  
1 20 <domestic violence including>  
1 21 #3. By renumbering as necessary.

ALONS of Sioux  
SF2357.2015 (4) 83  
rh/rj



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## House Amendment 8389

PAG LIN

- 1 1 Amend Senate File 2274, as amended, passed, and
- 1 2 reprinted by the Senate, as follows:
- 1 3 #1. Page 1, by striking lines 13 through 19.
- 1 4 #2. By striking page 2, line 33, through page 3,
- 1 5 line 4.
- 1 6 #3. By renumbering as necessary.

CHAMBERS of O'Brien

GAYMAN of Scott  
SF2274.2047 (3) 83  
kh/tm



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## House Amendment 8390

PAG LIN

1 1 Amend Senate File 2235, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, by striking lines 28 and 29 and  
1 4 inserting <pursuant to section 714.16.>

WAGNER of Linn  
SF2235.1973 (3) 83  
rn/nh



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## House Amendment 8391

PAG LIN

1 1 Amend House File 2518 as follows:  
1 2 #1. Page 13, lines 25 and 26, by striking <for  
1 3 members in regular service>  
1 4 #2. Page 13, line 27, by striking <~~one-half~~ one> and  
1 5 inserting <one-half>

PETTENGILL of Benton

DRAKE of Cass  
HF2518.2040 (2) 83  
ec/sc



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**House Amendment 8392**

PAG LIN

- 1 1 Amend House File 2518 as follows:
- 1 2 #1. By striking page 15, line 26, through page 16,
- 1 3 line 9.
- 1 4 #2. By renumbering as necessary.

PETTENGILL of Benton

DRAKE of Cass  
HF2518.2041 (2) 83  
ec/sc



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## House Amendment 8393

PAG LIN

1 1 Amend House File 2518 as follows:  
1 2 #1. By striking page 23, line 35, through page 25,  
1 3 line 26.  
1 4 #2. Page 26, line 22, by striking <ADVISORY  
1 5 COMMITTEE> and inserting <BOARD>  
1 6 #3. Page 26, line 23, by striking <benefits advisory  
1 7 committee> and inserting <board of trustees>  
1 8 #4. Page 26, lines 24 and 25, by striking <, as  
1 9 enacted by this division of this Act,>  
1 10 #5. Page 26, lines 32 and 33, by striking <benefits  
1 11 advisory committee> and inserting <board of trustees>  
1 12 #6. By renumbering as necessary.

PETTENGILL of Benton

DRAKE of Cass  
HF2518.2039 (2) 83  
ec/sc



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## House Amendment 8394

PAG LIN

1 1 Amend the amendment, H=8349, to Senate File 2354,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, line 13, by striking <corporation> and  
1 5 inserting <person>  
1 6 #2. Page 1, line 19, by striking <corporation> and  
1 7 inserting <person>  
1 8 #3. Page 1, after line 28 by inserting:  
1 9 <\_\_. Title page, line 3, by striking  
1 10 <corporations,> and inserting <persons, establishing  
1 11 fees,>>  
1 12 #4. By renumbering as necessary.

RANTS of Woodbury  
SF2354.2045 (4) 83  
jr/rj



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## House Amendment 8395

PAG LIN

1 1 Amend the amendment, H=8348, to Senate File 2354,  
1 2 as amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, line 4, by striking <Corporate> and  
1 5 inserting <Campaign>  
1 6 #2. Page 1, line 6, by striking <corporation> and  
1 7 inserting <person>  
1 8 #3. Page 1, by striking line 9 and inserting  
1 9 <available to every other person if the person>  
1 10 #4. Page 1, line 14, by striking <corporation> and  
1 11 inserting <person>  
1 12 #5. Page 1, line 17, by striking <corporation> and  
1 13 inserting <person>  
1 14 #6. Page 1, line 19, by striking <corporation> and  
1 15 inserting <person>  
1 16 #7. Page 1, line 21, by striking <corporation> and  
1 17 inserting <person>  
1 18 #8. Page 1, line 25, by striking <corporations> and  
1 19 inserting <persons>  
1 20 #9. Page 1, line 30, by striking <corporation> and  
1 21 inserting <person>  
1 22 #10. Page 1, line 35, by striking <corporation> and  
1 23 inserting <person>  
1 24 #11. Page 1, after line 36 by inserting:  
1 25 <\_\_\_\_. Title page, line 3, by striking  
1 26 <corporations> and inserting <persons>>

RANTS of Woodbury  
SF2354.2044 (2) 83  
jr/rj



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House Amendment 8396

PAG LIN

1 1 Amend Senate File 2235, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting clause  
1 4 and inserting:  
1 5 <Section 1. NEW SECTION. 216A.105 Deliverable  
1 6 fuels == mandatory delivery == qualifications.  
1 7 1. Except when an unsafe condition would result,  
1 8 a deliverable fuel vendor engaged in the business of  
1 9 providing deliverable fuel to customers in this state  
1 10 shall not withhold the sale or delivery of deliverable  
1 11 fuel to a customer between November 1 and April 1  
1 12 annually if the customer makes a prepaid payment in an  
1 13 amount corresponding to the vendor's current cash price  
1 14 for two hundred fifty gallons of deliverable fuel or  
1 15 the vendor is notified by the division that not less  
1 16 than this amount will be paid from program funds on  
1 17 behalf of the customer.  
1 18 2. a. A deliverable fuel vendor is not prohibited  
1 19 from withholding the sale or delivery of deliverable  
1 20 fuel to a customer who has received the maximum amount  
1 21 of annual program assistance available and who cannot  
1 22 make a prepaid payment for deliverable fuel pursuant  
1 23 to subsection 1.  
1 24 b. A delivery of deliverable fuel is not required  
1 25 when a deliverable fuel vendor has grounds to believe  
1 26 that an unsafe condition or unlawful use would result.  
1 27 3. A deliverable fuel vendor providing deliverable  
1 28 fuel to a customer with an unpaid balance owing to the  
1 29 vendor may reduce the amount of the required delivery  
1 30 by up to twenty-five percent and shall apply the value  
1 31 of the reduction to the customer's unpaid balance  
1 32 except when the payment is made from program funds. If  
1 33 an unpaid balance remains, the division shall offer  
1 34 assistance in facilitating a payment arrangement. If  
1 35 a customer subject to a payment arrangement misses  
1 36 three payments required by the arrangement within a  
1 37 one-year period or within the time period during which  
1 38 the arrangement is in effect, the vendor is relieved of  
1 39 any obligation pursuant to this section relating to the  
1 40 customer and the entire balance owed to the vendor is  
1 41 due and payable .  
1 42 4. A customer shall be responsible for payment  
1 43 in advance of any charges for system safety checks  
1 44 conducted by a deliverable fuel vendor, except when  
1 45 that charge will be paid with additional program funds  
1 46 specified for that use. System safety check payments  
1 47 shall be in addition to, and shall not reduce, the  
1 48 payment otherwise available for a deliverable fuel sale  
1 49 or delivery. A propane vendor conducting a system  
1 50 safety check shall inform customers of the existence



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House Amendment 8396 continued

2 1 of projects developed by the Iowa propane education  
2 2 and research council to provide assistance to persons  
2 3 eligible for a project, if applicable, based upon the  
2 4 results of the safety check.  
2 5 5. A customer shall be responsible for advance  
2 6 payment of a charge for delivering deliverable fuel to  
2 7 the customer, as determined by the deliverable fuel  
2 8 vendor, unless that charge is paid for in advance with  
2 9 program funds. The charge for delivery may include  
2 10 an additional amount when an unscheduled or special  
2 11 delivery is required by the customer. Delivery fees or  
2 12 charges shall be in addition to, and shall not reduce,  
2 13 the payment otherwise available for the deliverable  
2 14 fuel sale or delivery pursuant to subsection 1.  
2 15 6. The division may enter into written agreements  
2 16 with deliverable fuel vendors to implement the  
2 17 provisions of this section and such other terms as  
2 18 the parties agree. The parties may agree to terms  
2 19 different than those provided in this section, in which  
2 20 case the terms of the written agreement shall supersede  
2 21 this section.  
2 22 7. For the purposes of this section, unless the  
2 23 context otherwise requires:  
2 24 a. "Customer" means an existing customer or a  
2 25 prospective customer who, subject to satisfying  
2 26 safety requirements and other usual requirements  
2 27 of the vendor, applies to become a customer of a  
2 28 deliverable fuel vendor and who has qualified for the  
2 29 program for the purchase and delivery of deliverable  
2 30 fuel. A prospective customer shall agree to a payment  
2 31 arrangement as a part of their application.  
2 32 b. "Deliverable fuel" means propane or any other  
2 33 heating fuel sold and delivered in this state for home  
2 34 heating purposes except for electricity or natural gas  
2 35 sold by a public utility furnishing natural gas by  
2 36 piped distribution system or electricity to the public  
2 37 for compensation pursuant to chapter 476.  
2 38 c. "Deliverable fuel vendor" means a retail propane  
2 39 marketer or marketer of a deliverable fuel other than  
2 40 propane that has agreed to participate in the program.  
2 41 d. "Division" as used in this section means the  
2 42 division of community action agencies of the department  
2 43 of human rights, and shall include "community action  
2 44 agency" when the context or function warrants.  
2 45 e. "Payment" means payment with United States  
2 46 currency, a cashier's check or money order issued by a  
2 47 state or federally regulated financial institution, a  
2 48 commitment by the division, or other form of payment  
2 49 acceptable to the deliverable fuel vendor.  
2 50 f. "Program" means the federal low-income home



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House Amendment 8396 continued

3 1 energy assistance program.  
3 2 g. "Propane" and "retail propane marketer" mean the  
3 3 same as defined in section 101C.2.  
3 4 Sec. 2. REPEAL. Section 101C.14, Code 2009, is  
3 5 repealed.>  
3 6 #2. Title page, by striking lines 2 and 3 and  
3 7 inserting <under specified circumstances.>

REASONER of Union  
SF2235.1961 (3) 83  
rn/nh



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**House File 2518 - Introduced**

HOUSE FILE  
BY COMMITTEE ON  
APPROPRIATIONS

(SUCCESSOR TO HF 2502)  
(SUCCESSOR TO HSB 566)

**A BILL FOR**

1 An Act concerning public retirement systems, including the  
2 public safety peace officers' retirement, accident, and  
3 disability system, the Iowa public employees' retirement  
4 system, and the statewide fire and police retirement system,  
5 making appropriations, and including effective date and  
6 retroactive applicability provisions.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 5346HZ (1) 83  
ec/sc



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House File 2518 - Introduced continued

PAG LIN

1 1 DIVISION I  
1 2 PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,  
1 3 ACCIDENT, AND DISABILITY SYSTEM  
1 4 Section 1. Section 80.8, Code 2009, is amended by adding the  
1 5 following new subsection:  
1 6 NEW SUBSECTION. 4. Should a peace officer become  
1 7 incapacitated for duty as a natural and proximate result  
1 8 of an injury, disease, or exposure incurred or aggravated  
1 9 while in the actual performance of duty at some definite  
1 10 time or place, the peace officer shall, upon being found to  
1 11 be temporarily incapacitated following an examination by a  
1 12 workers' compensation physician or other approved physician  
1 13 be entitled to receive the peace officer's fixed pay and  
1 14 allowances, without using the peace officer's sick leave,  
1 15 until reexamined by a workers' compensation physician or other  
1 16 approved physician or examined by the medical board provided  
1 17 for in section 97A.5, and found to be fully recovered or  
1 18 permanently disabled. In addition, a peace officer found to  
1 19 be temporarily incapacitated under this subsection shall be  
1 20 credited with any sick leave used prior to the determination  
1 21 that the peace officer was temporarily incapacitated under this  
1 22 subsection for the period of time sick leave was used. For  
1 23 purposes of this subsection, disease shall mean as described  
1 24 in section 97A.6, subsection 5.  
1 25 Sec. 2. Section 97A.1, subsection 6, Code 2009, is amended  
1 26 to read as follows:  
1 27 6. "Child" means only the surviving issue of a deceased  
1 28 active or retired member, or a child legally adopted by a  
1 29 deceased member prior to the member's retirement. "Child"  
1 30 includes only an individual who is under the age of eighteen  
1 31 years, an individual who is under the age of twenty-two and is  
1 32 a full-time student, or an individual who is disabled under the  
1 33 definitions used in section ~~402~~ 202 of the Social Security Act  
1 34 as amended if the disability occurred to the individual during  
1 35 the time the individual was under the age of eighteen years



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House File 2518 - Introduced continued

2 1 and the parent of the individual was an active member of the  
2 2 system.

2 3 Sec. 3. Section 97A.6, subsection 2, paragraph e,  
2 4 subparagraph (6), Code 2009, is amended to read as follows:

2 5 (6) For a member who terminates service, other than by  
2 6 death ~~or disability~~, on or after July 1, 2000, and who does  
2 7 not withdraw the member's contributions pursuant to section  
2 8 97A.16, upon the member's retirement there shall be added  
2 9 two and three-fourths percent of the member's average final  
2 10 compensation for each year of service over twenty-two years.  
2 11 However, this subparagraph does not apply to more than ten  
2 12 additional years of service.

2 13 Sec. 4. Section 97A.6, subsection 5, paragraph b, Code 2009,  
2 14 is amended by striking the paragraph.

2 15 Sec. 5. Section 97A.6, subsection 7, paragraph a,  
2 16 subparagraph (2), Code 2009, is amended to read as follows:

2 17 (2) A beneficiary retired under the provisions of this  
2 18 paragraph in order to be eligible for continued receipt of  
2 19 retirement benefits shall no later than May 15 of each year  
2 20 submit to the board of trustees a copy of the beneficiary's  
2 21 ~~state~~ federal individual income tax return for the preceding  
2 22 year. The beneficiary shall also submit, within sixty days,  
2 23 any documentation requested by the system that is determined to  
2 24 be necessary by the system to determine the beneficiary's gross  
2 25 wages.

2 26 Sec. 6. Section 97A.6, subsection 7, paragraph b, Code 2009,  
2 27 is amended to read as follows:

2 28 b. Should a disability beneficiary under age fifty-five  
2 29 be restored to active service at a compensation not less than  
2 30 the disability beneficiary's average final compensation, the  
2 31 disability beneficiary's retirement allowance shall cease, the  
2 32 disability beneficiary shall again become a member and shall  
2 33 contribute thereafter at the same rate payable by other members  
2 34 of comparable rank, seniority, and age, and former service on  
2 35 the basis of which the disability beneficiary's service was



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House File 2518 - Introduced continued

3 1 computed at the time of retirement shall be restored to full  
3 2 force and effect. Upon subsequent retirement the disability  
3 3 beneficiary shall be credited with all service as a member, and  
3 4 also with no more than two years of the period of disability  
3 5 retirement.

3 6 Sec. 7. Section 97A.8, subsection 1, paragraph b,  
3 7 subparagraph (2), subparagraph division (e), Code 2009, is  
3 8 amended by striking the subparagraph division and inserting in  
3 9 lieu thereof the following:

3 10 (e) For the fiscal year beginning July 1, 2012, twenty=seven  
3 11 percent.

3 12 (f) For the fiscal year beginning July 1, 2013, twenty=nine  
3 13 percent.

3 14 (g) For the fiscal year beginning July 1, 2014, thirty=one  
3 15 percent.

3 16 (h) For the fiscal year beginning July 1, 2015, thirty=three  
3 17 percent.

3 18 (i) For the fiscal year beginning July 1, 2016, thirty=five  
3 19 percent.

3 20 (j) For each fiscal year beginning on or after July 1, 2017,  
3 21 the lesser of thirty=seven percent or the normal contribution  
3 22 rate as calculated pursuant to subparagraph (1).

3 23 Sec. 8. Section 97A.8, subsection 1, paragraph e,  
3 24 subparagraph (8), Code 2009, is amended to read as follows:

3 25 (8)(a) For purposes of this subparagraph, the "applicable  
3 26 employee percentage" shall be as follows:

3 27 (i) For the fiscal period beginning July 1, 2006, and ending  
3 28 June 30, 2011, nine and thirty=five hundredths percent.

3 29 (ii) For the fiscal year beginning July 1, 2011, nine and  
3 30 eighty=five hundredths percent.

3 31 (iii) For the fiscal year beginning July 1, 2012, ten and  
3 32 thirty=five hundredths percent.

3 33 (iv) For the fiscal year beginning July 1, 2013, ten and  
3 34 eighty=five hundredths percent.

3 35 (v) For the fiscal year beginning July 1, 2014, and each



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House File 2518 - Introduced continued

4 1 fiscal year thereafter, eleven and thirty-five hundredths  
4 2 percent.

4 3 (b) Notwithstanding any other provision of this chapter,  
4 4 beginning July 1, 1996, and each fiscal year thereafter, an  
4 5 amount equal to the member's contribution rate times each  
4 6 member's compensation shall be paid to the retirement fund from  
4 7 the earnable compensation of the member. For the purposes  
4 8 of this subparagraph, the member's contribution rate shall  
4 9 be ~~nine and thirty-five hundredths percent~~ the applicable  
4 10 employee percentage. ~~However, the system shall increase the~~  
4 11 ~~member's contribution rate as necessary to cover any increase~~  
4 12 ~~in cost to the system resulting from statutory changes which~~  
4 13 ~~are enacted by any session of the general assembly meeting~~  
4 14 ~~after January 1, 1995, if the increase cannot be absorbed~~  
4 15 ~~within the contribution rates otherwise established pursuant to~~  
4 16 ~~this paragraph, but subject to a maximum employee contribution~~  
4 17 ~~rate of eleven and three-tenths percent. After the employee~~  
4 18 ~~contribution reaches eleven and three-tenths percent, sixty~~  
4 19 ~~percent of the additional cost of such statutory changes shall~~  
4 20 ~~be paid by the employer under paragraph "c" and forty percent~~  
4 21 ~~of the additional cost shall be paid by employees under this~~  
4 22 ~~subparagraph (8).~~

4 23 Sec. 9. Section 97A.8, subsection 1, Code 2009, is amended  
4 24 by adding the following new paragraph:

4 25 NEW PARAGRAPH. i. Notwithstanding any provision of this  
4 26 subsection to the contrary, if any statutory changes are  
4 27 enacted by any session of the general assembly meeting after  
4 28 January 1, 2011, which increases the cost to the system,  
4 29 the system shall, if the increased cost cannot be absorbed  
4 30 within the contribution rates otherwise established pursuant  
4 31 to this subsection at the time the statutory changes are  
4 32 enacted, increase the normal contribution rate and the member's  
4 33 contribution rate as necessary to cover any increase in cost  
4 34 by providing that sixty percent of the additional cost of such  
4 35 statutory changes shall be paid by the employer under paragraph



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House File 2518 - Introduced continued

5 1 "c" and forty percent of the additional cost shall be paid by  
5 2 employees under paragraph "e", subparagraph (8).

5 3 Sec. 10. Section 97A.10, subsection 1, paragraph a,  
5 4 subparagraph (1), Code 2009, is amended to read as follows:

5 5 (1) "Eligible qualified service" means ~~as follows:~~

~~5 6 (a) Service with the department prior to July 1, 1994, in  
5 7 a position as a gaming enforcement officer, fire prevention  
5 8 inspector peace officer, or as an employee of the division of  
5 9 capitol police except clerical workers.~~

5 10 (b) Service service as a member of a city fire retirement  
5 11 system or police retirement system operating under chapter 411  
5 12 prior to January 1, 1992, for which service was not eligible to  
5 13 be transferred to this system pursuant to section 97A.17.

5 14 Sec. 11. Section 97A.10, subsections 2 and 3, Code 2009, are  
5 15 amended to read as follows:

5 16 2. An active member of the system may make contributions to  
5 17 the system to purchase up to the maximum amount of permissive  
5 18 service credit for eligible qualified service as determined by  
5 19 the system, pursuant to Internal Revenue Code section 415(n)  
5 20 and the requirements of this section. A member seeking to  
5 21 purchase permissive service credit pursuant to this section  
5 22 shall file a written application along with appropriate  
5 23 documentation with the department by July 1, ~~2007~~ 2011.

5 24 3. A member making contributions for a purchase of  
5 25 permissive service credit for eligible qualified service under  
5 26 this section shall make contributions in an amount equal to the  
5 27 actuarial cost of the permissive service credit purchase, less  
5 28 an amount equal to the member's contributions under chapter  
5 29 411 for the period of eligible qualified service together  
5 30 with interest at a rate determined by the board of trustees.

5 31 For purposes of this subsection, the actuarial cost of the  
5 32 permissive service credit purchase is an amount determined by  
5 33 the system in accordance with actuarial tables, as reported  
5 34 to the system by the system's actuary, which reflects the  
5 35 actuarial cost necessary to fund an increased retirement



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6 1 allowance resulting from the purchase of permissive service  
6 2 credit.  
6 3 Sec. 12. Section 97A.11, Code 2009, is amended to read as  
6 4 follows:  
6 5 97A.11 Contributions by the state.  
6 6 On or before the first day of ~~November~~ January in each year,  
6 7 the board of trustees shall certify to the director of the  
6 8 department of administrative services the amounts which will  
6 9 become due and payable during the fiscal year next following to  
6 10 the retirement fund. The amounts so certified shall be paid  
6 11 by the director of the department of administrative services  
6 12 out of the funds appropriated for the Iowa department of public  
6 13 safety, to the treasurer of state, the same to be credited to  
6 14 the system for the ensuing fiscal year.  
6 15 Sec. 13. NEW SECTION. 97A.11A Supplemental state  
6 16 appropriation.  
6 17 1. Beginning with the fiscal year commencing July 1,  
6 18 2012, and ending June 30 of the fiscal year during which the  
6 19 board determines that the system's funded ratio of assets  
6 20 to liabilities is at least eighty-five percent, there is  
6 21 appropriated from the general fund of the state for each fiscal  
6 22 year to the retirement fund described in section 97A.8, an  
6 23 amount equal to five million dollars.  
6 24 2. Moneys appropriated by the state pursuant to this section  
6 25 shall not be used to reduce the normal rate of contribution by  
6 26 the state below seventeen percent.  
6 27 Sec. 14. Section 97A.14, Code 2009, is amended to read as  
6 28 follows:  
6 29 97A.14 Hospitalization and medical attention.  
6 30 1. The board of trustees shall provide hospital, nursing,  
6 31 and medical attention for the members in service when injured  
6 32 while in the performance of their duties and shall continue  
6 33 to provide hospital, nursing, long-term care, and medical  
6 34 attention for injuries or diseases incurred while in the  
6 35 performance of their duties for the members but only while



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7 1 the members are still receiving a retirement allowance under  
7 2 section 97A.6, subsection 6. The cost of hospital, nursing,  
7 3 and medical attention shall be paid out of the retirement fund.  
7 4 However, any amounts received by the injured person under the  
7 5 workers' compensation law of the state, or from any other  
7 6 source for such specific purposes, shall be deducted from the  
7 7 amount paid by the board of trustees ~~provisions of~~ under this  
7 8 section.

7 9 2. For purposes of this section, medical attention shall  
7 10 include but not be limited to services provided by licensed  
7 11 medical personnel to include office, hospital, nursing home  
7 12 care, long-term care, and prescriptions for medicine or  
7 13 equipment. Within twelve months of receiving treatment or  
7 14 incurring a cost with direct correlation to the disabling  
7 15 condition, the beneficiary of an accidental disability benefit  
7 16 shall submit a written request for reimbursement to the board.  
7 17 A denial of reimbursement by the board shall be subject to  
7 18 judicial review in the same manner as any other action by the  
7 19 board in accordance with section 97A.6, subsection 13.

7 20 Sec. 15. PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,  
7 21 ACCIDENT, AND DISABILITY SYSTEM == ADDITIONAL APPROPRIATION  
7 22 FOR PURCHASE OF SERVICE. If section 97A.10 is amended by this  
7 23 Act to provide for the purchase of eligible service credit on  
7 24 and after July 1, 2010, there shall be appropriated from the  
7 25 general fund of the state to the retirement fund described in  
7 26 section 97A.8 an amount equal to that portion of the actuarial  
7 27 cost of the permissive service credit purchase for eligible  
7 28 service credit pursuant to section 97A.10 that is not required  
7 29 to be contributed by a member making contributions to the  
7 30 system for that purchase.

7 31 Sec. 16. PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,  
7 32 ACCIDENT, AND DISABILITY SYSTEM == EMPLOYERS CONTRIBUTION RATE  
7 33 CALCULATION STUDY.

7 34 1. The board of trustees of the Iowa department of public  
7 35 safety peace officers' retirement, accident, and disability



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8 1 system, as defined in section 97A.2, shall, in consultation  
8 2 with the system's actuary, conduct a study concerning the  
8 3 calculation of the employers contribution rate beginning on and  
8 4 after July 1, 2017, with the goal of establishing a mechanism  
8 5 for ensuring that the system's funded ratio of assets to  
8 6 liabilities is at least eighty-five percent.

8 7 2. On or before October 15, 2015, the board of trustees  
8 8 shall file a report with the legislative services agency, for  
8 9 distribution to the public retirement systems committee, which  
8 10 contains the results of the study and any recommendations for  
8 11 statutory changes to implement the recommendations of the  
8 12 study.

8 13 Sec. 17. PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,  
8 14 ACCIDENT, AND DISABILITY SYSTEM == ADJUSTMENT OF PENSIONS  
8 15 PAYABLE. It is the intent of the general assembly that the  
8 16 applicable amount for each adjustment occurring on July 1  
8 17 as provided in section 97A.6, subsection 14, paragraph "a",  
8 18 subparagraph (2), subparagraph division (a), shall be the  
8 19 exact dollar amount listed in each subparagraph subdivision  
8 20 of subparagraph division (a) for each July 1 in which that  
8 21 particular subparagraph subdivision applies and shall not  
8 22 be increased above the amount listed in that subparagraph  
8 23 subdivision for each year that the subparagraph subdivision  
8 24 applies.

8 25 Sec. 18. PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,  
8 26 ACCIDENT, AND DISABILITY SYSTEM == BOARD REPORT.

8 27 1. The board of trustees of the Iowa department of  
8 28 public safety peace officers' retirement, accident, and  
8 29 disability system, as defined in section 97A.2, shall  
8 30 conduct a comprehensive examination of the plan design  
8 31 of the Iowa department of public safety peace officers'  
8 32 retirement, accident, and disability system, pursuant to the  
8 33 principles established in chapter 97D, with the goal of making  
8 34 recommendations for benefit and other statutory changes to the  
8 35 system that will maintain an adequate retirement for members at



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9 1 a reasonable cost to members and employers.  
9 2 2. On or before October 15, 2011, the board of trustees  
9 3 shall file a report with the legislative services agency, for  
9 4 distribution to the public retirement systems committee, which  
9 5 contains the results of the comprehensive examination and any  
9 6 recommendations for benefit or other statutory changes to the  
9 7 system.

9 8  
9 9 DIVISION II  
9 10 IOWA PUBLIC EMPLOYEES'  
9 11 RETIREMENT SYSTEM

9 12 Sec. 19. Section 97B.1A, Code Supplement 2009, is amended by  
9 13 adding the following new subsection:

9 14 NEW SUBSECTION. 10A. "Final average covered wage" means the  
9 15 greater of the following:

9 16 a. (1) The member's covered wages averaged for the  
9 17 highest five years of the member's regular service, except  
9 18 as otherwise provided in this paragraph. The highest five  
9 19 years of a member's covered wages shall be determined using  
9 20 calendar years. However, if a member's final quarter of a  
9 21 year of employment does not occur at the end of a calendar  
9 22 year, the system may determine the wages for the fifth year by  
9 23 computing the average quarter of all quarters from the member's  
9 24 highest calendar year of covered wages not being used in the  
9 25 selection of the four highest years and using the computed  
9 26 average quarter for each quarter in the fifth year in which  
9 27 no wages have been reported in combination with the final  
9 28 quarter or quarters of the member's service to create a full  
9 29 calendar year. However, the system shall not use the member's  
9 30 final quarter of wages if using that quarter would reduce  
9 31 the member's final average covered wage. If the five-year  
9 32 average covered wage of a member exceeds the highest maximum  
9 33 covered wages in effect for a calendar year during the member's  
9 34 period of service, the five-year average covered wage of the  
9 35 member shall be reduced to the highest maximum covered wages in  
effect during the member's period of service. Notwithstanding



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10 1 any other provision of this subparagraph to the contrary,  
10 2 a member's wages for the fifth year as computed under this  
10 3 subparagraph shall not exceed, by more than three percent, the  
10 4 member's highest actual calendar year of covered wages.  
10 5 (2) Notwithstanding any other provisions of this paragraph  
10 6 "a" to the contrary, the member's five-year average covered  
10 7 wage shall be the lesser of the five-year average covered wage  
10 8 as calculated pursuant to subparagraph (1) and the adjusted  
10 9 covered wage amount. For purposes of this subparagraph (2),  
10 10 the covered wage amount shall be an amount equal to one hundred  
10 11 thirty-four percent of the member's applicable calendar year  
10 12 wages. The member's applicable calendar year wages shall be  
10 13 the member's highest calendar year of covered wages not used in  
10 14 the calculation of the member's five-year average covered wage  
10 15 pursuant to subparagraph (1), or such other calendar year of  
10 16 covered wages selected by the system pursuant to rules adopted  
10 17 by the system.  
10 18 b. If the member was vested as of June 30, 2012, the  
10 19 member's three-year average covered wage as of June 30, 2012.  
10 20 Sec. 20. Section 97B.1A, subsection 24, paragraph c, Code  
10 21 Supplement 2009, is amended to read as follows:  
10 22 c. Notwithstanding any other provisions of this subsection  
10 23 to the contrary, for a member who retires on or after July 1,  
10 24 2007, the member's three-year average covered wage shall be the  
10 25 lesser of the three-year average covered wage as calculated  
10 26 pursuant to paragraph "a" and the adjusted covered wage  
10 27 amount. For purposes of this paragraph, the adjusted covered  
10 28 wage amount shall be the greater of the member's three-year  
10 29 average covered wage calculated pursuant to paragraph "a" as  
10 30 of July 1, 2007, and an amount equal to one hundred twenty-one  
10 31 percent of the member's applicable calendar year wages. The  
10 32 member's applicable calendar year wages shall be the member's  
10 33 highest ~~full~~ calendar year of covered wages not used in the  
10 34 calculation of the member's three-year average covered wage  
10 35 pursuant to paragraph "a", or, ~~if the member does not have~~



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~~11 1 another full calendar year of covered wages that was not used  
11 2 in the calculation of the three-year average covered wage under  
11 3 paragraph "a", the lowest full calendar year of covered wages  
11 4 that was used in the calculation of the member's three-year  
11 5 average covered wage pursuant to paragraph "a" such other  
11 6 calendar year of covered wages selected by the system pursuant  
11 7 to rules adopted by the system.~~

11 8 Sec. 21. Section 97B.1A, subsection 25, paragraph a,  
11 9 subparagraphs (1) through (5), Code Supplement 2009, are  
11 10 amended by striking the subparagraphs and inserting in lieu  
11 11 thereof the following:

11 12 (1) Is vested by service.

11 13 (2) Prior to July 1, 2005, has attained the age of  
11 14 fifty-five.

11 15 (3) Between July 1, 2005, and June 30, 2012, has attained  
11 16 the age of fifty-five or greater while in covered employment.

11 17 (4) On and after July 1, 2012, meets one of the following  
11 18 requirements:

11 19 (a) For a member in special service, has attained the age of  
11 20 fifty-five or greater while in covered employment.

11 21 (b) For a member in regular service, has attained the age of  
11 22 sixty-five or greater while in covered employment.

11 23 Sec. 22. Section 97B.1A, subsection 25, Code Supplement  
11 24 2009, is amended by adding the following new paragraph:

11 25 NEW PARAGRAPH. d. "Vested by service" means a member who  
11 26 meets one of the following requirements:

11 27 (1) Prior to July 1, 1965, had attained the age of  
11 28 forty-eight and completed at least eight years of service.

11 29 (2) Between July 1, 1965, and June 30, 1973, had completed  
11 30 at least eight years of service.

11 31 (3) Between July 1, 1973, and June 30, 2012, had completed  
11 32 at least four years of service.

11 33 (4) On and after July 1, 2012, meets one of the following  
11 34 requirements:

11 35 (a) For a member in special service, has completed at least



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12 1 four years of special service.

12 2 (b) For a member in regular service, has completed at least  
12 3 seven years of service.

12 4 (5) On or after July 1, 1988, an inactive member who had  
12 5 accumulated, as of the date of the member's last termination of  
12 6 employment, years of membership service equal to or exceeding  
12 7 the years of membership service specified in this paragraph  
12 8 "d" for qualifying as vested by service on that date of  
12 9 termination.

12 10 Sec. 23. Section 97B.4, subsection 2, paragraph c, Code  
12 11 2009, is amended to read as follows:

~~12 12 c. In administering this chapter, the system may enter into  
12 13 a biennial agreement with the department of administrative  
12 14 services concerning the sharing of resources between the  
12 15 system and department which are of benefit to each and  
12 16 which are consistent with the mission of the system and  
12 17 the department. The budget program for the system shall be  
12 18 established by the chief executive officer in consultation with  
12 19 the board and other staff of the system and shall be compiled  
12 20 and submitted by the system pursuant to section 8.23.~~

12 21 Sec. 24. Section 97B.4, subsection 4, paragraph a, Code  
12 22 2009, is amended to read as follows:

12 23 a. Annual report to governor. Not later than the  
12 24 thirty-first day of December of each year, the system shall  
12 25 submit to the governor a report covering the administration  
12 26 and operation of this chapter during the preceding fiscal  
12 27 year and shall make recommendations for amendments to this  
12 28 chapter. The report shall include a balance sheet of the  
12 29 moneys in the retirement fund. The report shall also include  
12 30 information concerning the investment management expenses  
12 31 for the retirement fund for each fiscal year expressed as a  
12 32 percent of the market value of the retirement fund investment  
12 33 assets, ~~including the information described in section 97B.7,  
12 34 subsection 3, paragraph "d".~~ The information provided under  
12 35 this paragraph shall also include information on the investment



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13 1 policies and investment performance of the retirement fund.  
13 2 In providing this information, to the extent possible, the  
13 3 system shall include the total investment return for the entire  
13 4 fund, for portions of the fund managed by investment managers,  
13 5 and for internally managed portions of the fund, and the cost  
13 6 of managing the fund per thousand dollars of assets. The  
13 7 performance shall be based upon market value, and shall be  
13 8 contrasted with relevant market indices and with performances  
13 9 of pension funds of similar asset size.  
13 10 Sec. 25. Section 97B.11, subsection 3, paragraph d, Code  
13 11 2009, is amended to read as follows:  
13 12 d. "Required contribution rate" means that percentage of the  
13 13 covered wages of members in regular service, members described  
13 14 in section 97B.49B, and members described in section 97B.49C,  
13 15 that the system shall, for each fiscal year, separately set  
13 16 for members in each membership category as provided in this  
13 17 paragraph. The required contribution rate that is set by the  
13 18 system for a membership category shall be the contribution  
13 19 rate the system actuarially determines, based upon the  
13 20 most recent actuarial valuation of the system and using the  
13 21 actuarial methods, assumptions, and funding policy approved  
13 22 by the investment board, is the rate required by the system  
13 23 to discharge its liabilities as a percentage of the covered  
13 24 wages of members in that membership category. However, the  
13 25 required contribution rate set by the system for members in  
13 26 regular service for a fiscal year shall not vary by more than  
13 27 one-half one percentage point from the required contribution  
13 28 rate for the prior fiscal year.  
13 29 Sec. 26. Section 97B.49A, subsection 3, Code 2009, is  
13 30 amended to read as follows:  
13 31 3. Calculation of monthly allowance. For each active or  
13 32 inactive vested member retiring on or after July 1, 1994, with  
13 33 four or more complete years of service, a monthly benefit shall  
13 34 be computed which is equal to one-twelfth of an amount equal  
13 35 to the applicable percentage of the ~~three-year~~ final average



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14 1 covered wage multiplied by a fraction of years of service.  
14 2 However, if benefits under this section commence on an early  
14 3 retirement date, the amount of the benefit shall be reduced in  
14 4 accordance with section 97B.50.  
14 5 Sec. 27. Section 97B.49A, subsection 4, paragraph c, Code  
14 6 2009, is amended to read as follows:  
14 7 c. For each active and vested member retiring ~~with less than~~  
~~14 8 four complete years of service and who therefore~~ cannot have a  
14 9 benefit determined under the formula benefit of paragraph "a"  
14 10 or "b" of this subsection, subsection 3, or section 97B.49G,  
14 11 subsection 1, a monthly annuity for membership service shall be  
14 12 determined by applying the member's accumulated contributions  
14 13 and the employer's matching accumulated contributions as of the  
14 14 effective retirement date and any retirement dividends standing  
14 15 to the member's credit on or before December 31, 1966, to the  
14 16 annuity tables in use by the system according to the member's  
14 17 age and contingent annuitant's age, if applicable.  
14 18 Sec. 28. Section 97B.49D, subsection 1, unnumbered  
14 19 paragraph 1, Code 2009, is amended to read as follows:  
14 20 An active or inactive vested member, who is or has been  
14 21 employed in both special service and regular service, who  
14 22 retires on or after July 1, 1996, ~~with four or more completed~~  
~~14 23 years of who is vested by service, and who~~ at the time of  
14 24 retirement is at least fifty-five years of age, may elect  
14 25 to receive, in lieu of the receipt of a monthly retirement  
14 26 allowance as calculated pursuant to sections 97B.49A through  
14 27 97B.49C, a combined monthly retirement allowance equal to the  
14 28 sum of the following:  
14 29 Sec. 29. Section 97B.49D, subsection 1, paragraph a, Code  
14 30 2009, is amended to read as follows:  
14 31 a. One-twelfth of an amount equal to the applicable  
14 32 percentage of the member's ~~three-year~~ final average covered  
14 33 wage multiplied by a fraction of years of service. The  
14 34 fraction of years of service for purposes of this paragraph  
14 35 shall be the actual years of service, not to exceed thirty,



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15 1 for which regular service contributions were made, divided by  
15 2 thirty. However, any otherwise applicable age reduction for  
15 3 early retirement shall apply to the calculation under this  
15 4 paragraph.

15 5 Sec. 30. Section 97B.50, subsection 1, paragraphs a and b,  
15 6 Code 2009, are amended to read as follows:

15 7 a. For a member who is ~~less than sixty-two years of age not~~  
15 8 ~~vested on June 30, 2012, by twenty-five hundredths~~ one-half of  
15 9 one percent per month for each month that the early retirement  
15 10 date precedes the ~~normal retirement~~ date the member attains age  
15 11 sixty-five.

15 12 b. For a member who is ~~at least sixty-two years of age and~~  
15 13 ~~who has not completed twenty years of membership service and~~  
15 14 ~~prior service vested on June 30, 2012, the member's retirement~~  
15 15 allowance shall be reduced as follows:

15 16 (1) For that portion of the member's retirement allowance  
15 17 based on years of service through June 30, 2012, by twenty-five  
15 18 hundredths of one percent per month for each month that the  
15 19 early retirement date precedes the member's earliest normal  
15 20 retirement date using the member's age on the early retirement  
15 21 date and years of service as of June 30, 2012.

15 22 (2) For that portion of the member's retirement allowance  
15 23 based on years of service after June 30, 2012, by one-half of  
15 24 one percent per month for each month that the early retirement  
15 25 date precedes the date the member attains age sixty-five.

15 26 Sec. 31. Section 97B.50A, subsection 2, paragraph c, Code  
15 27 2009, is amended to read as follows:

15 28 c. (1) Disease under this subsection shall mean heart  
15 29 disease or any disease of the lungs or respiratory tract and  
15 30 shall be presumed to have been contracted while on active duty  
15 31 as a result of strain, exposure, or the inhalation of noxious  
15 32 fumes, poison, or gases.

15 33 (2) Disease under this subsection shall also mean, for  
15 34 a member in a protection occupation, cancer or infectious  
15 35 disease, as defined in section 411.1, and shall be presumed to



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16 1 have been contracted while on active duty as a result of that  
16 2 duty.

16 3 (3) However, if a person's special service membership in  
16 4 the retirement system first commenced on or after July 1, 2000,  
16 5 and the heart disease, ~~or~~ disease of the lungs or respiratory  
16 6 tract, cancer, or infectious disease would not exist, but  
16 7 for a medical condition that was known to exist on the date  
16 8 that special service membership commenced, the presumption  
16 9 established in this paragraph "c" shall not apply.

16 10 Sec. 32. Section 97B.52, subsection 1, unnumbered paragraph  
16 11 1, Code 2009, is amended to read as follows:

16 12 If an inactive member, ~~with at least sixteen calendar~~  
~~16 13 quarters of service credit who is vested by service,~~ or  
16 14 any active member dies prior to the member's first month of  
16 15 entitlement, the member's beneficiary shall be entitled to  
16 16 receive a death benefit equal to the greater of the amount  
16 17 provided in paragraph "a" or "b". If an inactive member ~~with~~  
~~16 18 less than sixteen calendar quarters of service credit who is~~  
16 19 not vested by service dies prior to the member's first month of  
16 20 entitlement, the member's beneficiary shall only be entitled  
16 21 to receive a death benefit, as a lump sum, equal to the amount  
16 22 provided in paragraph "a".

16 23 Sec. 33. Section 97B.52A, subsection 1, paragraph c, Code  
16 24 2009, is amended to read as follows:

16 25 c. (1) For a member whose first month of entitlement  
16 26 is July 2000 or later, the member does not return to any  
16 27 employment with a covered employer until the member has  
16 28 qualified for at least one calendar month of retirement  
16 29 benefits, and the member does not return to covered employment  
16 30 until the member has qualified for no fewer than four calendar  
16 31 months of retirement benefits.

16 32 (2) For purposes of determining a bona fide retirement  
16 33 under this paragraph "c", effective the following provisions  
16 34 apply:

16 35 (a) Effective July 1, 2000, any employment with a covered



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17 1 employer does not include employment as an elective official  
17 2 or member of the general assembly if the member is not covered  
17 3 under this chapter for that employment.

17 4 (b) For purposes of determining a bona fide retirement  
~~17 5 under this paragraph and for a member whose first month of~~  
17 6 entitlement is July 2004 or later, but before July ~~2010~~ 2012,  
17 7 covered employment does not include employment as a licensed  
17 8 health care professional by a public hospital as defined in  
17 9 section 249J.3, with the exception of public hospitals governed  
17 10 pursuant to chapter 226.

17 11 (c) Effective May 25, 2008, any employment with a covered  
17 12 employer does not include noncovered employment as a member of  
17 13 the national guard called to state active duty as defined in  
17 14 section 29A.1.

17 15 Sec. 34. Section 97B.58, Code 2009, is amended to read as  
17 16 follows:

17 17 97B.58 Information furnished by employer.

17 18 To enable the system to administer this chapter and perform  
17 19 its functions, the employer shall, upon the request of and  
17 20 in the manner provided by the system, ~~supply full~~ provide  
17 21 accurate, complete, and timely information to the system of  
17 22 all matters relating to the pay of all members, date of birth,  
17 23 their retirement, death, or other cause for termination of  
17 24 employment, and other pertinent facts the system may require  
17 25 in the manner provided by the system. The system shall not be  
17 26 liable to any member, retiree, or beneficiary for any monetary  
17 27 or other relief due to the failure of the employer to comply  
17 28 with this section.

17 29 Sec. 35. 2008 Iowa Acts, chapter 1171, section 47, is  
17 30 amended to read as follows:

17 31 SEC. 47. TRANSITION PROVISION == REQUIRED CONTRIBUTION RATE  
17 32 FOR FISCAL YEAR 2010=2011. For purposes of establishing the  
17 33 required contribution rate for the fiscal year beginning July  
17 34 1, 2011, as provided in section 97B.11, as amended in this Act,  
17 35 the required contribution rate for the fiscal year beginning



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18 1 July 1, 2010, shall be, for ~~members in regular service~~, members  
18 2 described in section 97B.49B, and members described in section  
18 3 97B.49C, the total contribution percentage rate paid by members  
18 4 and employers of that membership group for the fiscal year  
18 5 beginning July 1, 2010.

18 6 Sec. 36. 2009 Iowa Acts, chapter 170, section 51,  
18 7 subsections 1 and 3, are amended to read as follows:

18 8 1. a. Notwithstanding any provision of chapter 97B to the  
18 9 contrary, a member of the Iowa public employees' retirement  
18 10 system who has an employer=mandated reduction in hours or  
18 11 an employee=exercised reduction in pay but remains on the  
18 12 employer's payroll, and who would receive a reduction in the  
18 13 member's three-year average covered wage as a result of the  
18 14 reduction in hours, may have the member's retirement allowance  
18 15 calculated based on the three-year average covered wage the  
18 16 member would have received, based on reasonable assumptions,  
18 17 if the member had not been subject to the employer=mandated  
18 18 reduction in hours or employee=exercised reduction in pay, upon  
18 19 payment by the member of the applicable contribution amount.

18 20 b. For purposes of this section, ~~the applicable contribution~~  
~~18 21 amount unless the context otherwise requires:~~

18 22 (1) "Applicable contribution amount" is an amount equal to  
18 23 the employee and employer contributions that would have been  
18 24 paid to the system based on the wages that the member would  
18 25 have received but for the employer=mandated reduction in hours  
18 26 or employee=exercised reduction in pay and would have been  
18 27 included in the member's three-year average covered wage.

18 28 (2) "Employee=exercised reduction in pay" means a reduction  
18 29 in pay of a member who has exercised bumping rights by  
18 30 accepting a lower-paid position in order to avoid being laid  
18 31 off by the employer.

18 32 3. This section shall apply to employer=mandated reductions  
18 33 in hours or employee=exercised reductions in pay during  
18 34 the period of time beginning on or after January 1, 2009,  
18 35 and ending no later than June 30, ~~2010~~ 2011. The system is



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19 1 authorized to adopt such rules, including emergency rules, as  
19 2 it deems necessary or prudent to implement this section.  
19 3 Sec. 37. IPERS REGULAR MEMBERS == FINAL AVERAGE COVERED WAGE ==  
19 4 JULY 1, 2010 THROUGH JUNE 30, 2012. Notwithstanding any  
19 5 provision of section 97B.1A, subsection 10A, as enacted by this  
19 6 division of this Act, to the contrary, for the period beginning  
19 7 July 1, 2010, and ending June 30, 2012, "final average covered  
19 8 wage" means the member's three-year average covered wage.  
19 9 Sec. 38. IPERS REGULAR MEMBERS == REQUIRED CONTRIBUTION  
19 10 RATE FOR FISCAL YEAR 2011=2012. Notwithstanding any provision  
19 11 of section 97B.11 to the contrary, for members in regular  
19 12 service as defined in section 97B.1A, the required contribution  
19 13 rate for the fiscal year beginning July 1, 2011, as provided  
19 14 in section 97B.11, shall be thirteen and forty-five hundredths  
19 15 percent.  
19 16 Sec. 39. EFFECTIVE DATE. The section of this division of  
19 17 this Act amending section 97B.50 takes effect June 30, 2012.  
19 18 Sec. 40. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
19 19 APPLICABILITY. The section of this division of this Act  
19 20 enacting section 97B.52A, subsection 1, paragraph "c",  
19 21 subparagraph (2), subparagraph division (c), being deemed of  
19 22 immediate importance, takes effect upon enactment and applies  
19 23 retroactively to May 25, 2008.  
19 24 Sec. 41. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
19 25 APPLICABILITY. The section of this division of this Act  
19 26 amending 2009 Iowa Acts, chapter 170, section 51, being deemed  
19 27 of immediate importance, takes effect upon enactment and  
19 28 applies retroactively to January 1, 2009.  
19 29 DIVISION III  
19 30 STATEWIDE FIRE AND POLICE  
19 31 RETIREMENT SYSTEM  
19 32 Sec. 42. Section 8.59, Code 2009, is amended to read as  
19 33 follows:  
19 34 8.59 Appropriations freeze.  
19 35 Notwithstanding contrary provisions of the Code, the amounts



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20 1 appropriated under the applicable sections of the Code for  
20 2 fiscal years commencing on or after July 1, 1993, are limited  
20 3 to those amounts expended under those sections for the fiscal  
20 4 year commencing July 1, 1992. If an applicable section  
20 5 appropriates moneys to be distributed to different recipients  
20 6 and the operation of this section reduces the total amount to  
20 7 be distributed under the applicable section, the moneys shall  
20 8 be prorated among the recipients. As used in this section,  
20 9 "applicable sections" means sections 53.50, 229.35, 230.8,  
20 10 230.11, ~~411.20~~, and 663.44.  
20 11 Sec. 43. Section 411.1, subsection 22, Code Supplement  
20 12 2009, is amended to read as follows:  
20 13 22. "Surviving spouse" shall mean the surviving spouse of a  
20 14 deceased member ~~from active service~~. Surviving spouse shall  
20 15 include a former spouse only if the division of assets in the  
20 16 dissolution of marriage decree pursuant to section 598.17  
20 17 grants the former spouse rights of a spouse under this chapter.  
20 18 Sec. 44. Section 411.6, subsection 3, Code Supplement 2009,  
20 19 is amended to read as follows:  
20 20 3. Ordinary disability retirement benefit. Upon application  
20 21 to the system, of a member in good standing or of the chief  
20 22 of the police or fire departments, respectively, any member  
20 23 in good standing shall be retired by the system, not less  
20 24 than thirty and not more than ninety days next following the  
20 25 date of filing the application, on an ordinary disability  
20 26 retirement allowance, if the medical board after a medical  
20 27 examination of the member certifies that the member is mentally  
20 28 or physically incapacitated for further performance of duty,  
20 29 that the incapacity is likely to be permanent, and that the  
20 30 member should be retired. However, if a person's membership  
20 31 in the system first commenced on or after July 1, 1992, the  
20 32 member shall not be eligible for benefits with respect to a  
20 33 disability which would not exist, but for a medical condition  
20 34 that was known to exist on the date that membership commenced.  
20 35 A medical condition shall be deemed to have been known to exist



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21 1 on the date that membership commenced if the medical condition  
21 2 is reflected in any record or document completed or obtained  
21 3 in accordance with the system's medical protocols pursuant to  
21 4 section 400.8, or in any other record or document obtained  
21 5 pursuant to an application for disability benefits from the  
21 6 system, if such record or document existed prior to the date  
21 7 membership commenced. A member who is denied a benefit under

21 8 this subsection, by reason of a finding by the medical board  
21 9 that the member is not mentally or physically incapacitated  
21 10 for the further performance of duty, shall be entitled to  
21 11 be restored to active service in the same position held  
21 12 immediately prior to the application for disability benefits.  
21 13 The member=in=good=standing requirement of this subsection  
21 14 may be waived for good cause as determined by the board. The  
21 15 burden of establishing good cause is on the member.

21 16 Sec. 45. Section 411.6, subsection 8, paragraph c,  
21 17 subparagraph (1), Code Supplement 2009, is amended to read as  
21 18 follows:

21 19 (1) The spouse, regardless of whether the spouse was  
21 20 designated by the member to the system as the member's  
21 21 beneficiary.

21 22 Sec. 46. Section 411.6, subsection 8, paragraph d,  
21 23 subparagraph (1), Code Supplement 2009, is amended to read as  
21 24 follows:

21 25 (1) To the member's surviving spouse, unless the surviving  
21 26 spouse selected the pension under paragraph "b".

21 27 Sec. 47. Section 411.6B, Code 2009, is amended by adding the  
21 28 following new subsection:

21 29 NEW SUBSECTION. 3. a. For distributions after December  
21 30 31, 2009, a nonspouse beneficiary who is a designated  
21 31 beneficiary may roll over all or any portion of the  
21 32 beneficiary's distribution to an individual retirement account  
21 33 the beneficiary establishes for purposes of receiving the  
21 34 distribution by means of a direct rollover. In order to  
21 35 qualify for a rollover under this subsection, the distribution



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22 1 must otherwise satisfy the definition of an eligible  
22 2 rollover distribution. If a nonspouse beneficiary receives a  
22 3 distribution from the system, the distribution is not eligible  
22 4 for a sixty-day rollover.

22 5     b. If the member's named beneficiary is a trust, the system  
22 6 may make a direct rollover to an individual retirement account  
22 7 on behalf of the trust, provided the trust satisfies the  
22 8 requirements to be a designated beneficiary within the meaning  
22 9 of Internal Revenue Code section 401(a)(9)(E).

22 10     c. A nonspouse beneficiary may not roll over an amount  
22 11 which is a required minimum distribution, as determined  
22 12 under applicable United States treasury regulations and  
22 13 other federal Internal Revenue Service guidance. If the  
22 14 participant dies before the participant's required beginning  
22 15 date and the nonspouse beneficiary rolls over to an individual  
22 16 retirement account the maximum amount eligible for rollover,  
22 17 the beneficiary may elect to use either the five-year rule or  
22 18 the life expectancy rule, pursuant to applicable United States  
22 19 treasury regulations as provided in 26 C.F.R. { 1.401(a)(9)-3,  
22 20 in determining the required minimum distributions from the  
22 21 individual retirement account that receives the nonspouse  
22 22 beneficiary's distribution.

22 23     Sec. 48. Section 411.8, subsection 1, paragraph b,  
22 24 subparagraph (1), Code Supplement 2009, is amended to read as  
22 25 follows:

22 26     (1) On the basis of the actuarial methods and assumptions,  
22 27 rate of interest, and of the mortality, interest and other  
22 28 tables adopted by the system, the actuary engaged by the system  
22 29 to make each valuation required by this chapter pursuant to the  
22 30 requirements of section 411.5, shall immediately after making  
22 31 such valuation, determine the normal contribution rate. Except  
22 32 as otherwise provided in this lettered paragraph, the "normal  
22 33 contribution rate" shall be the rate percent of the earnable  
22 34 compensation of all members equal to the rate required by the  
22 35 system to discharge its liabilities, stated as a percentage of



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23 1 the earnable compensation of all members, and reduced by the  
23 2 employee contribution rate provided in paragraph "f" of this  
23 3 subsection and the contribution rate representing ~~the~~ any state  
23 4 appropriation made ~~as provided in section 411.20~~. However,  
23 5 the normal contribution rate shall not be less than seventeen  
23 6 percent.

23 7 Sec. 49. Section 411.9, Code 2009, is amended by adding the  
23 8 following new subsection:

23 9 NEW SUBSECTION. 1A. In the case of a member's death  
23 10 occurring on or after January 1, 2007, if the member dies while  
23 11 performing qualified military service as defined in section  
23 12 414(u) of the Internal Revenue Code, the survivors of the  
23 13 member are entitled to any additional benefits, other than  
23 14 benefit accruals relating to the period of qualified military  
23 15 service, provided by the system as if the member had resumed  
23 16 membership service and had died as the natural and proximate  
23 17 result of an injury or disease incurred in or aggravated by the  
23 18 actual performance of duty at some definite time and place.

23 19 Sec. 50. Section 411.9, Code 2009, is amended by adding the  
23 20 following new subsection:

23 21 NEW SUBSECTION. 1B. For years beginning after December  
23 22 31, 2008, if a member who is absent while serving in the armed  
23 23 services of the United States is receiving a differential wage  
23 24 payment, as defined in section 3401(h)(2) of the Internal  
23 25 Revenue Code, from a participating city, all of the following  
23 26 shall apply:

23 27 a. The member is treated as an employee of the employer  
23 28 making the payment and as an active member of the system.

23 29 b. The differential wage payment is treated as earnable  
23 30 compensation of the member.

23 31 c. The system is not treated as failing to meet the  
23 32 requirements of any provision described in section 414(u)(1)(C)  
23 33 of the Internal Revenue Code by reason of any contribution or  
23 34 benefit which is based on the differential wage payment.

23 35 Sec. 51. NEW SECTION. 411.36A Benefits advisory committee.



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24 1     1. A benefits advisory committee shall be established whose  
24 2 duty is to consider and make recommendations to the general  
24 3 assembly concerning the provision of benefits and services  
24 4 to members of the retirement system. The benefits advisory  
24 5 committee shall consist of five voting members who shall be as  
24 6 follows:

24 7     a. A fire fighter, who is either an active or retired member  
24 8 of the retirement system. The fire fighter shall be appointed  
24 9 by the governing body of the Iowa association of professional  
24 10 fire fighters.

24 11     b. A police officer, who is either an active or retired  
24 12 member of the retirement system. The police officer shall  
24 13 be appointed by the governing body of the Iowa state police  
24 14 association.

24 15     c. Two representatives from different participating cities  
24 16 of the system. The members authorized pursuant to this  
24 17 paragraph shall be appointed by the governing body of the Iowa  
24 18 league of cities.

24 19     d. One citizen who does not hold another public office. The  
24 20 citizen shall be appointed by the other members of the advisory  
24 21 committee.

24 22     2. Except as otherwise provided for the initial  
24 23 appointments, the voting members shall be appointed for  
24 24 four-year terms. Terms of voting members begin on May 1 in  
24 25 the year of appointment and expire on April 30 in the year of  
24 26 expiration.

24 27     3. Vacancies shall be filled in the same manner as original  
24 28 appointments. A vacancy shall be filled for the unexpired  
24 29 term.

24 30     4. The advisory committee shall elect a chairperson from  
24 31 among its own members.

24 32     5. a. The voting members of the advisory committee shall  
24 33 be paid their actual and necessary expenses incurred in the  
24 34 performance of their duties and shall receive a per diem as  
24 35 specified in section 7E.6 for each day of service. Per diem



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25 1 and expenses shall be paid to voting members from the fire and  
25 2 police retirement fund created in section 411.8.

25 3 b. A participating city shall allow an employee who is a  
25 4 member of the advisory committee to attend all meetings of  
25 5 the advisory committee. In their capacity as members of the  
25 6 advisory committee, which is an instrumentality of political  
25 7 subdivisions of the state, members of the advisory committee  
25 8 shall be deemed to be jointly serving the members of the system  
25 9 and the participating cities. The members of the advisory  
25 10 committee shall perform their duties in the best interest of  
25 11 the system. Advisory committee members who are employees  
25 12 of participating cities shall be allowed to attend advisory  
25 13 committee meetings without being required to use paid leave.  
25 14 Costs incurred by an advisory committee member which are  
25 15 associated with having a replacement perform the member's other  
25 16 duties for the participating city while serving in the capacity  
25 17 of a member of the advisory committee may be considered a  
25 18 necessary expense of the system.

25 19 6. At least every two years, the benefits advisory committee  
25 20 shall review the benefits and services provided to members  
25 21 under this chapter, and the voting members of the committee  
25 22 shall make recommendations to the general assembly concerning  
25 23 the services provided to members and the benefits, benefits  
25 24 policy, and benefit goals, provided under this chapter.

25 25 7. Administrative support. The system shall provide  
25 26 administrative support for the advisory committee.

25 27 Sec. 52. Section 411.37, subsections 2 and 3, Code 2009, are  
25 28 amended to read as follows:

25 29 2. The board shall include in the transition plan or other  
25 30 transition documents, provisions to facilitate continuity under  
25 31 sections ~~411.20~~, ~~411.21~~, and 411.30, and any appropriations to  
25 32 the system from the state.

25 33 3. For each of the fiscal years beginning July 1, 1990,  
25 34 and July 1, 1991, ten percent of the amount appropriated by  
25 35 the state for distribution to cities ~~as provided in section~~



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~~26~~ 1 ~~411.20~~ shall be made available to the board of trustees for  
 26 2 the statewide system to cover the administrative costs of the  
 26 3 transition. The amount distributed to each city shall be  
 26 4 reduced accordingly. The moneys remaining unencumbered or  
 26 5 unexpended at the end of the fiscal year beginning July 1,  
 26 6 1990, and the moneys remaining unencumbered or unexpended on  
 26 7 January 1, 1992, shall be credited to the cities in the same  
 26 8 proportion as the reduction.

26 9     Sec. 53. REPEAL. Section 411.20, Code 2009, is repealed.

26 10    Sec. 54. STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM FUND ==  
 26 11 APPROPRIATIONS.

26 12    1. There is appropriated from the general fund of the state  
 26 13 for deposit in the statewide fire and police retirement fund  
 26 14 created in section 411.8, for the designated fiscal years, the  
 26 15 following amounts:

26 16	FY 2010=2011 .....	\$ 1,500,000
26 17	FY 2011=2012 .....	\$ 750,000

26 18    2. Moneys appropriated by the state pursuant to this section  
 26 19 shall not be used to reduce the normal rate of contribution of  
 26 20 any city below 17 percent.

26 21    Sec. 55. STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM ==  
 26 22 ADVISORY COMMITTEE REPORT.

26 23    1. The benefits advisory committee of the statewide fire  
 26 24 and police retirement system created in chapter 411, as enacted  
 26 25 by this division of this Act, shall conduct a comprehensive  
 26 26 examination of the plan design of the statewide fire and police  
 26 27 retirement system, pursuant to the principles established  
 26 28 in chapter 97D, with the goal of making recommendations for  
 26 29 benefit and other statutory changes to the system that will  
 26 30 maintain an adequate retirement for members at a reasonable  
 26 31 cost to members and employers.

26 32    2. On or before October 15, 2011, the benefits advisory  
 26 33 committee shall file a report with the legislative services  
 26 34 agency, for distribution to the public retirement systems  
 26 35 committee, which contains the results of the comprehensive



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27 1 examination and any recommendations for benefit or other  
27 2 statutory changes to the system.  
27 3 Sec. 56. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
27 4 APPLICABILITY. The section of this division of this Act  
27 5 enacting section 411.9, subsection 1A, being deemed of  
27 6 immediate importance, take effect upon enactment and applies  
27 7 retroactively to deaths occurring on or after January 1, 2007.

27 8 Sec. 57. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
27 9 APPLICABILITY. The section of this division of this Act  
27 10 enacting section 411.9, subsection 1B, being deemed of  
27 11 immediate importance, takes effect upon enactment and applies  
27 12 retroactively to years beginning after December 31, 2008.

27 13 EXPLANATION

27 14 This bill makes numerous changes to public retirement  
27 15 systems, including the public safety peace officers'  
27 16 retirement, accident, and disability system, the Iowa public  
27 17 employees' retirement system, and the statewide fire and police  
27 18 retirement system. The bill may include a state mandate as  
27 19 defined in Code section 25B.3. The state mandate funding  
27 20 requirement in Code section 25B.2, however, does not apply to  
27 21 public employee retirement systems. The changes to each public  
27 22 retirement system are as follows:

27 23 PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM  
27 24 (PORS). Code section 97A.1(6), concerning the definition of  
27 25 child, is amended by correcting a reference to the federal  
27 26 Social Security Act.

27 27 Code section 97A.6(5)(b), concerning the continuation of  
27 28 peace officer pay and allowances while the peace officer  
27 29 is temporarily incapacitated, is amended by striking this  
27 30 provision and transferring it to Code section 80.8.

27 31 Code section 97A.6(7), concerning reexamination of  
27 32 disability retirees, is amended to require a disability retiree  
27 33 to provide the PORS board a copy of the beneficiary's federal  
27 34 individual tax return and such other information the system  
27 35 deems necessary. Current law only requires the beneficiary to



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28 1 provide a copy of the beneficiary's state income tax return.  
28 2 The subsection is also amended to provide that a disability  
28 3 beneficiary who is restored to active service and then  
28 4 subsequently retires is entitled to service credit for no more  
28 5 than two years of the period of disability retirement. Current  
28 6 law allows a service credit for all years of the disability  
28 7 retirement.  
28 8 Code section 97A.8, concerning the financing of PORS, is  
28 9 amended. The bill provides that the employer contribution rate  
28 10 will continue to increase 2 percentage points per year until  
28 11 reaching the lesser of 37 percent or the amount determined  
28 12 actuarially beginning July 1, 2017. Current law increases  
28 13 the employer contribution rate by 2 percentage points until  
28 14 reaching a maximum of the lesser of 27 percent or the amount  
28 15 determined actuarially beginning July 1, 2012. The bill also  
28 16 increases the employee contribution rate by 0.5 percentage  
28 17 points for four years beginning July 1, 2011, from 9.35 percent  
28 18 of pay, until reaching 11.35 percent beginning on and after  
28 19 July 1, 2014. The section is also amended to provide that  
28 20 the cost to cover any increase in cost to PORS resulting from  
28 21 any statutory changes enacted after January 1, 2011, shall be  
28 22 divided with 60 percent of the increased cost paid by employers  
28 23 and 40 percent by the employees, if the increased cost cannot  
28 24 be absorbed within the contribution rates otherwise established  
28 25 at that time.  
28 26 Code section 97A.10, concerning purchase of eligible service  
28 27 credit, is amended. The bill provides that a member of PORS  
28 28 who was a member of the municipal fire and police retirement  
28 29 system (MFPRSI) prior to January 1, 1992, may purchase service  
28 30 under PORS for service under MFPRSI that was not eligible to  
28 31 be transferred to PORS by paying the actuarial cost of the  
28 32 purchase less an amount equal to the contributions the member  
28 33 made to MFPRSI for that service. The bill provides for an  
28 34 appropriation to the retirement fund for the cost of providing  
28 35 this purchase of service credit.



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29 1 Code section 97A.11, concerning contributions by the state,  
29 2 is amended to provide that the PORS board shall certify the  
29 3 state's contribution rate for the upcoming fiscal year by  
29 4 January, instead of November.

29 5 New Code section 97A.11A provides for a supplemental  
29 6 appropriation from the general fund to the PORS retirement fund  
29 7 of \$5 million per fiscal year, beginning July 1, 2012, until  
29 8 the end of the fiscal year in which PORS reaches a funded ratio  
29 9 of assets to liabilities of at least 85 percent.

29 10 Code section 97A.14, concerning hospitalization and medical  
29 11 attention for members injured while in the performance of  
29 12 their duties, is amended to provide a description of what  
29 13 constitutes medical attention, require beneficiaries to submit  
29 14 reimbursement claims within 12 months, and provide that the  
29 15 requirement to provide reimbursement ceases once the disability  
29 16 beneficiary is no longer receiving a disability retirement  
29 17 benefit.

29 18 The bill provides that it is the intent of the general  
29 19 assembly that the applicable amount used for each adjustment  
29 20 of a pension payable to retired members as provided in Code  
29 21 section 97A.6(14)(a)(2) shall be the exact dollar amount listed  
29 22 for each year described in statute.

29 23 The bill directs the PORS board to conduct a comprehensive  
29 24 examination of the plan design of PORS and to submit a report,  
29 25 by October 15, 2011, to the public retirement systems committee  
29 26 concerning the results of the examination and any other  
29 27 recommendations for benefit or other statutory changes to PORS.  
29 28 The PORS board is also directed to conduct a contribution rate  
29 29 study for submission to the public retirement systems committee  
29 30 by October 15, 2015.

29 31 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS). Code  
29 32 section 97B.1A, is amended to add a definition for final  
29 33 average covered wage. The bill provides that a member's final  
29 34 average covered wage is the greater of the member's highest  
29 35 five years of a covered wage or the member's three-year average



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30 1 covered wage as of June 30, 2012. The new definition provides  
30 2 that a member's highest five years of covered wages shall be  
30 3 the lesser of the member's highest five years of covered wages  
30 4 or an amount equal to 134 percent of the member's highest  
30 5 calendar year of wages not used in calculating the member's  
30 6 five-year average covered wage. The bill provides that for the  
30 7 period from July 1, 2010, until June 30, 2012, a member's final  
30 8 average covered wage shall be the member's three-year average  
30 9 covered wage.

30 10 Code section 98B.1A(25), concerning the definition of vested  
30 11 member, is amended to provide that beginning July 1, 2012, a  
30 12 member in regular service shall be vested if the member has  
30 13 completed at least seven years of service or has attained  
30 14 the age of 65 or greater while in covered employment. For  
30 15 members in special service, the bill provides that a member  
30 16 is vested if the member has completed at least four years of  
30 17 special service or has attained the age of 55 or greater while  
30 18 in covered employment. Current law provides that for both  
30 19 members in regular and special service, a member is vested  
30 20 upon completing at least four years of any service or has  
30 21 attained the age of 55 while an active member of the system.  
30 22 The bill establishes a definition for vested by service which  
30 23 is included within the definition of vested member and includes  
30 24 only those vesting provisions which are based upon years of  
30 25 membership service and not solely based upon the age of the  
30 26 member.

30 27 Code section 97B.4(2)(c) is amended by striking the  
30 28 provision which authorized the system to enter into a biennial  
30 29 agreement with the department of administrative services  
30 30 concerning the sharing of resources between IPERS and the  
30 31 department.

30 32 Code section 97B.4(4)(a), concerning the annual report  
30 33 to the governor, is amended by striking the inclusion of  
30 34 information relative to investment management expenses  
30 35 described in Code section 97B.7(3)(d). Legislation enacted



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31 1 in 2008 struck the requirement in Code section 97B.7(3)(d)  
31 2 limiting investment management expenses to 0.4 percent of the  
31 3 fund value.  
31 4 Code section 97B.11, concerning contributions by employer  
31 5 and employee, is amended to provide that beginning July  
31 6 1, 2011, the required contribution for IPERS regular  
31 7 servicemembers may vary by 1 percentage point from the required  
31 8 contribution rate for the previous year. Current law only  
31 9 allows a 0.5 percentage point variance and also applies to all  
31 10 categories of IPERS members. The bill also provides that the  
31 11 required contribution rate for regular members in IPERS shall  
31 12 be 13.45 percent for the fiscal year beginning July 1, 2011.  
31 13 Code section 97B.49A, concerning the calculation of a  
31 14 retirement allowance for regular members of IPERS, is amended  
31 15 to provide that the benefit shall be calculated using the  
31 16 member's final average covered wage and not the member's  
31 17 three-year average covered wage.  
31 18 Code section 97B.49D, concerning the hybrid formula, is  
31 19 amended to provide that a person is eligible to utilize this  
31 20 formula if the member is vested by service, based upon the  
31 21 new definition added in this bill. The Code section is also  
31 22 amended to provide that the calculation of the regular member's  
31 23 portion of the benefit shall be calculated using the member's  
31 24 final average covered wage and not the member's three-year  
31 25 average covered wage.  
31 26 Code section 97B.50, concerning penalties for early  
31 27 retirement, is amended to provide that for a member who is  
31 28 not vested on June 30, 2012, and who retires and receives a  
31 29 retirement allowance prior to the member's normal retirement  
31 30 date, the retirement allowance shall be reduced by 0.5 percent  
31 31 for each month the early retirement date precedes the date  
31 32 the member attains age 65. If the member is vested on June  
31 33 30, 2012, the bill provides that the portion of the member's  
31 34 retirement allowance based upon years of service prior to June  
31 35 30, 2012, shall be reduced, based on current law, by 0.25



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32 1 percent for each month that the retirement allowance precedes  
32 2 the member's earliest normal retirement date and the portion of  
32 3 the member's retirement allowance based upon years of service  
32 4 after June 30, 2012, shall be reduced in the same manner as for  
32 5 members who were not vested on June 30, 2012. This provision  
32 6 takes effect June 30, 2012.

32 7 Code section 97B.50A, concerning disability benefits for  
32 8 special service members, is amended to provide that certain  
32 9 cancers and infectious diseases contracted by special service  
32 10 members in a protection occupation are presumed to be a disease  
32 11 contracted while on active duty due to the job for purposes of  
32 12 establishing a disability pension or providing a death benefit.

32 13 Code section 97B.52, concerning death benefits, is amended  
32 14 to utilize the years-of-service definition created in this  
32 15 bill.

32 16 Code section 97B.52A, concerning the determination of a  
32 17 bona fide retirement under IPERS, is amended. Current law  
32 18 allows, until July 2010, a person to retire, receive retirement  
32 19 benefits, and to return to covered employment as a licensed  
32 20 health care professional at a public hospital after one month  
32 21 and still receive retirement benefits. Most retirees under  
32 22 IPERS are not allowed to return to covered employment and  
32 23 continue to receive retirement benefits until at least four  
32 24 months after they retire. The bill extends the sunset of  
32 25 this shortened period for licensed health care professionals  
32 26 from July 2010 to July 2012. This provision of the bill also  
32 27 provides that a person retired under IPERS may return to  
32 28 noncovered employment as a member of the national guard called  
32 29 to state active duty at any time for purposes of determining a  
32 30 bona fide retirement under IPERS. These provisions take effect  
32 31 upon enactment and the provision relative to the national guard  
32 32 is retroactively applicable to May 25, 2008.

32 33 2009 Iowa Acts, chapter 170, is amended. That provision  
32 34 allowed an IPERS member to purchase additional wage credits  
32 35 equal to the pay the member would have received if the member



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33 1 was not furloughed and received a reduction in pay from  
33 2 January 1, 2009, until June 30, 2010. The bill extends this  
33 3 provision until June 30, 2011, and allows a person who has  
33 4 an employee=exercised reduction in pay by means of taking  
33 5 a reduction in pay through exercising union bumping rights  
33 6 the ability to purchase these wage credits. This provision  
33 7 takes effect upon enactment and is retroactively applicable to  
33 8 January 1, 2009.  
33 9 STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM (MFPRSI).  
33 10 Code section 411.1(22), concerning the definition of surviving  
33 11 spouse, is amended to provide that the term is not limited to  
33 12 situations in which the member was in active service at the  
33 13 time of death.  
33 14 Code section 411.6(3), concerning ordinary disability  
33 15 retirement benefit, is amended to define knowledge of a  
33 16 preexisting medical condition that may disqualify a person from  
33 17 benefits in the same manner as it is defined for purposes of an  
33 18 accidental disability retirement under section 411.6(5).  
33 19 Code section 411.6(8), concerning ordinary death benefits,  
33 20 is amended to provide that a surviving spouse may elect a  
33 21 pension in lieu of the death benefit otherwise payable if the  
33 22 surviving spouse is the beneficiary based on the member's  
33 23 designation or by default if the member did not designate a  
33 24 beneficiary or the designated beneficiary predeceased the  
33 25 member.  
33 26 Code section 411.6B, concerning rollovers of member's  
33 27 accounts, is amended to comply with the nonspouse rollover  
33 28 mandate of the federal Worker, Retiree, and Employer Recovery  
33 29 Act of 2008.  
33 30 Code section 411.9, concerning military service, is amended.  
33 31 New subsection 1A provides that if a member dies while  
33 32 performing qualified military service, the member shall be  
33 33 treated as if the member was an active employee under MFPRSI  
33 34 for purposes of determining benefits under MFPRSI arising out  
33 35 of that date. This provision takes effect upon enactment and



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34 1 applies to deaths occurring on or after January 1, 2007.  
34 2     New subsection 1B provides that if a member who is absent  
34 3 while serving in the armed services is receiving a differential  
34 4 wage from the member's city, the member is treated as an  
34 5 employee of the employer making the payment and an active  
34 6 member of the system, the differential wage payment is treated  
34 7 as earnable compensation of the member, and the system is not  
34 8 treated as failing to meet the requirements of any provision  
34 9 described in the federal Internal Revenue Code by reason of  
34 10 any contribution or benefit which is based on the differential  
34 11 wage payment. This provision takes effect upon enactment and  
34 12 applies retroactively to December 31, 2008.  
34 13     Code section 411.20, concerning a state appropriation  
34 14 to MFPRSI, is repealed. That Code section required an  
34 15 appropriation from the general fund of the state to MFPRSI  
34 16 for each fiscal year an amount necessary to finance the cost  
34 17 of benefits provided in Code chapter 411 by amendments of the  
34 18 Acts of the Sixty=sixth General Assembly. Code section 8.59  
34 19 had frozen this appropriation to those amounts expended for the  
34 20 fiscal year commencing July 1, 1992. The bill does provide  
34 21 that an appropriation to MFPRSI from the general fund during FY  
34 22 2010=2011 of \$1,500,000, and during FY 2011=2012 of \$750,000.  
34 23     New Code section 411.36A establishes a benefits advisory  
34 24 committee within MFPRSI whose duty is to consider and make  
34 25 recommendations to the general assembly concerning benefits  
34 26 and services provided to members of MFPRSI. The bill provides  
34 27 that the committee shall consist of five voting members, two  
34 28 from participating cities appointed by the Iowa league of  
34 29 cities, one active or retired fire fighter appointed by the  
34 30 Iowa association of professional fire fighters, one active  
34 31 or retired police officer appointed by the Iowa state police  
34 32 association, and one citizen member appointed by the other  
34 33 members of the committee.  
34 34     The bill also directs the MFPRSI benefits advisory committee  
34 35 to conduct a comprehensive examination of the plan design of



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35 1 MFPRSI and to submit a report, by October 15, 2011, to the  
35 2 public retirement systems committee concerning the results of  
35 3 the examination and any other recommendations for benefit or  
35 4 other statutory changes to MFPRSI.

LSB 5346HZ (1) 83

ec/sc



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HOUSE FILE  
BY COMMITTEE ON  
APPROPRIATIONS

(SUCCESSOR TO HSB 728)

**A BILL FOR**

1 An Act relating to state and local financial matters by  
2 revising certain appropriations and appropriating federal  
3 funds made available from federal block grants, the federal  
4 American Recovery and Reinvestment Act of 2009, and other  
5 nonstate sources, allocating portions of federal block  
6 grants, and providing procedures if federal funds are more  
7 or less than anticipated or if federal block grants are more  
8 or less than anticipated, and including effective date and  
9 retroactive applicability provisions.

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

TLSB 5603HV (1) 83

jp/tm





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2 1 under such federal law being provided by religious and other  
2 2 nongovernmental organizations.  
2 3     Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.  
2 4     1. a. There is appropriated from the fund created by  
2 5 section 8.41 to the department of human services for the  
2 6 federal fiscal year beginning October 1, 2010, and ending  
2 7 September 30, 2011, the following amount:  
2 8 ..... \$ 3,368,868  
2 9     b. Funds appropriated in this subsection are the  
2 10 anticipated funds to be received from the federal government  
2 11 for the designated federal fiscal year under 42 U.S.C., ch.  
2 12 6A, subch. XVII, part B, subpart i, which provides for the  
2 13 community mental health services block grant. The department  
2 14 shall expend the funds appropriated in this subsection as  
2 15 provided in the federal law making the funds available and in  
2 16 conformance with chapter 17A.  
2 17     c. The department shall allocate not less than 95 percent  
2 18 of the amount of the block grant to eligible community mental  
2 19 health services providers for carrying out the plan submitted  
2 20 to and approved by the federal substance abuse and mental  
2 21 health services administration for the fiscal year involved.  
2 22     d. Of the amount allocated to eligible services providers  
2 23 under paragraph "c", 70 percent shall be distributed to  
2 24 the state's accredited community mental health centers  
2 25 established or designated by counties in accordance with law  
2 26 or administrative rule. If a county has not established  
2 27 or designated a community mental health center and has  
2 28 received a waiver from the mental health, mental retardation,  
2 29 developmental disabilities, and brain injury commission,  
2 30 the mental health services provider designated by that  
2 31 county is eligible to receive funding distributed pursuant  
2 32 to this paragraph in lieu of a community mental health  
2 33 center. The funding distributed shall be used by recipients  
2 34 of the funding for the purpose of developing and providing  
2 35 evidence-based practices and emergency services to adults with



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3 1 a serious mental illness and children with a serious emotional  
3 2 disturbance. The distribution amounts shall be announced at  
3 3 the beginning of the federal fiscal year and distributed on  
3 4 a quarterly basis according to the formulas used in previous  
3 5 fiscal years. Recipients shall submit quarterly reports  
3 6 containing data consistent with the performance measures  
3 7 approved by the federal substance abuse and mental health  
3 8 services administration.

3 9 2. An amount not exceeding 5 percent of the funds  
3 10 appropriated in subsection 1 shall be used by the department  
3 11 of human services for administrative expenses. From the  
3 12 funds set aside by this subsection for administrative  
3 13 expenses, the department shall pay to the auditor of state  
3 14 an amount sufficient to pay the cost of auditing the use  
3 15 and administration of the state's portion of the funds  
3 16 appropriated in subsection 1. The auditor of state shall bill  
3 17 the department for the costs of the audits.

3 18 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

3 19 1. There is appropriated from the fund created by section  
3 20 8.41 to the department of public health for the federal fiscal  
3 21 year beginning October 1, 2010, and ending September 30, 2011,  
3 22 the following amount:

3 23 ..... \$ 6,529,540

3 24 a. The funds appropriated in this subsection are the funds  
3 25 anticipated to be received from the federal government for  
3 26 the designated federal fiscal year under 42 U.S.C., ch. 7,  
3 27 subch. V, which provides for the maternal and child health  
3 28 services block grant. The department shall expend the funds  
3 29 appropriated in this subsection as provided in the federal law  
3 30 making the funds available and in conformance with chapter 17A.

3 31 b. Funds appropriated in this subsection shall not be used  
3 32 by the university of Iowa hospitals and clinics for indirect  
3 33 costs.

3 34 2. An amount not exceeding 10 percent of the funds  
3 35 appropriated in subsection 1 shall be used by the department of



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4 1 public health for administrative expenses.  
4 2 3. The departments of public health, human services, and  
4 3 education and the university of Iowa's mobile and regional  
4 4 child health specialty clinics shall continue to pursue to the  
4 5 maximum extent feasible the coordination and integration of  
4 6 services to women and children.  
4 7 4. a. Sixty=three percent of the remaining funds  
4 8 appropriated in subsection 1 shall be allocated to supplement  
4 9 appropriations for maternal and child health programs within  
4 10 the department of public health. Of these funds, \$300,291  
4 11 shall be set aside for the statewide perinatal care program.  
4 12 b. Thirty=seven percent of the remaining funds appropriated  
4 13 in subsection 1 shall be allocated to the university of Iowa  
4 14 hospitals and clinics under the control of the state board  
4 15 of regents for mobile and regional child health specialty  
4 16 clinics. The university of Iowa hospitals and clinics shall  
4 17 not receive an allocation for indirect costs from the funds for  
4 18 this program. Priority shall be given to establishment and  
4 19 maintenance of a statewide system of mobile and regional child  
4 20 health specialty clinics.  
4 21 5. The department of public health shall administer the  
4 22 statewide maternal and child health program and the disabled  
4 23 children's program by conducting mobile and regional child  
4 24 health specialty clinics and conducting other activities to  
4 25 improve the health of low=income women and children and to  
4 26 promote the welfare of children with actual or potential  
4 27 handicapping conditions and chronic illnesses in accordance  
4 28 with the requirements of Tit. V of the federal Social Security  
4 29 Act.  
4 30 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES  
4 31 APPROPRIATIONS.  
4 32 1. There is appropriated from the fund created by section  
4 33 8.41 to the department of public health for the federal fiscal  
4 34 year beginning October 1, 2010, and ending September 30, 2011,  
4 35 the following amount:



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5 1 ..... \$ 1,114,623  
5 2 Funds appropriated in this subsection are the funds  
5 3 anticipated to be received from the federal government for  
5 4 the designated federal fiscal year under 42 U.S.C., ch. 6A,  
5 5 subch. XVII, part A, which provides for the preventive health  
5 6 and health services block grant. The department shall expend  
5 7 the funds appropriated in this subsection as provided in the  
5 8 federal law making the funds available and in conformance with  
5 9 chapter 17A.  
5 10 2. Of the funds appropriated in subsection 1, an amount  
5 11 not more than 10 percent shall be used by the department for  
5 12 administrative expenses.  
5 13 3. Of the funds appropriated in subsection 1, the specific  
5 14 amount of funds stipulated by the notice of the block grant  
5 15 award shall be allocated for services to victims of sex  
5 16 offenses and for rape prevention education.  
5 17 4. After deducting the funds allocated in subsections 2 and  
5 18 3, the remaining funds appropriated in subsection 1 may be used  
5 19 by the department for healthy people 2011/healthy Iowans 2011  
5 20 program objectives, preventive health advisory committee, and  
5 21 risk reduction services, including nutrition programs, health  
5 22 incentive programs, chronic disease services, emergency medical  
5 23 services, monitoring of the fluoridation program and start-up  
5 24 fluoridation grants, and acquired immune deficiency syndrome  
5 25 services. The moneys specified in this subsection shall not be  
5 26 used by the university of Iowa hospitals and clinics or by the  
5 27 state hygienic laboratory for the funding of indirect costs.  
5 28 Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM  
5 29 APPROPRIATION.  
5 30 1. There is appropriated from the fund created by section  
5 31 8.41 to the department of justice for the federal fiscal year  
5 32 beginning October 1, 2010, and ending September 30, 2011, the  
5 33 following amount:  
5 34 ..... \$ 1,482,096  
5 35 Funds appropriated in this subsection are the anticipated



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6 1 funds to be received from the federal government for the  
6 2 designated fiscal year under 42 U.S.C., ch. 46, { 3796gg=1,  
6 3 which provides for grants to combat violent crimes against  
6 4 women. The department of justice shall expend the funds  
6 5 appropriated in this subsection as provided in the federal law  
6 6 making the funds available and in conformance with chapter 17A.

6 7 2. An amount not exceeding 10 percent of the funds  
6 8 appropriated in subsection 1 shall be used by the department of  
6 9 justice for administrative expenses. From the funds set aside  
6 10 by this subsection for administrative expenses, the department  
6 11 shall pay to the auditor of state an amount sufficient to pay  
6 12 the cost of auditing the use and administration of the state's  
6 13 portion of the funds appropriated in subsection 1.

6 14 Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE  
6 15 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from  
6 16 the fund created by section 8.41 to the governor's office of  
6 17 drug control policy for the federal fiscal year beginning  
6 18 October 1, 2010, and ending September 30, 2011, the following  
6 19 amount:

6 20 ..... \$ 250,000

6 21 Funds appropriated in this section are the funds anticipated  
6 22 to be received from the federal government for the designated  
6 23 fiscal year under 42 U.S.C., ch. 46, subch. XII=G, which  
6 24 provides grants for substance abuse treatment programs in state  
6 25 and local correctional facilities. The drug policy coordinator  
6 26 shall expend the funds appropriated in this section as provided  
6 27 in federal law making the funds available and in conformance  
6 28 with chapter 17A.

6 29 Sec. 7. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT  
6 30 PROGRAM APPROPRIATION.

6 31 1. There is appropriated from the fund created by section  
6 32 8.41 to the governor's office of drug control policy for the  
6 33 federal fiscal year beginning October 1, 2010, and ending  
6 34 September 30, 2011, the following amount:

6 35 ..... \$ 3,000,000



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7 1 Funds appropriated in this subsection are the anticipated  
 7 2 funds to be received from the federal government for the  
 7 3 designated fiscal year under 42 U.S.C., ch. 46, subch. V, which  
 7 4 provides for the Edward Byrne memorial justice assistance grant  
 7 5 program. The drug policy coordinator shall expend the funds  
 7 6 appropriated in this subsection as provided in the federal law  
 7 7 making the funds available and in conformance with chapter 17A.  
 7 8 2. An amount not exceeding 10 percent of the funds  
 7 9 appropriated in subsection 1 shall be used by the drug policy  
 7 10 coordinator for administrative expenses. From the funds set  
 7 11 aside by this subsection for administrative expenses, the  
 7 12 drug policy coordinator shall pay to the auditor of state an  
 7 13 amount sufficient to pay the cost of auditing the use and  
 7 14 administration of the state's portion of the funds appropriated  
 7 15 in subsection 1.

7 16 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

7 17 1. a. There is appropriated from the fund created by  
 7 18 section 8.41 to the division of community action agencies of  
 7 19 the department of human rights for the federal fiscal year  
 7 20 beginning October 1, 2010, and ending September 30, 2011, the  
 7 21 following amount:

7 22 ..... \$ 7,530,822

7 23 Funds appropriated in this subsection are the funds  
 7 24 anticipated to be received from the federal government for the  
 7 25 designated federal fiscal year under 42 U.S.C., ch. 106, which  
 7 26 provides for the community services block grant. The division  
 7 27 of community action agencies of the department of human rights  
 7 28 shall expend the funds appropriated in this subsection as  
 7 29 provided in the federal law making the funds available and in  
 7 30 conformance with chapter 17A.

7 31 b. The administrator of the division of community action  
 7 32 agencies of the department of human rights shall allocate  
 7 33 not less than 96 percent of the amount of the block grant to  
 7 34 eligible community action agencies for programs benefiting  
 7 35 low-income persons. Each eligible agency shall receive a



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8 1 minimum allocation of not less than \$100,000. The minimum  
8 2 allocation shall be achieved by redistributing increased  
8 3 funds from agencies experiencing a greater share of available  
8 4 funds. The funds shall be distributed on the basis of  
8 5 the poverty-level population in the area represented by  
8 6 the community action areas compared to the size of the  
8 7 poverty-level population in the state.

8 8 2. An amount not exceeding 4 percent of the funds  
8 9 appropriated in subsection 1 shall be used by the division of  
8 10 community action agencies of the department of human rights  
8 11 for administrative expenses. From the funds set aside by  
8 12 this subsection for administrative expenses, the division of  
8 13 community action agencies of the department of human rights  
8 14 shall pay to the auditor of state an amount sufficient to pay  
8 15 the cost of auditing the use and administration of the state's  
8 16 portion of the funds appropriated in subsection 1. The auditor  
8 17 of state shall bill the division of community action agencies  
8 18 for the costs of the audits.

8 19 Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

8 20 1. There is appropriated from the fund created by section  
8 21 8.41 to the department of economic development for the federal  
8 22 fiscal year beginning October 1, 2010, and ending September 30,  
8 23 2011, the following amount:

8 24 ..... \$ 26,240,724

8 25 Funds appropriated in this subsection are the funds  
8 26 anticipated to be received from the federal government for  
8 27 the designated federal fiscal year under 42 U.S.C., ch. 69,  
8 28 which provides for community development block grants. The  
8 29 department of economic development shall expend the funds  
8 30 appropriated in this subsection as provided in the federal law  
8 31 making the funds available and in conformance with chapter 17A.

8 32 2. An amount not exceeding \$1,149,628 for the federal fiscal  
8 33 year beginning October 1, 2010, shall be used by the department  
8 34 of economic development for administrative expenses for the  
8 35 community development block grant. The total amount used for



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9 1 administrative expenses includes \$624,814 for the federal  
9 2 fiscal year beginning October 1, 2010, of funds appropriated  
9 3 in subsection 1 and a matching contribution from the state  
9 4 equal to \$524,814 from the appropriation of state funds for the  
9 5 community development block grant and state appropriations for  
9 6 related activities of the department of economic development.  
9 7 From the funds set aside for administrative expenses by this  
9 8 subsection, the department of economic development shall pay  
9 9 to the auditor of state an amount sufficient to pay the cost of  
9 10 auditing the use and administration of the state's portion of  
9 11 the funds appropriated in subsection 1. The auditor of state  
9 12 shall bill the department for the costs of the audit.

9 13 Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

9 14 1. There is appropriated from the fund created by section  
9 15 8.41 to the division of community action agencies of the  
9 16 department of human rights for the federal fiscal year  
9 17 beginning October 1, 2010, and ending September 30, 2011, the  
9 18 following amount:

9 19 ..... \$ 67,802,538

9 20 The funds appropriated in this subsection are the funds  
9 21 anticipated to be received from the federal government for the  
9 22 designated federal fiscal year under 42 U.S.C., ch. 94, subch.  
9 23 II, which provides for the low-income home energy assistance  
9 24 block grants. The division of community action agencies of the  
9 25 department of human rights shall expend the funds appropriated  
9 26 in this subsection as provided in the federal law making the  
9 27 funds available and in conformance with chapter 17A.

9 28 2. Up to 15 percent of the amount appropriated in this  
9 29 section that is actually received shall be used for residential  
9 30 weatherization or other related home repairs for low-income  
9 31 households. Of this allocation amount, not more than 10  
9 32 percent may be used for administrative expenses.

9 33 3. After subtracting the allocation in subsection 2, up to  
9 34 10 percent of the remainder is allocated for administrative  
9 35 expenses of the low-income home energy assistance program of



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10 1 which \$377,000 is allocated for administrative expenses of the  
10 2 division. The costs of auditing the use and administration  
10 3 of the portion of the appropriation in this section that is  
10 4 retained by the state shall be paid from the amount allocated  
10 5 in this subsection to the division. The auditor of state shall  
10 6 bill the division for the audit costs.

10 7 4. The remainder of the appropriation in this section  
10 8 following the allocations made in subsections 2 and 3, shall be  
10 9 used to help eligible households as defined in 42 U.S.C., ch.  
10 10 94, subch. II, to meet home energy costs.

10 11 5. Not more than 10 percent of the amount appropriated in  
10 12 this section that is actually received may be carried forward  
10 13 for use in the succeeding federal fiscal year.

10 14 6. Expenditures for assessment and resolution of  
10 15 energy problems shall be limited to 5 percent of the amount  
10 16 appropriated in this section that is actually received.

10 17 Sec. 11. SOCIAL SERVICES APPROPRIATIONS.

10 18 1. There is appropriated from the fund created by section  
10 19 8.41 to the department of human services for the federal fiscal  
10 20 year beginning October 1, 2010, and ending September 30, 2011,  
10 21 the following amount:

10 22 ..... \$ 16,747,274

10 23 Funds appropriated in this subsection are the funds  
10 24 anticipated to be received from the federal government for  
10 25 the designated federal fiscal year under 42 U.S.C., ch.  
10 26 7, subch. XX, which provides for the social services block  
10 27 grant. The department of human services shall expend the funds  
10 28 appropriated in this subsection as provided in the federal law  
10 29 making the funds available and in conformance with chapter 17A.

10 30 2. Not more than \$1,069,342 of the funds appropriated in  
10 31 subsection 1 shall be used by the department of human services  
10 32 for general administration. From the funds set aside in this  
10 33 subsection for general administration, the department of human  
10 34 services shall pay to the auditor of state an amount sufficient  
10 35 to pay the cost of auditing the use and administration of the



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11 1 state's portion of the funds appropriated in subsection 1.  
 11 2 3. In addition to the allocation for general administration  
 11 3 in subsection 2, the remaining funds appropriated in subsection  
 11 4 1 shall be allocated in the following amounts to supplement  
 11 5 appropriations for the federal fiscal year beginning October  
 11 6 1, 2010, for the following programs within the department of  
 11 7 human services:

11 8	a. Field operations:		
11 9	.....	\$	6,395,856
11 10	b. Child and family services:		
11 11	.....	\$	958,310
11 12	c. Local administrative costs and other local services:		
11 13	.....	\$	678,298
11 14	d. Volunteers:		
11 15	.....	\$	74,261
11 16	e. MH/MR/DD/BI community services (local purchase):		
11 17	.....	\$	7,571,207

11 18 Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department  
 11 19 of human services during each state fiscal year shall develop a  
 11 20 plan for the use of federal social services block grant funds  
 11 21 for the subsequent state fiscal year.  
 11 22 The proposed plan shall include all programs and services  
 11 23 at the state level which the department proposes to fund with  
 11 24 federal social services block grant funds, and shall identify  
 11 25 state and other funds which the department proposes to use to  
 11 26 fund the state programs and services.  
 11 27 The proposed plan shall also include all local programs and  
 11 28 services which are eligible to be funded with federal social  
 11 29 services block grant funds, the total amount of federal social  
 11 30 services block grant funds available for the local programs and  
 11 31 services, and the manner of distribution of the federal social  
 11 32 services block grant funds to the counties. The proposed plan  
 11 33 shall identify state and local funds which will be used to fund  
 11 34 the local programs and services.  
 11 35 The proposed plan shall be submitted with the department's



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12 1 budget requests to the governor and the general assembly.  
12 2     Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM  
12 3 HOMELESSNESS.  
12 4     1. Upon receipt of the minimum formula grant from  
12 5 the federal substance abuse and mental health services  
12 6 administration to provide mental health services for the  
12 7 homeless, for the federal fiscal year beginning October 1,  
12 8 2010, and ending September 30, 2011, the department of human  
12 9 services shall assure that a project which receives funds under  
12 10 the formula grant shall do all of the following:  
12 11     a. Provide outreach and engagement to homeless individuals  
12 12 at risk of homelessness and assesses those individuals for  
12 13 serious mental illness.  
12 14     b. Enroll those individuals with serious mental illness who  
12 15 are willing to accept services through the project.  
12 16     c. Provide case management to homeless persons.  
12 17     d. Provide appropriate training to persons who provide  
12 18 services to persons targeted by the grant.  
12 19     e. Assure a local match share of 25 percent.  
12 20     f. Refer homeless individuals and individuals at risk of  
12 21 homelessness to primary health care, job training, educational  
12 22 services, and relevant housing services.  
12 23     2. A project may expend funds for community mental health  
12 24 services, diagnostic services, crisis intervention services,  
12 25 habilitation and rehabilitation services, substance abuse  
12 26 services, supportive and supervisory services to homeless  
12 27 persons living in residential settings that are not otherwise  
12 28 supported, and housing services including minor renovation,  
12 29 expansion, and repair of housing, security deposits, planning  
12 30 of housing, technical assistance in applying for housing,  
12 31 improving the coordination of housing services, the costs  
12 32 associated with matching eligible homeless individuals with  
12 33 appropriate housing, and one-time rental payments to prevent  
12 34 eviction.  
12 35     Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There



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13 1 is appropriated from the fund created by section 8.41 to the  
 13 2 department of human services for the federal fiscal year  
 13 3 beginning October 1, 2010, and ending September 30, 2011, the  
 13 4 following amount:  
 13 5 ..... \$ 43,635,455  
 13 6 Funds appropriated in this section are the funds anticipated  
 13 7 to be received from the federal government under 42 U.S.C.,  
 13 8 ch. 105, subch. II=B, which provides for the child care and  
 13 9 development block grant. The department shall expend the funds  
 13 10 appropriated in this section as provided in the federal law  
 13 11 making the funds available and in conformance with chapter 17A.  
 13 12 Moneys appropriated in this section that remain unencumbered  
 13 13 or unobligated at the close of the fiscal year shall revert to  
 13 14 be available for appropriation for purposes of the child care  
 13 15 and development block grant in the succeeding fiscal year.  
 13 16 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.  
 13 17 1. If the funds received from the federal government for the  
 13 18 block grants specified in this Act are less than the amounts  
 13 19 appropriated, the funds actually received shall be prorated  
 13 20 by the governor for the various programs, other than for the  
 13 21 services to victims of sex offenses and for rape prevention  
 13 22 education under section 4, subsection 3, of this Act, for which  
 13 23 each block grant is available according to the percentages that  
 13 24 each program is to receive as specified in this Act. However,  
 13 25 if the governor determines that the funds allocated by the  
 13 26 percentages will not be sufficient to accomplish the purposes  
 13 27 of a particular program, or if the appropriation is not  
 13 28 allocated by percentage, the governor may allocate the funds in  
 13 29 a manner which will accomplish to the greatest extent possible  
 13 30 the purposes of the various programs for which the block grants  
 13 31 are available.  
 13 32 2. Before the governor implements the actions provided for  
 13 33 in subsection 1, the following procedures shall be taken:  
 13 34 a. The chairpersons and ranking members of the senate and  
 13 35 house standing committees on appropriations, the appropriate



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14 1 chairpersons and ranking members of subcommittees of those  
14 2 committees, and the director of the legislative services agency  
14 3 shall be notified of the proposed action.

14 4     b. The notice shall include the proposed allocations,  
14 5 and information on the reasons why particular percentages or  
14 6 amounts of funds are allocated to the individual programs,  
14 7 the departments and programs affected, and other information  
14 8 deemed useful. Chairpersons and ranking members notified shall  
14 9 be allowed at least two weeks to review and comment on the  
14 10 proposed action before the action is taken.

14 11     Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

14 12     1. If funds received from the federal government in the form  
14 13 of block grants exceed the amounts appropriated in sections 1,  
14 14 2, 3, 4, 7, 9, and 11 of this Act, the excess shall be prorated  
14 15 to the appropriate programs according to the percentages  
14 16 specified in those sections, except additional funds shall not  
14 17 be prorated for administrative expenses.

14 18     2. If actual funds received from the federal government  
14 19 from block grants exceed the amount appropriated in section 10  
14 20 of this Act for the low-income home energy assistance program,  
14 21 not more than 10 percent of the excess may be allocated to the  
14 22 low-income residential weatherization program and not more than  
14 23 15 percent of the excess may be used for administrative costs.

14 24     3. If funds received from the federal government from  
14 25 community services block grants exceed the amount appropriated  
14 26 in section 8 of this Act, 100 percent of the excess is  
14 27 allocated to the community services block grant program.

14 28     Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL  
14 29 FUNDS. If other federal grants, receipts, and funds and other  
14 30 nonstate grants, receipts, and funds become available or are  
14 31 awarded which are not available or awarded during the period  
14 32 in which the general assembly is in session, but which require  
14 33 expenditure by the applicable department or agency prior  
14 34 to March 15 of the fiscal year beginning July 1, 2010, and  
14 35 ending June 30, 2011, these grants, receipts, and funds are



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15 1 appropriated to the extent necessary, provided that the fiscal  
15 2 committee of the legislative council is notified within thirty  
15 3 days of receipt of the grants, receipts, or funds and the  
15 4 fiscal committee of the legislative council has an opportunity  
15 5 to comment on the expenditure of the grants, receipts, or  
15 6 funds.

15 7     Sec. 18. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal grants,  
15 8 receipts, and funds and other nonstate grants, receipts,  
15 9 and funds, available in whole or in part of the fiscal  
15 10 year beginning July 1, 2010, and ending June 30, 2011, are  
15 11 appropriated to the following departments and agencies that are  
15 12 designated by and for the purposes set forth in the grants,  
15 13 receipts, or conditions accompanying the receipt of the funds,  
15 14 unless otherwise provided by law:

15 15     1. Department of administrative services.  
15 16     2. Department on aging.  
15 17     3. Department of agriculture and land stewardship.  
15 18     4. Office of auditor of state.  
15 19     5. Department for the blind.  
15 20     6. Iowa state civil rights commission.  
15 21     7. College student aid commission.  
15 22     8. Department of commerce.  
15 23     9. Department of corrections.  
15 24     10. Department of cultural affairs.  
15 25     11. Department of economic development.  
15 26     12. Department of education.  
15 27     13. Office of energy independence.  
15 28     14. Iowa ethics and campaign disclosure board.  
15 29     15. Iowa finance authority.  
15 30     16. Offices of the governor and lieutenant governor.  
15 31     17. Governor's office of drug control policy.  
15 32     18. Department of human rights.  
15 33     19. Department of human services.  
15 34     20. Department of inspections and appeals.  
15 35     21. Judicial branch.



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- 16 1 22. Department of justice.
- 16 2 23. Iowa law enforcement academy.
- 16 3 24. Department of management.
- 16 4 25. Department of natural resources.
- 16 5 26. Board of parole.
- 16 6 27. Department of public defense.
- 16 7 28. Public employment relations board.
- 16 8 29. Department of public health.
- 16 9 30. Department of public safety.
- 16 10 31. State board of regents.
- 16 11 32. Department of revenue.
- 16 12 33. Office of secretary of state.
- 16 13 34. Iowa state fair authority.
- 16 14 35. Office for state=federal relations.
- 16 15 36. Iowa telecommunications and technology commission.
- 16 16 37. Office of treasurer of state.
- 16 17 38. Department of transportation.
- 16 18 39. Department of veterans affairs.
- 16 19 40. Department of workforce development.
- 16 20 DIVISION II
- 16 21 FEDERAL AMERICAN RECOVERY AND
- 16 22 REINVESTMENT ACT OF 2009 FUNDING
- 16 23 Sec. 19. APPLICABILITY OF APPROPRIATIONS == TRANSFERS ==
- 16 24 UNANTICIPATED FUNDS.
- 16 25 1. a. The appropriations of available federal grants,
- 16 26 receipts, and funds made to the departments and agencies
- 16 27 in division I of this Act do not apply to the federal
- 16 28 funding available through the federal American Recovery and
- 16 29 Reinvestment Act of 2009 for the fiscal years addressed by
- 16 30 the federal Act or to additional, unanticipated funding from
- 16 31 federal law enacted after the effective date of this division
- 16 32 of this Act.
- 16 33 b. However, if it is determined by the department of
- 16 34 management, with the written consent of the governor, that
- 16 35 federal grants, receipts, and funds available through the



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17 1 federal American Recovery and Reinvestment Act of 2009 are  
 17 2 needed and are available without any match requirement and  
 17 3 have not been appropriated in this division of this Act or  
 17 4 are provided through federal match of state or local funds  
 17 5 that have been appropriated, the appropriations described in  
 17 6 paragraph "a" shall apply.

17 7 2. The department of management, with the written consent  
 17 8 and approval of the governor, may exercise the transfer  
 17 9 authority authorized in section 8.39, to transfer any of  
 17 10 the appropriations made in this division of this Act to  
 17 11 appropriations made from the general fund of the state for the  
 17 12 fiscal year beginning July 1, 2010, provided the transfer is  
 17 13 made within the same fiscal year. Any such transfer is subject  
 17 14 to the notice provisions of section 8.39, subsection 3.

17 15 Sec. 20. FEDERAL RECOVERY AND REINVESTMENT FUND  
 17 16 APPROPRIATIONS == FY 2010=2011. There is appropriated from  
 17 17 the federal recovery and reinvestment fund created in section  
 17 18 8.41A, to the department of management for the fiscal year  
 17 19 beginning July 1, 2010, and ending June 30, 2011, the following  
 17 20 amounts, or so much thereof as is necessary, to be used for the  
 17 21 purposes designated:

17 22 1. From funding designated for education stabilization:  
 17 23 For state foundation aid to schools, to be used as provided  
 17 24 in this subsection for state foundation aid to schools in  
 17 25 accordance with section 257.16, subsection 1:  
 17 26 ..... \$ 25,343,090

17 27 a. The appropriation made in this subsection is in lieu of  
 17 28 an equal amount of the appropriation made from the general fund  
 17 29 of the state for the fiscal year beginning July 1, 2010, and  
 17 30 ending June 30, 2011, pursuant to section 257.16, and shall be  
 17 31 used to pay that part of state foundation aid which represents  
 17 32 the allowable growth amounts for all school districts under  
 17 33 section 257.8, subsection 1.

17 34 b. For purposes of distributing the appropriation made in  
 17 35 this subsection to school districts, the distribution amount



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18 1 shall be calculated equally in the monthly payment to each  
18 2 school district in the same ratio that the weighted enrollment,  
18 3 determined in accordance with section 257.6, subsection 5, of  
18 4 the school district for the budget year beginning July 1, 2010,  
18 5 bears to the total weighted enrollment of all school districts  
18 6 in the state for that budget year.

18 7 2. From funding designated for government stabilization:

18 8 For state foundation aid to schools, to be used as provided  
18 9 in this subsection for state foundation aid to schools in  
18 10 accordance with section 257.16, subsection 1:

18 11 ..... \$ 22,604,797

18 12 a. The appropriation made in this subsection is in lieu of  
18 13 an equal amount of the appropriation made from the general fund  
18 14 of the state for the fiscal year beginning July 1, 2010, and  
18 15 ending June 30, 2011, pursuant to section 257.16, and shall be  
18 16 used to pay that part of state foundation aid which represents  
18 17 the allowable growth amounts for all school districts under  
18 18 section 257.8, subsection 1.

18 19 b. For purposes of distributing the appropriation made in  
18 20 this subsection to school districts, the distribution amount  
18 21 shall be calculated equally in the monthly payment to each  
18 22 school district in the same ratio that the weighted enrollment,  
18 23 determined in accordance with section 257.6, subsection 5, of  
18 24 the school district for the budget year beginning July 1, 2010,  
18 25 bears to the total weighted enrollment of all school districts  
18 26 in the state for that budget year.

18 27 Sec. 21. COMMUNITY DEVELOPMENT BLOCK GRANT == AMERICAN  
18 28 RECOVERY AND REINVESTMENT ACT.

18 29 1. There is appropriated from the fund created by section  
18 30 8.41A to the department of economic development for the federal  
18 31 fiscal year beginning October 1, 2008, and ending September 30,  
18 32 2009, the following amount:

18 33 ..... \$ 7,014,352

18 34 2. The funds appropriated in this section are federal  
18 35 community development block grant funds awarded to the state



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19 1 under the federal American Recovery and Reinvestment Act of  
 19 2 2009, Pub. L. No. 111=5.  
 19 3 3. The department of economic development shall expend  
 19 4 the funds appropriated in this section for infrastructure  
 19 5 improvements that modernize infrastructure, improve energy  
 19 6 efficiency, and expand educational opportunities and access to  
 19 7 health care, as provided in the federal law and in conformance  
 19 8 with chapter 17A. An amount not to exceed 6 percent of the  
 19 9 funds appropriated in this section shall be used by the  
 19 10 department for administrative expenses. From the funds set  
 19 11 aside for administrative expenses, the department shall pay to  
 19 12 the auditor of state an amount sufficient to pay the cost of  
 19 13 auditing the use and administration of the state's portion of  
 19 14 the funds appropriated in this section.  
 19 15 4. This section is retroactively applicable to October 1,  
 19 16 2008.  
 19 17 Sec. 22. COMMUNITY DEVELOPMENT BLOCK GRANT == DISASTER  
 19 18 RELIEF.  
 19 19 1. There is appropriated from the fund created by section  
 19 20 8.41 to the department of economic development for the federal  
 19 21 fiscal year beginning October 1, 2007, and ending September 30,  
 19 22 2008, the following amount:  
 19 23 ..... \$516,713,868  
 19 24 2. The funds appropriated in this section are federal  
 19 25 community development block grant funds awarded to the state  
 19 26 under the federal Consolidated Security, Disaster Assistance,  
 19 27 and Continuing Appropriations Act, 2009, Pub. L. No. 110=329.  
 19 28 3. The department of economic development shall expend  
 19 29 the funds appropriated in this section for disaster relief,  
 19 30 long-term recovery, and restoration of infrastructure as  
 19 31 provided in the federal law making the funds available and  
 19 32 in conformance with chapter 17A. An amount not to exceed 3  
 19 33 percent of the funds appropriated in this section shall be used  
 19 34 by the department for administrative expenses. From the funds  
 19 35 set aside for administrative expenses, the department shall pay



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20 1 to the auditor of state an amount sufficient to pay the cost of  
20 2 auditing the use and administration of the state's portion of  
20 3 the funds appropriated in this section.

20 4 4. If the actual federal funding received is less than  
20 5 or greater than the amount appropriated in this section, the  
20 6 procedures specified in 2007 Iowa Acts, chapter 204, section 16  
20 7 or 17, are applicable.

20 8 5. This section is retroactively applicable to October 1,  
20 9 2007.

20 10 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this  
20 11 Act, being deemed of immediate importance, takes effect upon  
20 12 enactment.

20 13 EXPLANATION

20 14 This bill appropriates for the 2010=2011 federal fiscal year  
20 15 which begins October 1, 2010, block grants available from the  
20 16 federal government and provides procedures for increasing or  
20 17 decreasing the appropriations if the block grants are increased  
20 18 or decreased.

20 19 The bill is organized into two divisions. The first division  
20 20 makes appropriations for federal and state fiscal years  
20 21 2010=2011 of recurring federal block grants and other nonstate  
20 22 funds other than the federal funding available through the  
20 23 federal American Recovery and Reinvestment Act of 2009 (ARRA).

20 24 Division II appropriates ARRA funding available for state  
20 25 fiscal year 2010=2011.

20 26 Two provisions make appropriations relating to federal  
20 27 community development block grant funding. The first provision  
20 28 applies to federal FY 2008=2009 and the funding source is ARRA.  
20 29 The second provision applies to federal FY 2007=2008 and the  
20 30 funding source is the federal consolidated security, disaster  
20 31 assistance, and continuing appropriation Act, 2009. Both of  
20 32 the provisions are retroactively applicable.

20 33 The division takes effect upon enactment.

LSB 5603HV (1) 83

jp/tm



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House Resolution 122 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY JACOBY, MASCHER, LENSING, WILLEMS, and ZIRKELBACH

1 1 A Resolution to celebrate the highlights for the 2009  
1 2 football season of the University of Iowa football  
1 3 team.  
1 4 WHEREAS, the 2009 University of Iowa football team  
1 5 will be remembered as one of the most entertaining,  
1 6 talented, and successful teams in Hawkeye history; and  
1 7 WHEREAS, the 11 wins equals the program's 2002  
1 8 record for victories in a season; and  
1 9 WHEREAS, the regular season win total of 10 was  
1 10 achieved for only the fourth time; and  
1 11 WHEREAS, for the first time ever, the Hawkeyes won  
1 12 the first nine games of a season; and  
1 13 WHEREAS, Iowa played in a January bowl game for the  
1 14 sixth time in eight years; and  
1 15 WHEREAS, Iowa won a Bowl Championship Series-caliber  
1 16 bowl game for the first time since 1959 in beating  
1 17 Georgia Tech in the 2010 FedEx Orange Bowl 24-14; and  
1 18 WHEREAS, the Hawkeyes finished the 2009 season  
1 19 with an 11-2 overall record and a 6-2 Big Ten mark,  
1 20 finishing in a second place tie; and  
1 21 WHEREAS, the Hawkeyes have won at least nine games  
1 22 for the fifth time in the last eight years and for the  
1 23 seventh time in school history have won 10 games or  
1 24 more; and  
1 25 WHEREAS, the Hawkeyes were ranked seventh in both  
1 26 major polls at the conclusion of the season, the  
1 27 highest final ranking for the program since 1960; and



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House Resolution 122 - Introduced continued

2 1 WHEREAS, defensive end Adrian Clayborn was named  
2 2 Most Valuable Player of the FedEx Orange Bowl; and  
2 3       WHEREAS, Coach Kirk Ferentz was named Big Ten Coach  
2 4 of the Year for the third time; and  
2 5       WHEREAS, offensive tackle Bryan Bulaga was picked as  
2 6 the Big Ten's Offensive Lineman of the Year; and  
2 7       WHEREAS, All-Big Ten first teamers included Bryan  
2 8 Bulaga (OL), Dace Richardson (OL), Tony Moeaki (TE),  
2 9 Adrian Clayborn (DE), Pat Angerer (LB), Tyler Sash  
2 10 (DB), and Amari Spivey (DB), and five additional  
2 11 Hawkeyes were named to the league's second unit; and  
2 12       WHEREAS, Bryan Bulaga and Pat Angerer were named  
2 13 first-team all-Americans, Tyler Sash was a second team  
2 14 choice, and Adrian Clayborn made the third team; and  
2 15       WHEREAS, the Iowa Hawkeyes have earned 70 wins  
2 16 since the start of the 2002 season, which places them  
2 17 at a tie for the 16th highest total in Division I  
2 18 football; and  
2 19       WHEREAS, Iowa's football record in the 2000 decade  
2 20 was 80=45 (.640), a record that ranks as the best  
2 21 decade in Iowa football history, based on total  
2 22 wins; NOW THEREFORE,  
2 23       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
2 24 That the House of Representatives congratulates the  
2 25 University of Iowa football team for a stellar season  
2 26 and looks forward to a great season in 2010.  
LSB 6263HH (1) 83  
jr/rj



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House Study Bill 735

HOUSE FILE

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

**A BILL FOR**

1 An Act relating to enhanced 911 emergency telephone systems  
2 and information required for inclusion in an enhanced 911  
3 service plan.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 6240HC (1) 83  
rn/sc



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House Study Bill 735 continued

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1 1 Section 1. Section 34A.2, subsection 7, paragraph e,  
1 2 subparagraph (1), subparagraph division (b), Code 2009, is  
1 3 amended by striking the subparagraph division and inserting in  
1 4 lieu thereof the following:

1 5 (b) Recurring costs, including but not limited to  
1 6 network access fees and other telephone charges; software  
1 7 and equipment, including but not limited to reverse mass  
1 8 notification, voice over internet protocol, telematics,  
1 9 texting, and video capability; database management;  
1 10 maintenance; and the purchase or lease of subscriber names,  
1 11 addresses, and telephone information from the local exchange  
1 12 service provider. Recurring costs shall not include personnel  
1 13 costs for a public safety answering point.

1 14 Sec. 2. Section 34A.2, Code 2009, is amended by adding the  
1 15 following new subsections:

1 16 NEW SUBSECTION. 2A. "Communications service" means a  
1 17 service capable of accessing, connecting with, or interfacing  
1 18 with a 911 system exclusively through the numerals 911 by  
1 19 dialing, initializing, or otherwise activating the 911 system  
1 20 by means of a local telephone device, cellular telephone  
1 21 device, wireless communications device, interconnected voice  
1 22 over internet protocol device, telematics, or any other means  
1 23 developed in the future.

1 24 NEW SUBSECTION. 13A. "Reverse mass notification" means  
1 25 the use of computer technology to deliver recorded emergency  
1 26 messages to large numbers of people in a specified geographic  
1 27 area in a short period of time.

1 28 NEW SUBSECTION. 13B. "Telematics" means the use of  
1 29 wireless data transmission to be used for emergency or safety  
1 30 communications.

1 31 NEW SUBSECTION. 13C. "Voice over internet protocol" means a  
1 32 provider who transmits phone calls over a data network using an  
1 33 internet protocol.

1 34 EXPLANATION

1 35 This bill relates to enhanced 911 emergency telephone



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House Study Bill 735 continued

2 1 systems.

2 2 The bill modifies information which is required to be  
2 3 included in an enhanced 911 service plan for providing enhanced  
2 4 911 emergency communications in a specified enhanced 911  
2 5 service area. Currently, one of these requirements includes  
2 6 an estimate of recurring costs, including among other costs  
2 7 those for software and equipment. The bill adds costs for  
2 8 reverse mass notification, voice over internet protocol,  
2 9 telematics, texting, and video capability as specific software  
2 10 and equipment costs for inclusion on the statement.

2 11 The bill supplies definitions applicable to the additional  
2 12 software and equipment aspects of recurring costs specified in  
2 13 the bill. The bill provides that reverse mass notification  
2 14 means utilizing computerized technology to deliver recorded  
2 15 emergency messages to large numbers of people in a specified  
2 16 geographic area in a short period of time. The bill provides  
2 17 that telematics means the use of wireless data transmission  
2 18 to be used for emergency or safety communications. The bill  
2 19 provides that voice over internet protocol means a provider who  
2 20 transmits phone calls over a data network using an internet  
2 21 protocol.

2 22 Additionally, the bill provides a definition of  
2 23 communications service, a term used several times in Code  
2 24 chapter 34A, to mean a service capable of accessing, connecting  
2 25 with, or interfacing with a 911 system exclusively through  
2 26 the numerals 911 by dialing, initializing, or otherwise  
2 27 activating the 911 system by means of a local telephone device,  
2 28 cellular telephone device, wireless communications device,  
2 29 interconnected voice over internet protocol device, telematics,  
2 30 or any other means developed in the future.

LSB 6240HC (1) 83

rn/sc



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Senate Amendment 5200

PAG LIN

1 1 Amend the amendment, H=8251, to House File 2456,  
1 2 as amended, passed, and reprinted by the House, as  
1 3 follows:  
1 4 #1. Page 1, by striking lines 3 through 10 and  
1 5 inserting:  
1 6 <\_\_\_\_. By striking everything after the enacting  
1 7 clause and inserting:  
1 8 <Section 1. Section 321.178, subsection 2,  
1 9 paragraph a, Code 2009, is amended to read as follows:  
1 10 a. (1) A person between sixteen and eighteen  
1 11 years of age who has completed an approved driver's  
1 12 education course and is not in attendance at school  
1 13 and has not met the requirements described in section  
1 14 299.2, subsection 1, may be issued a restricted license  
1 15 only for travel to and from work or to transport  
1 16 dependents to and from temporary care facilities,  
1 17 if necessary for the person to maintain the person's  
1 18 present employment. The restricted license shall be  
1 19 issued by the department only upon confirmation of the  
1 20 person's employment and need for a restricted license  
1 21 to travel to and from work or to transport dependents  
1 22 to and from temporary care facilities if necessary to  
1 23 maintain the person's employment. The employer shall  
1 24 notify the department if the employment of the person  
1 25 is terminated before the person attains the age of  
1 26 eighteen.  
1 27 (2) A person issued a restricted license under  
1 28 this section shall not use an electronic communication  
1 29 device or an electronic entertainment device while  
1 30 driving a motor vehicle unless the motor vehicle is  
1 31 at a complete stop off the traveled portion of the  
1 32 roadway. This subparagraph does not apply to the use  
1 33 of electronic equipment which is permanently installed  
1 34 in the motor vehicle or to a portable device which is  
1 35 operated through permanently installed equipment.  
1 36 Sec. 2. Section 321.180B, Code Supplement 2009, is  
1 37 amended by adding the following new subsection:  
1 38 NEW SUBSECTION. 6A. A person issued an instruction  
1 39 permit or intermediate driver's license under this  
1 40 section shall not use an electronic communication  
1 41 device or an electronic entertainment device while  
1 42 driving a motor vehicle unless the motor vehicle is  
1 43 at a complete stop off the traveled portion of the  
1 44 roadway. This subsection does not apply to the use of  
1 45 electronic equipment which is permanently installed  
1 46 in the motor vehicle or to a portable device which is  
1 47 operated through permanently installed equipment.  
1 48 Sec. 3. Section 321.194, subsection 1, Code  
1 49 Supplement 2009, is amended by adding the following new  
1 50 paragraph:



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Senate Amendment 5200 continued

2 1 NEW PARAGRAPH. c. A person issued a driver's  
2 2 license under this section shall not use an electronic  
2 3 communication device or an electronic entertainment  
2 4 device while driving a motor vehicle unless the motor  
2 5 vehicle is at a complete stop off the traveled portion  
2 6 of the roadway. This paragraph does not apply to  
2 7 the use of electronic equipment which is permanently  
2 8 installed in the motor vehicle or to a portable  
2 9 device which is operated through permanently installed  
2 10 equipment.  
2 11 Sec. 4. NEW SECTION. 321.238 Use of electronic  
2 12 devices while driving == preemption of local  
2 13 legislation.  
2 14 The provisions of sections 321.178, 321.180B, and  
2 15 321.194 restricting the use of electronic communication  
2 16 devices and electronic entertainment devices by certain  
2 17 motor vehicle operators shall be implemented uniformly  
2 18 throughout the state. Such provisions shall preempt  
2 19 any county or municipal ordinance regarding the use  
2 20 of an electronic communication device or electronic  
2 21 entertainment device by a motor vehicle operator. In  
2 22 addition, a county or municipality shall not adopt  
2 23 or continue in effect an ordinance regarding the use  
2 24 of an electronic communication device or electronic  
2 25 entertainment device by a motor vehicle operator.>  
2 26 \_\_\_\_\_. Title page, lines 2 and 3, by striking  
2 27 <driving, including prohibiting a person from writing  
2 28 or sending a text message while>  
2 29 \_\_\_\_\_. Title page, line 4, by striking <providing  
2 30 penalties> and inserting <making penalties applicable>  
2 31 \_\_\_\_\_. By renumbering as necessary.>

H8251.1976 (2) 83

mb



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## Senate Amendment 5201

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. By striking page 1, line 3, through page 2, line  
1 4 3, and inserting:  
1 5 <NEW SUBSECTION. 22. It is the intent of the  
1 6 general assembly to allow rate-regulated public  
1 7 utilities subject to a revenue sharing settlement  
1 8 agreement with regard to their electric base rates to  
1 9 undertake analyses of and preparations for the possible  
1 10 construction of nuclear generating facilities in this  
1 11 state that would be beneficial in a carbon-constrained  
1 12 environment. A utility undertaking an analysis  
1 13 pursuant to this subsection shall be responsible for  
1 14 all costs associated with conducting the analysis.>  
1 15 #2. Title page, line 1, by striking <requiring> and  
1 16 inserting <allowing>

EUGENE S. FRAISE

ROBERT M. HOGG

JOE BOLKCOM

MATT McCOY

BECKY SCHMITZ

PAM JOCHUM

ROBERT E. DVORSKY

WALLY E. HORN

KEITH A. KREIMAN



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DICK L. DEARDEN

STACI APPEL  
HF2399.1963 (4) 83  
rn/sc



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## Senate Amendment 5202

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, line 32, after <recoverable.> by  
1 4 inserting <A utility that has recovered costs pursuant  
1 5 to this paragraph and that does not subsequently  
1 6 construct a nuclear generating facility in this state  
1 7 shall, within two years following completion of its  
1 8 analysis, refund to customers all moneys collected  
1 9 pursuant to the rider.>

STEVEN SODDERS  
HF2399.1994 (2) 83  
rn/sc



Iowa General Assembly  
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## Senate Amendment 5203

PAG LIN

1 1 Amend Senate File 2370 as follows:  
1 2 #1. Page 24, line 25, by striking <so as to lure,  
1 3 attract, or entice> and inserting <for the sole purpose  
1 4 of luring, attracting, or enticing>  
1 5 #2. Page 24, after line 34 by inserting:  
1 6 <Oc. "Livestock" means the same as defined in  
1 7 section 717.1.>  
1 8 #3. Page 25, by striking lines 3 through 10 and  
1 9 inserting:  
1 10 <2. Except as provided in subsection 3, it shall  
1 11 be unlawful for a person to establish or maintain a  
1 12 baited area on any public or private property, or to  
1 13 knowingly allow another person to establish or maintain  
1 14 a baited area on private property in the state under  
1 15 the person's lawful control. It shall be unlawful for  
1 16 a person to hunt, take, or attempt to take any wildlife  
1 17 on or in a baited area.>  
1 18 #4. Page 26, after line 9 by inserting:  
1 19 <3A. When entering private property, a person  
1 20 who is an official or agent of the department, or a  
1 21 person accompanying such an official or agent of the  
1 22 department shall comply with the provisions of section  
1 23 455B.103. The person shall also comply with standard  
1 24 biosecurity requirements customarily required by  
1 25 the owner of livestock on the property and which are  
1 26 necessary in order to control the spread of disease  
1 27 among a livestock or wildlife population.>  
1 28 #5. Page 26, lines 14 and 15, by striking <feeding  
1 29 or baiting of wildlife> and inserting <establishment or  
1 30 maintenance of a baited area>  
1 31 #6. By renumbering as necessary.

DR. JOE M. SENG  
SF2370.1888 (2) 83  
av/sc



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## Senate Amendment 5204

PAG LIN

1 1 Amend House File 2461, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 2, line 4, by striking <shall either> and  
1 4 inserting <may>  
1 5 #2. Page 2, by striking lines 6 and 7 and inserting  
1 6 <subsection.>  
1 7 #3. Page 2, line 11, by striking <shall> and  
1 8 inserting <may>  
1 9 #4. Page 2, by striking lines 12 and 13 and  
1 10 inserting <board.>

RANDY FEENSTRA  
HF2461.1980 (2) 83  
kh/sc



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## Senate Amendment 5205

PAG LIN

1 1 Amend House File 2466, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 3, after line 21 by inserting:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 321.179 Driver education ==  
1 5 teaching parent.  
1 6 1. Teaching parent. As an alternative to the  
1 7 driver education requirements under section 321.178,  
1 8 a teaching parent may instruct a student in a driver  
1 9 education course that meets the requirements of this  
1 10 section and provide evidence that the requirements  
1 11 under this section have been met.  
1 12 2. Definitions. For purposes of this section:  
1 13 a. "Approved course" means driver education  
1 14 curriculum approved by the department pursuant to rules  
1 15 adopted under chapter 17A. An approved course shall,  
1 16 at a minimum, meet the requirements of subsection 3  
1 17 and be appropriate for teaching=parent=directed driver  
1 18 education and related street or highway instruction.  
1 19 Driver education materials that meet or exceed  
1 20 standards established by the department for an approved  
1 21 course in driver education for a public or private  
1 22 school shall be approved unless otherwise determined by  
1 23 the department. The list of approved courses shall be  
1 24 posted on the department's internet website.  
1 25 b. "Student" means a person between the ages of  
1 26 fourteen and twenty=one years who is within the custody  
1 27 and control of the teaching parent and who satisfies  
1 28 preliminary licensing requirements of the department.  
1 29 c. "Teaching parent" means a parent, guardian,  
1 30 or legal custodian of a student who is currently  
1 31 providing competent private instruction to the student  
1 32 pursuant to section 299A.2 or 299A.3 and who provided  
1 33 such instruction to the student during the previous  
1 34 year; who has a valid driver's license, other than a  
1 35 motorized bicycle license or a temporary restricted  
1 36 license, that permits unaccompanied driving; and who  
1 37 has maintained a clear driving record for the previous  
1 38 two years. For purposes of this paragraph, "clear  
1 39 driving record" means the individual has not been  
1 40 identified as a candidate for suspension of a driver's  
1 41 license under the habitual offender provisions of the  
1 42 department's regulations; is not subject to a driver's  
1 43 license suspension, revocation, denial, cancellation,  
1 44 disqualification, or bar; and has no record of a  
1 45 conviction for a moving traffic violation determined to  
1 46 be the cause of a motor vehicle accident.  
1 47 3. Course of instruction.  
1 48 a. An approved course administered by a teaching  
1 49 parent shall consist of, but not be limited to, the  
1 50 following:



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Senate Amendment 5205 continued

2 1 (1) Thirty clock hours of classroom instruction.  
2 2 (2) Forty hours of street or highway driving  
2 3 including four hours of driving after sunset and before  
2 4 sunrise while accompanied by the teaching parent.  
2 5 (3) Four hours of classroom instruction concerning  
2 6 substance abuse.  
2 7 (4) A minimum of twenty minutes of instruction  
2 8 concerning railroad crossing safety.  
2 9 (5) Instruction relating to becoming an organ  
2 10 donor under the revised uniform anatomical gift Act as  
2 11 provided in chapter 142C.  
2 12 (6) Instruction providing an awareness about  
2 13 sharing the road with bicycles and motorcycles.  
2 14 b. The content of the course of instruction  
2 15 required under this subsection shall be equivalent  
2 16 to that required under section 321.178. However,  
2 17 reference and study materials, physical classroom  
2 18 requirements, and extra vehicle safety equipment  
2 19 required for instruction under section 321.178 shall  
2 20 not be required for the course of instruction provided  
2 21 under this section.  
2 22 4. Course completion and certification. Upon  
2 23 application by a student for an intermediate license,  
2 24 the teaching parent shall provide evidence showing  
2 25 the student's completion of an approved course and  
2 26 substantial compliance with the requirements of  
2 27 subsection 3 by affidavit signed by the teaching  
2 28 parent on a form to be provided by the department. The  
2 29 evidence shall include all of the following:  
2 30 a. Documentation that the instructor is a teaching  
2 31 parent as defined in subsection 2.  
2 32 b. Documentation that the student is receiving  
2 33 competent private instruction under section 299A.2  
2 34 or the name of the school district within which the  
2 35 student is receiving instruction under section 299A.3.  
2 36 c. The name of the approved course completed by the  
2 37 student.  
2 38 d. An affidavit attesting to satisfactory  
2 39 completion of course work and street or highway driving  
2 40 instruction.  
2 41 e. Copies of written tests completed by the  
2 42 student.  
2 43 f. A statement of the number of classroom hours of  
2 44 instruction.  
2 45 g. A log of completed street or highway driving  
2 46 instruction including the dates when the lessons were  
2 47 conducted, the student's and the teaching parent's name  
2 48 and initials noted next to each entry, notes on driving  
2 49 activities including a list of driving deficiencies and  
2 50 improvements, and the duration of the driving time for



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3 1 each session.

3 2 5. Intermediate license. Any student who  
3 3 successfully completes an approved course as  
3 4 provided in this section, passes a driving test to  
3 5 be administered by the department, and is otherwise  
3 6 qualified under section 321.180B, subsection 2, shall  
3 7 be eligible for an intermediate license pursuant  
3 8 to section 321.180B. Twenty of the forty hours of  
3 9 street or highway driving instruction required under  
3 10 subsection 3, paragraph "a", subparagraph (2), may  
3 11 be utilized to satisfy the requirement of section  
3 12 321.180B, subsection 2.

3 13 6. Full license. A student must comply with  
3 14 section 321.180B, subsection 4, to be eligible for a  
3 15 full driver's license pursuant to section 321.180B.

3 16 Sec. \_\_\_\_\_. Section 321.180B, subsection 2, Code  
3 17 2009, is amended to read as follows:

3 18 2. Intermediate license.

3 19 a. The department may issue an intermediate  
3 20 driver's license to a person sixteen or seventeen years  
3 21 of age who possesses an instruction permit issued  
3 22 under subsection 1 or a comparable instruction permit  
3 23 issued by another state for a minimum of six months  
3 24 immediately preceding application, and who presents  
3 25 an affidavit signed by a parent or guardian on a form  
3 26 to be provided by the department that the permittee  
3 27 has accumulated a total of twenty hours of street or  
3 28 highway driving of which two hours were conducted after  
3 29 sunset and before sunrise and the street or highway  
3 30 driving was with the permittee's parent, guardian,  
3 31 instructor, a person certified by the department,  
3 32 or a person at least twenty-five years of age who  
3 33 had written permission from a parent or guardian to  
3 34 accompany the permittee, and whose driving privileges  
3 35 have not been suspended, revoked, or barred under  
3 36 this chapter or chapter 321J during, and who has been  
3 37 accident and violation free continuously for, the  
3 38 six-month period immediately preceding the application  
3 39 for an intermediate license. An applicant for an  
3 40 intermediate license must meet the requirements of  
3 41 section 321.186, including satisfactory completion of  
3 42 driver education as required in section 321.178 or  
3 43 321.179, and payment of the required license fee before  
3 44 an intermediate license will be issued.

3 45 b. A person issued an intermediate license must  
3 46 limit the number of passengers in the motor vehicle  
3 47 when the intermediate licensee is operating the motor  
3 48 vehicle to the number of passenger safety belts.

3 49 c. Except as otherwise provided, a person issued  
3 50 an intermediate license under this subsection who



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4 1 is operating a motor vehicle between the hours of  
4 2 twelve=thirty a.m. and five a.m. must be accompanied  
4 3 by a person issued a driver's license valid for the  
4 4 vehicle operated who is the parent or guardian of  
4 5 the permittee, a member of the permittee's immediate  
4 6 family if the family member is at least twenty=one  
4 7 years of age, an approved driver education instructor,  
4 8 a prospective driver education instructor who is  
4 9 enrolled in a practitioner preparation program with a  
4 10 safety education program approved by the state board of  
4 11 education, or a person at least twenty=five years of  
4 12 age if written permission is granted by the parent or  
4 13 guardian, and who is actually occupying a seat beside  
4 14 the driver. However, a licensee may operate a vehicle  
4 15 to and from school=related extracurricular activities  
4 16 and work without an accompanying driver between the  
4 17 hours of twelve=thirty a.m. and five a.m. if such  
4 18 licensee possesses a waiver on a form to be provided by  
4 19 the department. An accompanying driver is not required  
4 20 between the hours of five a.m. and twelve=thirty a.m.>  
4 21 #2. Page 3, line 23, by striking <This Act> and  
4 22 inserting <The section of this Act amending section  
4 23 321.178,>  
4 24 #3. Title page line 1, after <relating to> by  
4 25 inserting <driver's education, including teaching  
4 26 parents and>  
4 27 #4. By renumbering as necessary.

JAMES F. HAHN  
HF2466.1986 (5) 83  
kh/nh



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Senate Amendment 5206

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, before line 1 by inserting:  
1 4 <Section 1. Section 476.6, subsection 16, paragraph  
1 5 b, Code Supplement 2009, is amended to read as follows:  
1 6 b. A gas and electric utility required to be  
1 7 rate-regulated under this chapter shall assess  
1 8 potential energy and capacity savings available  
1 9 from actual and projected customer usage by applying  
1 10 commercially available technology and improved  
1 11 operating practices to energy-using equipment  
1 12 and buildings. A utility that was subject to a  
1 13 revenue sharing settlement agreement with regard  
1 14 to its electric base rates as of January 1, 2010,  
1 15 shall also assess projected energy demand for the  
1 16 succeeding twenty-year period, options for meeting  
1 17 the projected demand including but not limited to  
1 18 energy efficiency, cogeneration of electricity and  
1 19 transmission improvements, and projected environmental  
1 20 impacts during the period, including greenhouse gas  
1 21 emissions. The utility shall submit the assessment to  
1 22 the board. Upon receipt of the assessment, the board  
1 23 shall consult with the office of energy independence  
1 24 to develop specific capacity and energy savings  
1 25 performance standards for each utility. The utility  
1 26 shall submit an energy efficiency plan which shall  
1 27 include economically achievable programs designed  
1 28 to attain these energy and capacity performance  
1 29 standards. The board shall periodically report the  
1 30 energy efficiency results including energy savings of  
1 31 each utility to the general assembly.>  
1 32 #2. Title page, line 1, after <Act> by inserting  
1 33 <relating to public utilities by>  
1 34 #3. Title page, line 6, after <facility,> by  
1 35 inserting <requiring projected energy demand and  
1 36 environmental impact assessments,>  
1 37 #4. By renumbering as necessary.

ROBERT M. HOGG  
HF2399.4750 (3) 83  
rn/nh



Iowa General Assembly  
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## Senate Amendment 5207

PAG LIN

1 1 Amend Senate File 2367 as follows:  
1 2 #1. Page 14, after line 18 by inserting:  
1 3 <Sec. \_\_\_\_\_. FOOD CODE == CONTINUATION OF WAIVER  
1 4 POLICY. The waiver policy of the department  
1 5 of inspections and appeals allowing some food  
1 6 establishment franchises to continue the use of certain  
1 7 cooking apparatus for ground meat until such food  
1 8 establishment franchises are sold, as outlined in the  
1 9 letter from the department's director dated June 15,  
1 10 2006, shall continue in force unless specifically  
1 11 eliminated by statute.>  
1 12 #2. Page 20, before line 4 by inserting:  
1 13 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
1 14 APPLICABILITY. The section of this division of this  
1 15 Act directing the department of inspections and appeals  
1 16 to continue a waiver policy, being deemed of immediate  
1 17 importance, takes effect upon enactment and applies  
1 18 retroactively to June 22, 2007.>  
1 19 #3. Title page, line 4, after <atters> by inserting  
1 20 <, and including effective date and retroactive  
1 21 applicability provisions>  
1 22 #4. By renumbering as necessary.

STEVEN SODDERS  
SF2367.1962 (3) 83  
jp/rj



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## Senate Amendment 5208

PAG LIN

1 1 Amend House File 2473, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, line 9, by striking <marker> and  
1 4 inserting <monument, as defined in section 355.1,>  
1 5 #2. Page 1, line 12, by striking <marker> and  
1 6 inserting <monument>  
1 7 #3. Page 1, line 19, by striking <marker> and  
1 8 inserting <monument>  
1 9 #4. Page 1, line 20, by striking <marker> and  
1 10 inserting <monument>

KEITH A. KREIMAN  
HF2473.1993 (3) 83  
jm/nh



Iowa General Assembly  
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Senate Amendment 5209

PAG LIN

1 1 Amend House File 2110, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 3 through 9 and  
1 4 inserting:  
1 5 <NEW PARAGRAPH. b. (1) The individual left  
1 6 employment because the individual's spouse was  
1 7 relocated due to a military assignment in another  
1 8 area for one hundred eighty days or more, and the  
1 9 individual's employer has no work available in the new  
1 10 area.  
1 11 (2) The exception in subparagraph (1) only applies  
1 12 if the individual's spouse is any of the following:  
1 13 (a) A member of the national guard or organized  
1 14 reserves of the armed forces of the United States  
1 15 ordered to temporary duty, as described in section  
1 16 29A.1, subsection 3, 11, or 12, for any purpose.  
1 17 (b) A member of the civil air patrol performing  
1 18 duty pursuant to section 29A.3A.  
1 19 (3) The exception in subparagraph (1) only applies  
1 20 if the individual demonstrates financial and family  
1 21 hardship.  
1 22 (4) The employer's account shall not be charged for  
1 23 any benefits paid to an individual under this paragraph  
1 24 "b". Relief of charges under this subparagraph applies  
1 25 to both contributory and reimbursable employers,  
1 26 notwithstanding section 96.8, subsection 5.>

RON WIECK

JAMES A. SEYMOUR

JERRY BEHN

HUBERT HOUSER

RANDY FEENSTRA

NANCY J. BOETTGER

PAT WARD



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KIM REYNOLDS

DAVID JOHNSON

BRAD ZAUN

TIM KAPUCIAN

STEVE KETTERING

LARRY NOBLE

JAMES F. HAHN

SHAWN HAMERLINCK  
HF2110.1998 (3) 83  
ak/nh



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## Senate Amendment 5210

PAG LIN

1 1 Amend House File 2432, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, line 9, after <administrators> by  
1 4 inserting <in Iowa>

DAVID JOHNSON  
HF2432.1995 (2) 83  
ak/rj



**Iowa General Assembly  
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**Senate Amendment 5211**

PAG LIN

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1 1 Amend Senate File 2367 as follows:
1 2 #1. Page 1, by striking line 13 and inserting:
1 3 ..... $ 2,053,209>
1 4 #2. Page 2, by striking lines 16 through 20.
1 5 #3. Page 2, line 22, by striking <1.>
1 6 #4. Page 2, by striking lines 29 through 35.
1 7 #5. Page 7, line 26, by striking <72.00> and
1 8 inserting <79.00>
1 9 #6. Page 11, line 18, by striking <39.25> and
1 10 inserting <37.25>
1 11 #7. Page 11, by striking lines 19 through 21.
1 12 #8. Page 11, by striking lines 32 and 33 and
1 13 inserting:
1 14 <..... $ 1,365,570
1 15 ..... FTEs 56.00
1 16 The department, in coordination with the
1 17 investigations division, shall provide a report to
1 18 the general assembly by January 10, 2011, concerning
1 19 the fiscal impact of additional full-time equivalent
1 20 positions on the department's efforts relative to the
1 21 Medicaid divestiture program under chapter 249F.>
1 22 #9. Page 12, by striking lines 3 and 4 and
1 23 inserting:
1 24 <..... $ 4,030,108
1 25 ..... FTEs 134.75>
1 26 #10. Page 12, by striking lines 24 through 26.
1 27 #11. Page 14, after line 18 by inserting:
1 28 <Sec. ____ DEPARTMENT OF INSPECTIONS AND APPEALS ==
1 29 HEALTH CARE FACILITIES INSPECTIONS Notwithstanding
1 30 any provision of section 135C.16 to the contrary,
1 31 inspections of health care facilities that are only
1 32 state-licensed and not certified under the Medicare
1 33 or Medicaid programs shall not be inspected by the
1 34 department of inspections and appeals every thirty
1 35 months, but only as provided pursuant to sections
1 36 135C.9 and 135C.38.>
1 37 #12. Page 14, by striking lines 30 through 35.
1 38 #13. Page 15, line 1, by striking <3.> and inserting
1 39 <2.>
1 40 #14. Page 16, by striking line 24 and inserting:
1 41 ..... $ 4,881,860>
1 42 #15. Page 19, by striking lines 33 and 34 and
1 43 inserting:
1 44 <..... $ 647,014
1 45 ..... FTEs 12.00>
1 46 #16. Page 20, line 9, by striking <subsections> and
1 47 inserting <subsection>
1 48 #17. Page 20, by striking lines 13 and 14.
1 49 #18. Page 22, after line 17 by inserting:
1 50 <DIVISION ____

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Senate Amendment 5211 continued

2 1 DEPARTMENT OF ADMINISTRATIVE SERVICES PROVISIONS  
2 2 Sec. \_\_\_\_\_. Section 8A.207, subsection 4, paragraph  
2 3 c, Code 2009, is amended to read as follows:  
2 4 c. Contracts let by another governmental  
2 5 entity. The department, on its own behalf or on the  
2 6 behalf of another participating agency or governmental  
2 7 entity, may procure information technology by  
2 8 leveraging existing competitively procured contracts  
2 9 or under a contract let by another agency or other  
2 10 governmental entity, or may approve such procurement  
2 11 in the same manner by a participating agency or  
2 12 governmental entity.  
2 13 Sec. \_\_\_\_\_. NEW SECTION. 8A.315A Purchase of  
2 14 chain-of-custody paper.  
2 15 1. Notwithstanding any requirements under section  
2 16 8A.315 related to the purchase of recycled paper  
2 17 to the contrary, the department may use certified  
2 18 chain-of-custody paper as provided in this section in  
2 19 lieu of recycled paper. The department shall adopt  
2 20 rules related to the use of chain-of-custody paper.  
2 21 2. As used in this section, unless the context  
2 22 otherwise requires, "certified chain-of-custody paper"  
2 23 means paper that has been certified pursuant to a  
2 24 process that tracks and records the possession and  
2 25 transfer of wood and fiber used to make paper through  
2 26 the different states of production to the end user of  
2 27 the paper. The department shall adopt rules defining  
2 28 "certified chain-of-custody paper" consistent with the  
2 29 certification requirements established by independent  
2 30 entities such as the forest stewardship council,  
2 31 sustainable forest initiative, or other similar entity.  
2 32 Sec. \_\_\_\_\_. Section 8A.454, subsection 4, Code  
2 33 Supplement 2009, is amended by striking the subsection.  
2 34 Sec. \_\_\_\_\_. VEHICLE DEPRECIATION FUNDS.  
2 35 Notwithstanding any provision of section 8A.365 to the  
2 36 contrary, a department or agency otherwise required to  
2 37 pay a depreciation expense pursuant to that section  
2 38 shall not be required to pay the depreciation expense  
2 39 during the fiscal year beginning July 1, 2010, and  
2 40 ending June 30, 2011. However, the department of  
2 41 administrative services may encourage departments or  
2 42 agencies otherwise required to pay a depreciation  
2 43 expense to make voluntary payments in an effort to  
2 44 maintain the state fleet in the most cost-efficient  
2 45 manner possible, including the future replacement of  
2 46 vehicles, as necessary and appropriate.  
2 47 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The section  
2 48 of this division of this Act amending section 8A.454,  
2 49 being deemed of immediate importance, takes effect upon  
2 50 enactment.



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Senate Amendment 5211 continued

3 1 DIVISION \_\_\_\_  
3 2 MEDICATION THERAPY MANAGEMENT  
3 3 Sec. \_\_\_\_ . NEW SECTION. 514C.26 Medication therapy  
3 4 management coverage == repeal.  
3 5 1. Notwithstanding the uniformity of treatment  
3 6 requirements of section 514C.6, a group plan  
3 7 established pursuant to chapter 509A for employees  
3 8 of the state providing for third-party payment or  
3 9 prepayment for health or medical expenses that include  
3 10 pharmaceutical benefits shall provide coverage for  
3 11 medication therapy management in accordance with this  
3 12 section. The provisions of this section shall apply  
3 13 to plans established pursuant to chapter 509A for  
3 14 employees of the state, except plans established for  
3 15 employees of the state board of regents or institutions  
3 16 under the state board of regents, that are delivered,  
3 17 issued for delivery, continued, or renewed in this  
3 18 state on or after January 1, 2011.  
3 19 2. As used in this section, "medication therapy  
3 20 management" means a systematic process performed by a  
3 21 licensed pharmacist, designed to optimize therapeutic  
3 22 outcomes through improved medication use and reduced  
3 23 risk of adverse drug events, including all of the  
3 24 following services:  
3 25 a. A medication therapy review of all medications,  
3 26 vitamins, and herbal supplements currently being taken  
3 27 by an eligible individual.  
3 28 b. A medication action plan, subject to the  
3 29 limitations specified in this section, communicated  
3 30 to the individual and the individual's primary care  
3 31 physician or other appropriate prescriber to address  
3 32 safety issues, inconsistencies, duplicative therapy,  
3 33 omissions, and medication costs. The medication action  
3 34 plan may include recommendations to the prescriber for  
3 35 changes in drug therapy.  
3 36 c. Documentation and follow-up to ensure consistent  
3 37 levels of pharmacy services and positive outcomes.  
3 38 3. a. Medication therapy management shall be a  
3 39 covered benefit for any of the following individuals:  
3 40 (1) An individual who has a prescription drug  
3 41 therapy problem as identified by the prescribing  
3 42 physician or other appropriate prescriber, and is  
3 43 referred to a pharmacist for medication therapy  
3 44 management.  
3 45 (2) An individual who meets other criteria  
3 46 established by the third-party payment provider  
3 47 contract, policy, or plan.  
3 48 b. The fees for medication therapy management  
3 49 services shall be separate from the reimbursement for  
3 50 prescription drug product or dispensing services; shall



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4 1 be determined by each third-party payment provider  
4 2 contract, policy, or plan; and shall be reasonable  
4 3 based on the resources and time required to provide the  
4 4 services.

4 5 c. If any part of the medication therapy management  
4 6 plan developed by a pharmacist incorporates services  
4 7 which are outside the pharmacist's independent scope  
4 8 of practice including the initiation of therapy,  
4 9 modification of dosages, therapeutic interchange, or  
4 10 changes in drug therapy, the express authorization  
4 11 of the individual's physician or other appropriate  
4 12 prescriber is required.

4 13 4. Medication therapy management services shall  
4 14 be provided through a contract, established through a  
4 15 request for proposals process, with a company located  
4 16 in this state that is a nationally recognized leader  
4 17 in and has a minimum of ten years of experience  
4 18 administering medication therapy management services.  
4 19 The contract shall require the company to provide  
4 20 annual reports to the general assembly detailing the  
4 21 costs, savings, estimated cost avoidance and return  
4 22 on investment, and patient outcomes related to the  
4 23 medication therapy management services provided.  
4 24 The company shall guarantee annual estimated cost  
4 25 avoidance at least equal to the program's costs with  
4 26 any shortfall amount refunded to the state. As a proof  
4 27 of concept in the program for the period beginning  
4 28 January 1, 2011, and ending December 31, 2011, the  
4 29 company shall offer a dollar-for-dollar guarantee for  
4 30 drug product costs savings alone.

4 31 5. This section shall not apply to accident-only,  
4 32 specified disease, short-term hospital or medical,  
4 33 hospital confinement indemnity, credit, dental, vision,  
4 34 Medicare supplement, long-term care, basic hospital,  
4 35 and medical-surgical expense coverage as defined  
4 36 by the commissioner, disability income insurance  
4 37 coverage, coverage issued as a supplement to liability  
4 38 insurance, workers' compensation or similar insurance,  
4 39 or automobile medical payment insurance, or individual  
4 40 accident and sickness policies issued to individuals or  
4 41 to individual members of a member association.

4 42 6. This section is repealed June 30, 2012.

4 43

DIVISION \_\_\_\_

4 44

BANKING DIVISION PROVISIONS

4 45 Sec. \_\_\_\_ . Section 524.814, Code 2009, is amended by  
4 46 adding the following new subsection:

4 47 NEW SUBSECTION. 1A. To secure transactions to  
4 48 hedge risks associated with interest rate exposure,  
4 49 subject to the approval of the superintendent.

4 50

DIVISION \_\_\_\_



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5 1 FLOOD PLAIN MANAGEMENT  
5 2 Sec. \_\_\_\_ . NEW SECTION. 455B.276A Two=tenths  
5 3 percent flood plain == model ordinance.  
5 4 1. By December 31, 2010, the department, in  
5 5 consultation with the rebuild Iowa office, the division  
5 6 of homeland security and emergency management of  
5 7 the department of public defense, the Iowa league of  
5 8 cities, conservation districts of Iowa, and the Iowa  
5 9 state association of counties, shall develop a model  
5 10 ordinance for the regulation of a two=tenths percent  
5 11 flood plain by political subdivisions. The department  
5 12 shall consider including all of the following in the  
5 13 model ordinance:  
5 14 a. Requirements, if any, for the purchase of flood  
5 15 insurance for property.  
5 16 b. Requirements, if any, for new development or  
5 17 modification or improvement of existing development to  
5 18 mitigate the effects of future flooding.  
5 19 c. The effect of flood control levees.  
5 20 d. The use of fill and offsets required for the use  
5 21 of fill.  
5 22 e. Categories of development that should be  
5 23 prohibited.  
5 24 f. Interaction with regulations by the federal  
5 25 emergency management agency.  
5 26 g. Any other issues that the department finds  
5 27 should be addressed in the model ordinance.  
5 28 2. For purposes of this section, the two=tenths  
5 29 percent flood plain includes a two=tenths percent  
5 30 flood plain identified on a flood insurance rate map  
5 31 certified by the federal emergency management agency  
5 32 or, if a certified flood insurance rate map is not  
5 33 available, on a map developed or approved by the  
5 34 department.  
5 35 Sec. \_\_\_\_ . NEW SECTION. 466.10 Hydrological tiling  
5 36 study.  
5 37 The department of agriculture and land stewardship  
5 38 shall conduct a hydrological tiling study in  
5 39 conjunction with hydrology experts from the Iowa  
5 40 flood center and Iowa state university of science and  
5 41 technology to determine the impact tile drainage has  
5 42 on infiltration, surface runoff, and flooding and to  
5 43 evaluate the feasibility of seasonal retention of  
5 44 water in tile drained fields as a drainage management  
5 45 strategy. The impact of potholes, wetlands, and water  
5 46 retention structures shall also be considered in the  
5 47 study.  
5 48 Sec. \_\_\_\_ . Section 466B.3, subsection 6, paragraph  
5 49 c, Code Supplement 2009, is amended to read as follows:  
5 50 c. The council shall develop recommendations for



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6 1 policies and funding promoting a watershed management  
6 2 approach to reduce the adverse impact of future  
6 3 flooding on this state's residents, businesses,  
6 4 communities, and soil and water quality. ~~Policy~~  
~~6 5 and funding recommendations shall be submitted to~~  
~~6 6 the governor and the general assembly not later~~  
~~6 7 than November 15, 2009.~~ The council shall consider  
6 8 policies and funding options for various strategies  
6 9 to reduce the impact of flooding including but not  
6 10 limited to additional floodplain regulation; wetland  
6 11 protection, restoration, and construction; the  
6 12 promulgation and implementation of statewide storm  
6 13 water management standards; conservation easements  
6 14 and other land management; perennial ground cover and  
6 15 other agricultural conservation practices; pervious  
6 16 pavement, bioswales, and other urban conservation  
6 17 practices; and permanent or temporary water retention  
6 18 structures. In developing recommendations, the council  
6 19 shall consult with hydrological and land use experts,  
6 20 representatives of cities, counties, drainage and levee  
6 21 districts, agricultural interests, and soil and water  
6 22 conservation districts, and other urban and regional  
6 23 planning experts.  
6 24 Sec. \_\_\_\_\_. Section 466B.3, subsection 6, Code  
6 25 Supplement 2009, is amended by adding the following new  
6 26 paragraph:  
6 27 NEW PARAGRAPH. d. The council shall develop  
6 28 recommendations for watershed governance including but  
6 29 not limited to assigning responsibility for assessment  
6 30 of flood risk, assessment and prioritization of options  
6 31 for reducing flood risk, allocation of flood reduction  
6 32 resources, operation of controlled water retention  
6 33 structures, and the purchase of land or easements by  
6 34 cities pursuant to section 364.4. The council shall  
6 35 submit recommendations to the governor and the general  
6 36 assembly not later than November 15, 2010.  
6 37 Sec. \_\_\_\_\_. Section 466B.4, subsection 2, Code  
6 38 Supplement 2009, is amended to read as follows:  
6 39 2. Marketing campaign. The water resources  
6 40 coordinating council shall develop a marketing campaign  
6 41 to educate Iowans about the need to take personal  
6 42 responsibility for the quality and quantity of water in  
6 43 their local watersheds. The emphasis of the campaign  
6 44 shall be that not only is everyone responsible for  
6 45 clean water, but that everyone benefits from it as  
6 46 well, and that everyone is responsible for and benefits  
6 47 from reducing the risk for flooding and mitigating  
6 48 possible future flood damage. The goals of the  
6 49 campaign shall be to convince Iowans to take personal  
6 50 responsibility for clean water and reducing the risk of



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7 1 flooding and to equip them with the tools necessary to  
7 2 effect change through local water quality improvement  
7 3 projects and better flood plain management and flood  
7 4 risk programs.

7 5 Sec. \_\_\_\_\_. NEW SECTION. 466B.10 Watershed  
7 6 demonstration pilot projects.

7 7 The department of natural resources and the  
7 8 department of agriculture and land stewardship, in  
7 9 collaboration with the United States department of  
7 10 agriculture's natural resources conservation service  
7 11 and the Iowa flood center established pursuant to  
7 12 section 466C.1, and in cooperation with the council,  
7 13 shall seek funding to plan, implement, and monitor  
7 14 one or more watershed demonstration pilot projects  
7 15 for urban and rural areas involving a twelve-digit  
7 16 hydrologic unit code subwatershed as defined by the  
7 17 United States geological survey. The pilot projects  
7 18 shall include features that seek to do all of the  
7 19 following:

7 20 1. Maximize soil water holding capacity from  
7 21 precipitation.

7 22 2. Minimize severe scour erosion and sand  
7 23 deposition during floods.

7 24 3. Manage water runoff in uplands under saturated  
7 25 soil moisture conditions.

7 26 4. Reduce and mitigate structural and nonstructural  
7 27 flood damage.

7 28 Sec. \_\_\_\_\_. NEW SECTION. 466B.11 Flood plain  
7 29 managers.

7 30 The council shall encourage and support the  
7 31 formation of a chapter of the association of state  
7 32 flood plain managers in Iowa that would provide a  
7 33 vehicle for local flood plain managers and flood plain  
7 34 planners to further pursue professional educational  
7 35 opportunities.

7 36 Sec. \_\_\_\_\_. NEW SECTION. 466B.12 Flood education.

7 37 The Iowa state university agricultural extension  
7 38 service, the council, and agency members of the council  
7 39 shall work with flood plain and hydrology experts to  
7 40 educate the general public about flood plains, flood  
7 41 risks, and basic flood plain management principles.  
7 42 This educational effort shall include all of the  
7 43 following:

7 44 1. Developing a statewide soil moisture monitoring  
7 45 network for assessing flood risk through the Iowa  
7 46 water center of Iowa state university of science and  
7 47 technology and the Leopold center for sustainable  
7 48 agriculture established in section 266.39, and make  
7 49 extensive use of existing tools and knowledge focused  
7 50 on soil health, specifically the soil conditioning



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8 1 index of the United States department of agriculture's  
8 2 natural resources conservation service as a common  
8 3 metric for improved agronomic and conservation  
8 4 practices.  
8 5 2. Developing educational materials and programs in  
8 6 consultation with flood plain experts.  
8 7 3. Expanding use of existing integrated farm and  
8 8 land resource management tools to assist planners,  
8 9 landowners, and farmers in planning and creating  
8 10 infiltration systems to accommodate rainfalls of at  
8 11 least one and one-quarter inch and support conservation  
8 12 and business planning.  
8 13 Sec. \_\_\_\_ . NEW SECTION. 466B.13 Conservation  
8 14 practice criteria.  
8 15 The department of agriculture and land stewardship,  
8 16 in cooperation with the council, shall work with the  
8 17 United States department of agriculture's natural  
8 18 resources conservation service to reassess criteria for  
8 19 soil and water conservation practices as defined in  
8 20 section 161A.42 due to changing precipitation patterns  
8 21 and extreme weather events. This shall include all of  
8 22 the following technical standards and manuals:  
8 23 1. The field office technical guide of the natural  
8 24 resources conservation service for conservation  
8 25 criteria.  
8 26 2. The engineering field manual of the natural  
8 27 resources conservation service for design criteria.>  
8 28 #19. By renumbering as necessary.

JEFF DANIELSON  
SF2367.2000 (3) 83  
ec/tm



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## Senate Amendment 5212

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, before line 1 by inserting:  
1 4 <Section 1. Section 476.6, subsection 16, paragraph  
1 5 b, Code Supplement 2009, is amended to read as follows:  
1 6 b. A gas and electric utility required to be  
1 7 rate-regulated under this chapter shall assess  
1 8 potential energy and capacity savings available  
1 9 from actual and projected customer usage by applying  
1 10 commercially available technology and improved  
1 11 operating practices to energy-using equipment and  
1 12 buildings. The utility shall also assess projected  
1 13 energy demand for the succeeding twenty-year period,  
1 14 options for meeting the projected demand including  
1 15 but not limited to energy efficiency, cogeneration  
1 16 of electricity and transmission improvements, and  
1 17 projected environmental impacts during the twenty-year  
1 18 period, including greenhouse gas emissions. The  
1 19 utility shall submit the assessment to the board. Upon  
1 20 receipt of the assessment, the board shall consult with  
1 21 the office of energy independence to develop specific  
1 22 capacity and energy savings performance standards  
1 23 for each utility. The utility shall submit an energy  
1 24 efficiency plan which shall include economically  
1 25 achievable programs designed to attain these energy  
1 26 and capacity performance standards. The board shall  
1 27 periodically report the energy efficiency results  
1 28 including energy savings of each utility to the general  
1 29 assembly.>  
1 30 #2. Title page, line 1, after <Act> by inserting  
1 31 <relating to public utilities by>  
1 32 #3. Title page, line 6, after <facility,> by  
1 33 inserting <requiring projected energy demand and  
1 34 environmental impact assessments,>  
1 35 #4. By renumbering as necessary.

ROBERT M. HOGG  
HF2399.2007 (2) 83  
rn/sc



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## Senate Amendment 5213

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, before line 4 by inserting:  
1 4 <Sec. \_\_\_\_ Section 476.44A, Code 2009, is amended  
1 5 to read as follows:  
1 6 476.44A Trading of credits == prior approval.  
1 7 The board may establish or participate in a program  
1 8 to track, record, and verify the trading of credits  
1 9 or attributes relating to electricity generated from  
1 10 alternate energy production facilities or renewable  
1 11 energy sources among electric generators, utilities,  
1 12 and other interested entities, within this state and  
1 13 with similar entities in other states. The trading or  
1 14 sale of credits or attributes shall be subject to prior  
1 15 approval by the board.>  
1 16 #2. Title page, line 6, after <facility,> by  
1 17 inserting <requiring approval prior to the trading or  
1 18 sale of specified credits,>

ROBERT M. HOGG  
HF2399.2008 (3) 83  
rn/sc



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## Senate Amendment 5214

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, after line 3 by inserting:  
1 4 <d. Notwithstanding paragraph "b", a rider as  
1 5 described in that paragraph shall not be applicable  
1 6 to any customer who is certified eligible for the  
1 7 low-income home energy assistance program administered  
1 8 by the division of community action agencies of the  
1 9 department of human rights.>

ROBERT M. HOGG  
HF2399.2009 (2) 83  
rn/sc



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Senate Amendment 5215

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, before line 4 by inserting:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 476.8A Carbon emission  
1 5 offsets.  
1 6 1. The board shall require any new or expanded  
1 7 fossil fuel electric generating and transmission  
1 8 facility to offset its projected carbon emissions  
1 9 and shall, in conjunction with the department of  
1 10 natural resources, make a determination that the  
1 11 new or expanded facility is not contributing to an  
1 12 increase in the emission rate of greenhouse gases in  
1 13 providing electricity to customers in this state.  
1 14 For the purposes of this section, "greenhouse gases"  
1 15 means gases identified by the board, including but not  
1 16 limited to carbon dioxide, methane, and nitrous oxide.  
1 17 2. A utility may utilize any of the following  
1 18 methods for purposes of meeting the requirements of  
1 19 subsection 1:  
1 20 a. Reducing greenhouse gas emissions at the  
1 21 facility.  
1 22 b. Reducing greenhouse gas emissions at other  
1 23 facilities owned by the utility.  
1 24 c. Offsetting greenhouse gas emissions through  
1 25 the use of energy conservation or energy efficiency  
1 26 measures.  
1 27 d. Offsetting greenhouse gas emissions through the  
1 28 production of energy from wind, solar, biomass, or  
1 29 geothermal sources.  
1 30 e. Providing for sequestration of carbon dioxide.  
1 31 f. Purchasing credits for greenhouse gas emissions  
1 32 reductions.  
1 33 g. Any other method approved by the board.>  
1 34 #2. Title page, line 6, after <facilities,> by  
1 35 inserting <requiring carbon emission offsets for  
1 36 specified new or expanded fossil fuel electric  
1 37 generating and transmission facilities,>

ROBERT M. HOGG  
HF2399.2018 (3) 83  
rn/sc



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## Senate Amendment 5216

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, line 11, after <state> by inserting <,  
1 4 and to attain a total nameplate capacity for installed  
1 5 wind generation of ten gigawatts by the year 2020 and  
1 6 twenty gigawatts by the year 2030>  
1 7 #2. Page 2, after line 34 by inserting:  
1 8 <3. Rate-regulated public utilities shall make  
1 9 standard offers to purchase electricity from renewable  
1 10 energy producers that have applied for or are approved  
1 11 to utilize a tax credit under chapter 476B or 476C.  
1 12 The standard offers shall continue in effect for  
1 13 a twenty-year period and provide for the renewable  
1 14 energy producer's cost of development for the renewable  
1 15 energy facility plus a reasonable profit. The offers  
1 16 shall not contain any provisions that would provide  
1 17 an unreasonable burden or barrier to the development  
1 18 of the renewable energy facility. The initial  
1 19 standard offer shall be seven and one-half cents per  
1 20 kilowatt-hour and shall be applicable on the effective  
1 21 date of this Act. By January 1, 2012, the board may,  
1 22 by rule, modify the standard offer as long as such  
1 23 modification continues to provide for the producer's  
1 24 cost of development plus a reasonable profit.>  
1 25 #3. Page 2, line 35, by striking <4- 3.> and  
1 26 inserting <4.>  
1 27 #4. Title page, line 6, after <facility,> by  
1 28 inserting <requiring purchase offers by rate-regulated  
1 29 public utilities to specified energy producers,>

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DARYL BEALL

JOE BOLKCOM  
HF2399.2012 (4) 83  
rn/sc



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Senate Amendment 5217

PAG LIN

1 1 Amend Senate File 2364 as follows:  
1 2 #1. Page 1, before line 1 by inserting:  
1 3 <DIVISION I  
1 4 CHILD ABUSE PREVENTION CHECKOFF>  
1 5 #2. Page 2, line 9, before <Act> by inserting  
1 6 <division of this>  
1 7 #3. Page 2, before line 12 by inserting:  
1 8 <DIVISION \_\_\_\_  
1 9 RED CROSS NATURAL DISASTER RELIEF CHECKOFF  
1 10 Sec. \_\_\_\_ . NEW SECTION. 29C.8B American red cross  
1 11 natural disaster relief fund for Iowa chapters.  
1 12 1. An American red cross natural disaster relief  
1 13 fund for Iowa chapters is created in the office of the  
1 14 treasurer under the control of the homeland security  
1 15 and emergency management division of the department  
1 16 of public defense. The fund is composed of moneys  
1 17 appropriated or available to and obtained or accepted  
1 18 by the treasurer of the state for deposit in the fund.  
1 19 The fund shall include moneys transferred to the fund  
1 20 as provided in section 422.12N, and moneys in the form  
1 21 of a devise, gift, bequest, donation, or federal or  
1 22 other grant intended to be used for the purposes of the  
1 23 fund.  
1 24 2. Notwithstanding section 12C.7, subsection 2, all  
1 25 interest or earnings on moneys in the fund shall be  
1 26 credited to and remain in the fund. Section 8.33 does  
1 27 not apply to moneys in the fund.  
1 28 3. Moneys in the fund that are authorized by the  
1 29 division for expenditure are appropriated, and shall be  
1 30 used, for annual distributions to Iowa chapters of the  
1 31 American red cross solely for the purposes of natural  
1 32 disaster relief within the state. Natural disaster  
1 33 relief includes but is not limited to emergency  
1 34 food, shelter, and clothing for victims of a natural  
1 35 disaster.  
1 36 Sec. \_\_\_\_ . NEW SECTION. 422.12N Income tax checkoff  
1 37 for American red cross natural disaster relief fund for  
1 38 Iowa chapters.  
1 39 1. A person who files an individual or a joint  
1 40 income tax return with the department of revenue under  
1 41 section 422.13 may designate one dollar or more to be  
1 42 paid to the American red cross natural disaster relief  
1 43 fund for Iowa chapters as created in section 29C.8B.  
1 44 If the refund due on the return or the payment remitted  
1 45 with the return is insufficient to pay the additional  
1 46 amount designated by the taxpayer to the American red  
1 47 cross natural disaster relief fund for Iowa chapters,  
1 48 the amount designated shall be reduced to the remaining  
1 49 amount of refund or the remaining amount remitted with  
1 50 the return. The designation of a contribution to the



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2 1 American red cross natural disaster relief fund for  
2 2 Iowa chapters under this section is irrevocable.  
2 3 2. The director of revenue shall draft the income  
2 4 tax form to allow the designation of contributions to  
2 5 the American red cross natural disaster relief fund  
2 6 for Iowa chapters on the tax return. The department  
2 7 of revenue, on or before January 31, shall transfer  
2 8 the total amount designated on the tax return forms  
2 9 due in the preceding calendar year to the American red  
2 10 cross natural disaster relief fund for Iowa chapters.  
2 11 However, before a checkoff pursuant to this section  
2 12 shall be permitted, all liabilities on the books of  
2 13 the department of administrative services and accounts  
2 14 identified as owing under section 8A.504 and the  
2 15 political contribution allowed under section 68A.601  
2 16 shall be satisfied.  
2 17 3. The homeland security and emergency management  
2 18 division may authorize payment of moneys from the  
2 19 American red cross natural disaster relief fund for  
2 20 Iowa chapters in accordance with section 29C.8B.  
2 21 4. The department of revenue shall adopt rules to  
2 22 administer this section.  
2 23 5. This section is subject to repeal under section  
2 24 422.12E.  
2 25 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The section  
2 26 of this division of this Act enacting section 422.12N  
2 27 applies retroactively to January 1, 2010, for tax years  
2 28 beginning on or after that date.>  
2 29 #4. Title page, by striking lines 1 through 3 and  
2 30 inserting <An Act relating to income tax checkoffs for  
2 31 the child abuse prevention program fund and for the  
2 32 American red cross natural disaster relief fund for  
2 33 Iowa chapters, making an appropriation, and including  
2 34 retroactive applicability provisions.>

PAT WARD  
SF2364.2006 (6) 83  
tw/sc



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Senate Amendment 5218

PAG LIN

1 1 Amend House File 2399, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, line 2, by striking <subsection> and  
1 4 inserting <subsections>  
1 5 #2. Page 1, line 18, by striking <five=tenths> and  
1 6 inserting <sixteen hundredths>  
1 7 #3. Page 2, before line 4 by inserting:  
1 8 NEW SUBSECTION. 23. A rate-regulated electric  
1 9 utility that was subject to a revenue sharing  
1 10 settlement agreement with regard to its electric base  
1 11 rates as of January 1, 2010, shall recover, through  
1 12 a rider and pursuant to a tariff filing made on or  
1 13 after the effective date of this Act and through  
1 14 December 31, 2013, the reasonable and prudent costs  
1 15 incurred in the construction and connection of solar  
1 16 electric generating systems or in the study of sites  
1 17 for and the planning and development of biomass or  
1 18 biomass cogeneration facilities. Cost recovery shall  
1 19 be accomplished by instituting a revenue increase  
1 20 applied in the same percentage amount to each customer  
1 21 class and not designed to recover, on an annual basis,  
1 22 more than sixteen hundredths percent of the electric  
1 23 utility's calendar year 2009 revenues attributable to  
1 24 billed base rates in this state. At the conclusion of  
1 25 the cost recovery period, the board shall conduct a  
1 26 contested case proceeding pursuant to chapter 17A to  
1 27 evaluate the reasonableness and prudence of the cost  
1 28 recovery. The utility shall file such information with  
1 29 the board as the board deems appropriate, including the  
1 30 filing of an annual report identifying and explaining  
1 31 expenditures identified in the rider as items for cost  
1 32 recovery, and any other information required by the  
1 33 board. If the board determines that the utility has  
1 34 imprudently incurred costs, or has incurred costs that  
1 35 are less than the amount recovered, the board shall  
1 36 order the utility to modify the rider to adjust the  
1 37 amount recoverable.  
1 38 NEW SUBSECTION. 24. A rate-regulated utility that  
1 39 was subject to a revenue sharing settlement agreement  
1 40 with regard to its electric base rates as of January  
1 41 1, 2010, and which institutes a rate increase for  
1 42 cost recovery authorized pursuant to subsection 22,  
1 43 shall institute a revenue increase applied in the  
1 44 same percentage amount to each customer class and not  
1 45 designed to recover, on an annual basis, more than  
1 46 sixteen hundredths percent of the electric utility's  
1 47 calendar year 2009 revenues attributable to billed base  
1 48 rates in this state. The revenue increase shall be  
1 49 implemented for a three-year period, and the revenue  
1 50 derived therefrom shall be allocated by the utility



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2 1 for purposes of providing rebates for energy=efficient  
2 2 appliances to that utility's customers. In conjunction  
2 3 with the office of energy independence, the utility  
2 4 shall make rebates available to its customers who  
2 5 applied for a rebate pursuant to a rebate program  
2 6 administered by the office. In the event that the  
2 7 applications for rebates exceed the amount allocated by  
2 8 the utility, the utility shall conduct a lottery among  
2 9 the utility's customers for rebate eligibility.>  
2 10 #4. Title page, line 1, after <Act> by inserting  
2 11 <relating to public utilities by>  
2 12 #5. Title page, line 6, after <facility,> by  
2 13 inserting <providing for cost=recovery for solar  
2 14 electric generating system construction and connection,  
2 15 providing for cost=recovery for biomass planning and  
2 16 development, providing for energy=efficient appliance  
2 17 rebates,>

ROBERT M. HOGG  
HF2399.2026 (2) 83  
rn/sc



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## Senate Amendment 5219

PAG LIN

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1 1 Amend Senate File 2367 as follows:
1 2 #1. Page 1, by striking line 13 and inserting:
1 3 ..... $ 2,053,209>
1 4 #2. Page 2, by striking lines 16 through 20.
1 5 #3. Page 2, line 22, by striking <1.>
1 6 #4. Page 2, by striking lines 29 through 35.
1 7 #5. Page 7, line 26, by striking <72.00> and
1 8 inserting <79.00>
1 9 #6. Page 11, line 18, by striking <39.25> and
1 10 inserting <37.25>
1 11 #7. Page 11, by striking lines 19 through 21.
1 12 #8. Page 11, by striking lines 32 and 33 and
1 13 inserting:
1 14 <..... $ 1,365,570
1 15 ..... FTEs 56.00
1 16 The department, in coordination with the
1 17 investigations division, shall provide a report to
1 18 the general assembly by January 10, 2011, concerning
1 19 the fiscal impact of additional full-time equivalent
1 20 positions on the department's efforts relative to the
1 21 Medicaid divestiture program under chapter 249F.>
1 22 #9. Page 12, by striking lines 3 and 4 and
1 23 inserting:
1 24 <..... $ 4,030,108
1 25 ..... FTEs 134.75>
1 26 #10. Page 12, by striking lines 24 through 26.
1 27 #11. Page 14, after line 18 by inserting:
1 28 <Sec. ____ DEPARTMENT OF INSPECTIONS AND APPEALS ==
1 29 HEALTH CARE FACILITIES INSPECTIONS Notwithstanding
1 30 any provision of section 135C.16 to the contrary,
1 31 inspections of health care facilities that are only
1 32 state-licensed and not certified under the Medicare
1 33 or Medicaid programs shall not be inspected by the
1 34 department of inspections and appeals every thirty
1 35 months, but only as provided pursuant to sections
1 36 135C.9 and 135C.38.>
1 37 #12. Page 14, by striking lines 30 through 35.
1 38 #13. Page 15, line 1, by striking <3.> and inserting
1 39 <2.>
1 40 #14. Page 16, by striking line 24 and inserting:
1 41 ..... $ 4,881,860>
1 42 #15. Page 19, by striking lines 33 and 34 and
1 43 inserting:
1 44 <..... $ 647,014
1 45 ..... FTEs 12.00>
1 46 #16. Page 20, line 9, by striking <subsections> and
1 47 inserting <subsection>
1 48 #17. Page 20, by striking lines 13 and 14.
1 49 #18. Page 22, after line 17 by inserting:
1 50 <DIVISION ____

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Senate Amendment 5219 continued

2 1 DEPARTMENT OF ADMINISTRATIVE SERVICES PROVISIONS  
2 2 Sec. \_\_\_\_\_. Section 8A.207, subsection 4, paragraph  
2 3 c, Code 2009, is amended to read as follows:  
2 4 c. Contracts let by another governmental  
2 5 entity. The department, on its own behalf or on the  
2 6 behalf of another participating agency or governmental  
2 7 entity, may procure information technology by  
2 8 leveraging existing competitively procured contracts  

---

2 9 or under a contract let by another agency or other  
2 10 governmental entity, or may approve such procurement  
2 11 in the same manner by a participating agency or  
2 12 governmental entity.  
2 13 Sec. \_\_\_\_\_. NEW SECTION. 8A.315A Purchase of  
2 14 chain-of-custody paper.  
2 15 1. Notwithstanding any requirements under section  
2 16 8A.315 related to the purchase of recycled paper  
2 17 to the contrary, the department may use certified  
2 18 chain-of-custody paper as provided in this section in  
2 19 lieu of recycled paper. The department shall adopt  
2 20 rules related to the use of chain-of-custody paper.  
2 21 2. As used in this section, unless the context  
2 22 otherwise requires, "certified chain-of-custody paper"  
2 23 means paper that has been certified pursuant to a  
2 24 process that tracks and records the possession and  
2 25 transfer of wood and fiber used to make paper through  
2 26 the different states of production to the end user of  
2 27 the paper. The department shall adopt rules defining  
2 28 "certified chain-of-custody paper" consistent with the  
2 29 certification requirements established by independent  
2 30 entities such as the forest stewardship council,  
2 31 sustainable forest initiative, or other similar entity.  
2 32 Sec. \_\_\_\_\_. Section 8A.454, subsection 4, Code  
2 33 Supplement 2009, is amended by striking the subsection.  
2 34 Sec. \_\_\_\_\_. VEHICLE DEPRECIATION FUNDS.  
2 35 Notwithstanding any provision of section 8A.365 to the  
2 36 contrary, a department or agency otherwise required to  
2 37 pay a depreciation expense pursuant to that section  
2 38 shall not be required to pay the depreciation expense  
2 39 during the fiscal year beginning July 1, 2010, and  
2 40 ending June 30, 2011. However, the department of  
2 41 administrative services may encourage departments or  
2 42 agencies otherwise required to pay a depreciation  
2 43 expense to make voluntary payments in an effort to  
2 44 maintain the state fleet in the most cost-efficient  
2 45 manner possible, including the future replacement of  
2 46 vehicles, as necessary and appropriate.  
2 47 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The section  
2 48 of this division of this Act amending section 8A.454,  
2 49 being deemed of immediate importance, takes effect upon  
2 50 enactment.



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Senate Amendment 5219 continued

3 1 DIVISION \_\_\_\_  
3 2 MEDICATION THERAPY MANAGEMENT  
3 3 Sec. \_\_\_\_ . NEW SECTION. 514C.26 Medication therapy  
3 4 management coverage == repeal.  
3 5 1. Notwithstanding the uniformity of treatment  
3 6 requirements of section 514C.6, a group plan  
3 7 established pursuant to chapter 509A for employees  
3 8 of the state providing for third-party payment or  
3 9 prepayment for health or medical expenses that include  
3 10 pharmaceutical benefits shall provide coverage for  
3 11 medication therapy management in accordance with this  
3 12 section. The provisions of this section shall apply  
3 13 to plans established pursuant to chapter 509A for  
3 14 employees of the state, except plans established for  
3 15 employees of the state board of regents or institutions  
3 16 under the state board of regents, that are delivered,  
3 17 issued for delivery, continued, or renewed in this  
3 18 state on or after January 1, 2011.  
3 19 2. As used in this section, "medication therapy  
3 20 management" means a systematic process performed by a  
3 21 licensed pharmacist, designed to optimize therapeutic  
3 22 outcomes through improved medication use and reduced  
3 23 risk of adverse drug events, including all of the  
3 24 following services:  
3 25 a. A medication therapy review of all medications,  
3 26 vitamins, and herbal supplements currently being taken  
3 27 by an eligible individual.  
3 28 b. A medication action plan, subject to the  
3 29 limitations specified in this section, communicated  
3 30 to the individual and the individual's primary care  
3 31 physician or other appropriate prescriber to address  
3 32 safety issues, inconsistencies, duplicative therapy,  
3 33 omissions, and medication costs. The medication action  
3 34 plan may include recommendations to the prescriber for  
3 35 changes in drug therapy.  
3 36 c. Documentation and follow-up to ensure consistent  
3 37 levels of pharmacy services and positive outcomes.  
3 38 3. a. Medication therapy management shall be a  
3 39 covered benefit for any of the following individuals:  
3 40 (1) An individual who has a prescription drug  
3 41 therapy problem as identified by the prescribing  
3 42 physician or other appropriate prescriber, and is  
3 43 referred to a pharmacist for medication therapy  
3 44 management.  
3 45 (2) An individual who meets other criteria  
3 46 established by the third-party payment provider  
3 47 contract, policy, or plan.  
3 48 b. The fees for medication therapy management  
3 49 services shall be separate from the reimbursement for  
3 50 prescription drug product or dispensing services; shall



Iowa General Assembly  
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Senate Amendment 5219 continued

4 1 be determined by each third-party payment provider  
4 2 contract, policy, or plan; and shall be reasonable  
4 3 based on the resources and time required to provide the  
4 4 services.

4 5 c. If any part of the medication therapy management  
4 6 plan developed by a pharmacist incorporates services  
4 7 which are outside the pharmacist's independent scope  
4 8 of practice including the initiation of therapy,  
4 9 modification of dosages, therapeutic interchange, or  
4 10 changes in drug therapy, the express authorization  
4 11 of the individual's physician or other appropriate  
4 12 prescriber is required.

4 13 4. Medication therapy management services shall  
4 14 be provided through a contract, established through a  
4 15 request for proposals process, with a company located  
4 16 in this state that is a nationally recognized leader  
4 17 in and has a minimum of ten years of experience  
4 18 administering medication therapy management services.  
4 19 The contract shall require the company to provide  
4 20 annual reports to the general assembly detailing the  
4 21 costs, savings, estimated cost avoidance and return  
4 22 on investment, and patient outcomes related to the  
4 23 medication therapy management services provided.  
4 24 The company shall guarantee annual estimated cost  
4 25 avoidance at least equal to the program's costs with  
4 26 any shortfall amount refunded to the state. As a proof  
4 27 of concept in the program for the period beginning  
4 28 January 1, 2011, and ending December 31, 2011, the  
4 29 company shall offer a dollar-for-dollar guarantee for  
4 30 drug product costs savings alone.

4 31 5. This section shall not apply to accident-only,  
4 32 specified disease, short-term hospital or medical,  
4 33 hospital confinement indemnity, credit, dental, vision,  
4 34 Medicare supplement, long-term care, basic hospital,  
4 35 and medical-surgical expense coverage as defined  
4 36 by the commissioner, disability income insurance  
4 37 coverage, coverage issued as a supplement to liability  
4 38 insurance, workers' compensation or similar insurance,  
4 39 or automobile medical payment insurance, or individual  
4 40 accident and sickness policies issued to individuals or  
4 41 to individual members of a member association.

4 42 6. This section is repealed June 30, 2012.

4 43

DIVISION \_\_\_\_

4 44

BANKING DIVISION PROVISIONS

4 45 Sec. \_\_\_\_ . Section 524.814, Code 2009, is amended by  
4 46 adding the following new subsection:

4 47 NEW SUBSECTION. 1A. To secure transactions to  
4 48 hedge risks associated with interest rate exposure,  
4 49 subject to the approval of the superintendent.>

4 50 #19. By renumbering as necessary.



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**Senate Concurrent Resolution 102 -  
Introduced**

PAG LIN

SENATE CONCURRENT RESOLUTION NO.

BY BLACK

1 1 A Concurrent Resolution designating May 2010 as  
1 2 Motorcycle Safety Awareness Month.  
1 3 WHEREAS, motorcycle riding is a popular form of  
1 4 recreation and transportation for thousands of people  
1 5 across Iowa and the nation; and  
1 6 WHEREAS, motorcycle riding can be an enjoyable  
1 7 activity when safety is of paramount consideration and  
1 8 all laws and regulations are observed; and  
1 9 WHEREAS, the safe operation of a motorcycle  
1 10 requires the use of special skills developed through a  
1 11 combination of training and experience, the use of good  
1 12 judgment, and a thorough knowledge of traffic laws and  
1 13 licensing requirements; and  
1 14 WHEREAS, the Motorcycle Safety Awareness Campaign  
1 15 is intended to reduce the number of accidents,  
1 16 injuries, and fatalities associated with motorcycling  
1 17 by encouraging motorcycle operators to participate in  
1 18 rider education programs, wear proper apparel, not  
1 19 drink and ride, and operate their vehicles defensively  
1 20 according to the rules of the road; and  
1 21 WHEREAS, motorcycle organizations, clubs,  
1 22 dealerships, and groups and highway safety officials in  
1 23 our state should join Iowa motorcyclists in actively  
1 24 promoting safe motorcycle operation, increased rider  
1 25 training, improved licensing efforts, and motorist  
1 26 awareness of motorcycles; and  
1 27 WHEREAS, the Motorcycle Safety Awareness Campaign  
1 28 encourages operators of other motor vehicles to be



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Senate Concurrent Resolution 102 - Introduced continued

2 1 cautious and observe these smaller vehicles, especially  
2 2 during the seasonal return of motorcycles to Iowa's  
2 3 streets and highways; and  
2 4       WHEREAS, a motorcycle is a vehicle with all of  
2 5 the privileges of any vehicle on the roadway, so a  
2 6 motorcyclist should be allowed the use of a full lane  
2 7 of travel; and  
2 8       WHEREAS, other motorists need to take a second look  
2 9 for motorcycles on the highway, at intersections, and  
2 10 when a motorcyclist may be changing lanes or making a  
2 11 left turn; and  
2 12       WHEREAS, other motorists should clearly signal their  
2 13 intentions, not follow motorcycles too closely, and  
2 14 allow enough room for motorcyclists to take evasive  
2 15 action by allowing plenty of space; and  
2 16       WHEREAS, obstructions that other motorists might  
2 17 ignore, such as debris and potholes, can be deadly  
2 18 for a motorcyclist, so other motorists should learn  
2 19 to predict when a motorcyclist might take evasive  
2 20 action; NOW THEREFORE,  
2 21       BE IT RESOLVED BY THE SENATE, THE HOUSE OF  
2 22 REPRESENTATIVES CONCURRING, That the General Assembly  
2 23 designates the month of May 2010 as Motorcycle Safety  
2 24 Awareness Month and encourages all Iowa motorists to  
2 25 strive to improve motorcycle safety in this state.  
LSB 6057SS (1) 83  
jr/nh



Iowa General Assembly  
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**Senate Resolution 107 - Introduced**

PAG LIN

SENATE RESOLUTION NO.

BY BLACK

1 1 A Resolution supporting the Republic of China on Taiwan  
1 2 as a part of the global community.

1 3 WHEREAS, the Republic of China (Taiwan) has achieved  
1 4 economic and social stability and in the last two  
1 5 decades has been lauded as a beacon of democracy for  
1 6 Asia, has dramatically improved its record on human  
1 7 rights, and has taken great steps forward to enter the  
1 8 world arena as a trusted partner; and

1 9 WHEREAS, Taiwan's absence from international  
1 10 organizations dealing with climate change has impeded  
1 11 Taiwan's ability to respond to natural disasters like  
1 12 Typhoon Morakot, which struck Taiwan in the summer  
1 13 of 2009, an unusually destructive typhoon season in  
1 14 the Pacific that was possibly exacerbated by climate  
1 15 change, and in turn, the global initiative to tackle  
1 16 climate change has been impaired by the lack of  
1 17 participation of Taiwan, the world's 17th largest  
1 18 economy; and

1 19 WHEREAS, the Taiwan government is grateful for  
1 20 the assistance and condolences of the international  
1 21 community in the wake of Typhoon Morakot in 2009, as  
1 22 dozens of international organizations and nations  
1 23 stepped up to help, including the United States, which  
1 24 supplied military equipment for rescue and recovery  
1 25 operations, the European Union, Japan, and the Chinese  
1 26 mainland; and

1 27 WHEREAS, aviation safety has become a major global  
1 28 concern since 2001, and Taiwan is a key air transport



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Senate Resolution 107 - Introduced continued

2 1 hub in the Asia-Pacific region, with over 1.35 million  
2 2 flights passing through the Taipei Flight Information  
2 3 Region, and with the world's 15th-largest airport by  
2 4 cargo volume, Taoyuan International Airport; and  
2 5 WHEREAS, the Taiwan government has undertaken a  
2 6 policy of "flexible diplomacy" in its international  
2 7 relations and a pragmatic approach to China, having  
2 8 completed a number of cross-strait liberalization  
2 9 measures, including regular, direct passenger  
2 10 flights between mainland China and Taiwan and other  
2 11 goodwill measures, resulting in reciprocal gestures  
2 12 and rapprochement between Taipei and Beijing; NOW  
2 13 THEREFORE,  
2 14 BE IT RESOLVED BY THE SENATE, That the Iowa Senate  
2 15 affirms its support for the participation of Taiwan  
2 16 in the United Nations Framework Convention on Climate  
2 17 Change (UNFCCC) and the International Civil Aviation  
2 18 Organization (ICAO) to increase Taiwan's international  
2 19 space and contribution to the global community; and  
2 20 BE IT FURTHER RESOLVED, That the Secretary of  
2 21 the Senate is hereby directed to send a copy of this  
2 22 Resolution to Hillary Clinton, Secretary of State of  
2 23 the United States; Executive Secretary Yvo de Boer of  
2 24 the UNFCCC; Secretary General Raymond Benjamin of the  
2 25 ICAO; and the Taipei Economic and Cultural Office in  
2 26 Chicago, Illinois.

LSB 6232SS (1) 83

jr/rj



Iowa General Assembly  
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**Senate Study Bill 3247**

SENATE/HOUSE FILE  
BY (PROPOSED GOVERNOR?S  
BUDGET BILL)

**A BILL FOR**

1 An Act relating to the compensation and benefits for public  
2 officials and employees, providing for related matters, and  
3 making appropriations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 5105XG (1) 83  
tm/tm



**Iowa General Assembly  
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Senate Study Bill 3247 continued

PAG LIN

1 1 Section 1. APPOINTED STATE OFFICERS.  
1 2 1. The governor shall establish a salary for appointed  
1 3 nonelected persons in the executive branch of state government  
1 4 holding a position enumerated in and within the salary  
1 5 ranges provided in 2008 Iowa Acts, chapter 1191, section 14,  
1 6 by considering, among other items, the experience of the  
1 7 individual in the position, changes in the duties of the  
1 8 position, the incumbent's performance of assigned duties, and  
1 9 subordinates' salaries. However, the attorney general shall  
1 10 establish the salary for the consumer advocate, the chief  
1 11 justice of the supreme court shall establish the salary for the  
1 12 state court administrator, the ethics and campaign disclosure  
1 13 board shall establish the salary of the executive director, and  
1 14 the Iowa public broadcasting board shall establish the salary  
1 15 of the administrator of the public broadcasting division of the  
1 16 department of education, each within the salary range provided  
1 17 in 2008 Iowa Acts, chapter 1191, section 14.  
1 18 2. The governor, in establishing salaries as provided in  
1 19 this section, shall take into consideration other employee  
1 20 benefits which may be provided for an individual including but  
1 21 not limited to housing.  
1 22 3. A person whose salary is established pursuant to this  
1 23 section and who is a full-time, year-round employee of the  
1 24 state shall not receive any other remuneration from the state  
1 25 or from any other source for the performance of that person's  
1 26 duties unless the additional remuneration is first approved by  
1 27 the governor or authorized by law. However, this provision  
1 28 does not exclude the reimbursement for necessary travel and  
1 29 expenses incurred in the performance of duties or fringe  
1 30 benefits normally provided to employees of the state.  
1 31 Sec. 2. COLLECTIVE BARGAINING AGREEMENTS FUNDED. The  
1 32 various state departments, boards, commissions, councils,  
1 33 and agencies, including the state board of regents, for  
1 34 the fiscal year beginning July 1, 2010, and ending June 30,  
1 35 2011, shall provide from available sources pay adjustments,



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Senate Study Bill 3247 continued

2 1 expense reimbursements, and related benefits to fully fund the  
2 2 following:  
2 3 1. The collective bargaining agreement negotiated pursuant  
2 4 to chapter 20 for employees in the blue collar bargaining unit.  
2 5 2. The collective bargaining agreement negotiated pursuant  
2 6 to chapter 20 for employees in the public safety bargaining  
2 7 unit.  
2 8 3. The collective bargaining agreement negotiated pursuant  
2 9 to chapter 20 for employees in the security bargaining unit.  
2 10 4. The collective bargaining agreement negotiated pursuant  
2 11 to chapter 20 for employees in the technical bargaining unit.  
2 12 5. The collective bargaining agreement negotiated pursuant  
2 13 to chapter 20 for employees in the professional fiscal and  
2 14 staff bargaining unit.  
2 15 6. The collective bargaining agreement negotiated pursuant  
2 16 to chapter 20 for employees in the clerical bargaining unit.  
2 17 7. The collective bargaining agreement negotiated pursuant  
2 18 to chapter 20 for employees in the professional social services  
2 19 bargaining unit.  
2 20 8. The collective bargaining agreement negotiated pursuant  
2 21 to chapter 20 for employees in the community-based corrections  
2 22 bargaining unit.  
2 23 9. The collective bargaining agreements negotiated  
2 24 pursuant to chapter 20 for employees in the judicial branch of  
2 25 government bargaining units.  
2 26 10. The collective bargaining agreement negotiated pursuant  
2 27 to chapter 20 for employees in the patient care bargaining  
2 28 unit.  
2 29 11. The collective bargaining agreement negotiated pursuant  
2 30 to chapter 20 for employees in the science bargaining unit.  
2 31 12. The collective bargaining agreement negotiated pursuant  
2 32 to chapter 20 for employees in the university of northern Iowa  
2 33 faculty bargaining unit.  
2 34 13. The collective bargaining agreement negotiated pursuant  
2 35 to chapter 20 for employees in the state university of Iowa



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Senate Study Bill 3247 continued

3 1 graduate student bargaining unit.  
3 2 14. The collective bargaining agreement negotiated pursuant  
3 3 to chapter 20 for employees in the state university of Iowa  
3 4 hospital and clinics tertiary health care bargaining unit.  
3 5 15. The annual pay adjustments, related benefits, and  
3 6 expense reimbursements referred to in the sections of this  
3 7 Act addressing noncontract state and state board of regents  
3 8 employees who are not covered by a collective bargaining  
3 9 agreement.  
3 10 Sec. 3. NONCONTRACT STATE EMPLOYEES == GENERAL.  
3 11 1. For the fiscal year beginning July 1, 2010:  
3 12 a. The maximum and minimum salary levels of all pay plans  
3 13 provided for in section 8A.413, subsection 3, as they exist for  
3 14 the fiscal year ending June 30, 2010, shall not increase.  
3 15 b. Employees may receive a step increase or the equivalent  
3 16 of a step increase.  
3 17 c. The pay plan for noncontract judicial branch employees  
3 18 shall not be increased.  
3 19 d. The pay plans for state employees who are exempt  
3 20 from chapter 8A, subchapter IV, and who are included in the  
3 21 department of administrative services' centralized payroll  
3 22 system shall not be increased, and any additional changes  
3 23 in any executive branch pay plans shall be approved by the  
3 24 governor.  
3 25 2. This section does not apply to members of the general  
3 26 assembly, board members, commission members, persons whose  
3 27 salaries are set by the general assembly pursuant to this Act  
3 28 or are set by the governor, or other persons designated in  
3 29 the section of this Act addressing appointed state officers,  
3 30 employees designated under section 8A.412, subsection 5, and  
3 31 employees covered by 11 IAC 53.6(3).  
3 32 3. The pay plans for the bargaining eligible employees of  
3 33 the state shall not be increased, and any additional changes  
3 34 in such executive branch pay plans shall be approved by the  
3 35 governor. As used in this section, "bargaining eligible



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Senate Study Bill 3247 continued

4 1 employee" means an employee who is eligible to organize under  
4 2 chapter 20, but has not done so.  
4 3 4. The policies for implementation of this section shall be  
4 4 approved by the governor.  
4 5 Sec. 4. STATE EMPLOYEES == STATE BOARD OF REGENTS. For  
4 6 the fiscal year beginning July 1, 2010, and ending June 30,  
4 7 2011, funds shall be provided from available sources of the  
4 8 state board of regents for funding of collective bargaining  
4 9 agreements for state board of regents employees covered by  
4 10 such agreements and for the following state board of regents  
4 11 employees not covered by a collective bargaining agreement:  
4 12 1. Regents merit system employees and merit supervisory  
4 13 employees.  
4 14 2. Faculty members and professional and scientific  
4 15 employees.  
4 16 Sec. 5. BONUS PAY. For the fiscal year beginning July 1,  
4 17 2010, and ending June 30, 2011, employees of the executive  
4 18 branch, judicial branch, and legislative branch shall not  
4 19 receive bonus pay unless otherwise authorized by law, required  
4 20 pursuant to a contract of employment entered into before July  
4 21 1, 2010, or required pursuant to a collective bargaining  
4 22 agreement. This section does not apply to employees of the  
4 23 state board of regents. For purposes of this section, "bonus  
4 24 pay" means any additional remuneration provided an employee in  
4 25 the form of a bonus, including but not limited to a retention  
4 26 bonus, recruitment bonus, exceptional job performance pay,  
4 27 extraordinary job performance pay, exceptional performance pay,  
4 28 extraordinary duty pay, or extraordinary or special duty pay,  
4 29 and any extra benefit not otherwise provided to other similarly  
4 30 situated employees.  
4 31 Sec. 6. SPECIAL FUNDS. For the fiscal year beginning July  
4 32 1, 2010, and ending June 30, 2011, salary adjustments otherwise  
4 33 provided for in this Act may be funded using departmental  
4 34 revolving, trust, or special funds for which the general  
4 35 assembly has established an operating budget, provided doing so



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Senate Study Bill 3247 continued

5 1 does not exceed the operating budget established by the general  
5 2 assembly.

5 3     Sec. 7. FEDERAL FUNDS APPROPRIATED. For the fiscal  
5 4 year beginning July 1, 2010, all federal grants to and the  
5 5 federal receipts of the agencies affected by this Act which  
5 6 are received and may be expended for purposes of this Act are  
5 7 appropriated for those purposes and as set forth in the federal  
5 8 grants or receipts.

5 9     Sec. 8. STATE TROOPER MEAL ALLOWANCE. For the fiscal  
5 10 year beginning July 1, 2010, the sworn peace officers in the  
5 11 department of public safety who are not covered by a collective  
5 12 bargaining agreement negotiated pursuant to chapter 20 shall  
5 13 receive the same per diem meal allowance as the sworn peace  
5 14 officers in the department of public safety who are covered  
5 15 by a collective bargaining agreement negotiated pursuant to  
5 16 chapter 20.

5 17     Sec. 9. SALARY MODEL ADMINISTRATOR. The salary model  
5 18 administrator shall work in conjunction with the legislative  
5 19 services agency to maintain the state's salary model used for  
5 20 analyzing, comparing, and projecting state employee salary  
5 21 and benefit information, including information relating to  
5 22 employees of the state board of regents. The department of  
5 23 revenue, the department of administrative services, the five  
5 24 institutions under the jurisdiction of the state board of  
5 25 regents, the judicial district departments of correctional  
5 26 services, and the state department of transportation shall  
5 27 provide salary data to the department of management and the  
5 28 legislative services agency to operate the state's salary  
5 29 model. The format and frequency of provision of the salary  
5 30 data shall be determined by the department of management and  
5 31 the legislative services agency. The information shall be  
5 32 used in collective bargaining processes under chapter 20 and  
5 33 in calculating the funding needs contained within the annual  
5 34 salary adjustment legislation. A state employee organization  
5 35 as defined in section 20.3, subsection 4, may request



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Senate Study Bill 3247 continued

6 1 information produced by the model, but the information provided  
6 2 shall not contain information attributable to individual  
6 3 employees.

6 4 EXPLANATION

6 5 This bill relates to the funding for the fiscal year  
6 6 beginning July 1, 2010, of salary increases for appointed  
6 7 nonelected officers, employees subject to collective bargaining  
6 8 agreements, certain noncontract employees, and board of regents  
6 9 employees.

6 10 The maximum and minimum salary levels of all pay plans  
6 11 of noncontract state employees are not increased and a step  
6 12 increase or the equivalent of a step increase is authorized.

6 13 A supplemental authorization is provided to fund salaries  
6 14 from trust, revolving, and special funds for which the general  
6 15 assembly has established a budget.

6 16 The bill prohibits bonus pay for employees of the executive  
6 17 branch, except for employees of the state board of regents,  
6 18 the judicial branch, and the legislative branch, unless the  
6 19 bonus pay is otherwise authorized by law, required pursuant to  
6 20 an employment contract entered into before July 1, 2010, or  
6 21 required pursuant to a collective bargaining agreement.

6 22 The salary model administrator is required to work in  
6 23 conjunction with the department of management and the  
6 24 legislative services agency to analyze, compare, and project  
6 25 state salary and benefit information.

LSB 5105XG (1) 83

tm/tm



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**Senate Study Bill 3248**

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

**A BILL FOR**

1 An Act relating to the funding of, the operation of, and  
2 appropriation of moneys to the college student aid  
3 commission, the department for the blind, the department  
4 of education, and the state board of regents, providing  
5 for related matters, and including effective date and  
6 applicability provisions.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 5090JB (1) 83  
kh/tm



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PAG LIN

1 1 DEPARTMENT FOR THE BLIND

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

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

1 4 the fiscal year beginning July 1, 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 salaries, support, maintenance, miscellaneous purposes,

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

1 9 positions:

1 10 .....	\$	1,952,203
1 11 .....	FTEs	90.00

1 12 COLLEGE STUDENT AID COMMISSION

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

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

1 15 beginning July 1, 2010, and ending June 30, 2011, the following

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

1 17 the purposes designated:

1 18 1. GENERAL ADMINISTRATION

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

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

1 21 positions:

1 22 .....	\$	310,843
1 23 .....	FTEs	4.30

1 24 2. STUDENT AID PROGRAMS

1 25 For payments to students for the Iowa grant program

1 26 established in section 261.93:

1 27 .....	\$	848,761
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1 28 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL CENTER

1 29 a. For forgivable loans to Iowa students attending Des

1 30 Moines university == osteopathic medical center under the

1 31 forgivable loan program pursuant to section 261.19:

1 32 .....	\$	79,251
------------	----	--------

1 33 To receive funds appropriated pursuant to this paragraph,

1 34 Des Moines university == osteopathic medical center shall match

1 35 the funds with institutional funds on a dollar-for-dollar



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2 1 basis.

2 2     b. For Des Moines university == osteopathic medical center

2 3 for an initiative in primary health care to direct primary care

2 4 physicians to shortage areas in the state:

2 5 ..... \$ 270,448

2 6     4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

2 7 For purposes of providing national guard educational

2 8 assistance under the program established in section 261.86:

2 9 ..... \$ 3,186,233

2 10     5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

2 11 For the teacher shortage loan forgiveness program

2 12 established in section 261.112:

2 13 ..... \$ 421,016

2 14     6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

2 15 For purposes of the all Iowa opportunity foster care grant

2 16 program established pursuant to section 261.6:

2 17 ..... \$ 594,383

2 18     7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

2 19 For purposes of the all Iowa opportunity scholarship program

2 20 established pursuant to section 261.87:

2 21 ..... \$ 2,403,949

2 22 If the moneys appropriated by the general assembly to the

2 23 college student aid commission for fiscal year 2010=2011 for

2 24 purposes of the all Iowa opportunity scholarship program exceed

2 25 \$500,000, "eligible institution" as defined in section 261.87,

2 26 shall, during fiscal year 2010=2011, include accredited private

2 27 institutions as defined in section 261.9, subsection 1.

2 28     8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS

2 29 PROGRAM

2 30 For purposes of the registered nurse and nurse educator loan

2 31 forgiveness program established pursuant to section 261.23:

2 32 ..... \$ 86,736

2 33 It is the intent of the general assembly that the commission

2 34 continue to consider moneys allocated pursuant to this

2 35 subsection as funds that meet the state matching funds



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3 1 requirements of the federal leveraging educational assistance  
 3 2 program and the federal supplemental leveraging educational  
 3 3 assistance program established under the Higher Education Act  
 3 4 of 1965, as amended.  
 3 5 9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT  
 3 6 PROGRAM  
 3 7 For purposes of the barber and cosmetology arts and sciences  
 3 8 tuition grant program established pursuant to section 261.18:  
 3 9 ..... \$ 39,626  
 3 10 Sec. 3. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL  
 3 11 CENTER. For the fiscal year beginning July 1, 2010, and ending  
 3 12 June 30, 2011, the college student aid commission shall pay a  
 3 13 fee to Des Moines university == osteopathic medical center for  
 3 14 the administration of the initiative in primary health care  
 3 15 to direct primary care physicians to shortage areas in the  
 3 16 state. A portion of the fee paid shall be based upon the number  
 3 17 of physicians recruited in accordance with section 261.19,  
 3 18 subsection 4. However, the fee amount paid shall not exceed  
 3 19 \$25,000 for the fiscal year. Such amount shall be subject to  
 3 20 any budgetary reductions ordered by the governor or enacted by  
 3 21 the general assembly.  
 3 22 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding section  
 3 23 261.72, the moneys deposited in the chiropractic loan  
 3 24 revolving fund created pursuant to section 261.72, may be used  
 3 25 for purposes of the chiropractic loan forgiveness program  
 3 26 established in section 261.73.  
 3 27 Sec. 5. WORK=STUDY APPROPRIATION FOR FY 2010=2011.  
 3 28 Notwithstanding section 261.85, for the fiscal year beginning  
 3 29 July 1, 2010, and ending June 30, 2011, the amount appropriated  
 3 30 from the general fund of the state to the college student aid  
 3 31 commission for the work=study program under section 261.85  
 3 32 shall be zero.  
 3 33 DEPARTMENT OF EDUCATION  
 3 34 Sec. 6. There is appropriated from the general fund of  
 3 35 the state to the department of education for the fiscal year



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4 1 beginning July 1, 2010, and ending June 30, 2011, the following  
 4 2 amounts, or so much thereof as may be necessary, to be used for  
 4 3 the purposes designated:

4 4     1. GENERAL ADMINISTRATION

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

4 8 .....	\$	7,096,482
4 9 .....	FTEs	83.67

4 10     2. VOCATIONAL EDUCATION ADMINISTRATION

4 11       For salaries, support, maintenance, miscellaneous purposes,  
 4 12 and for not more than the following full-time equivalent  
 4 13 positions:

4 14 .....	\$	559,797
4 15 .....	FTEs	13.50

4 16     3. VOCATIONAL REHABILITATION SERVICES DIVISION

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

4 20 .....	\$	5,139,957
4 21 .....	FTEs	281.50

4 22       b. For matching funds for programs to enable persons  
 4 23 with severe physical or mental disabilities to function more  
 4 24 independently, including salaries and support, and for not more  
 4 25 than the following full-time equivalent position:

4 26 .....	\$	44,156
4 27 .....	FTEs	1.00

4 28       c. For the entrepreneurs with disabilities program  
 4 29 established pursuant to section 259.4, subsection 9:

4 30 .....	\$	156,128
------------	----	---------

4 31       d. For costs associated with centers for independent  
 4 32 living:

4 33 .....	\$	43,227
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4 34     4. STATE LIBRARY

4 35       a. For salaries, support, maintenance, miscellaneous



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5 1 purposes, and for not more than the following full-time  
 5 2 equivalent positions:  
 5 3 ..... \$ 1,511,656  
 5 4 ..... FTEs 19.00  
 5 5 b. For the enrich Iowa program established under section  
 5 6 256.57:  
 5 7 ..... \$ 1,796,081  
 5 8 5. LIBRARY SERVICE AREA SYSTEM  
 5 9 For state aid:  
 5 10 ..... \$ 1,105,989  
 5 11 6. PUBLIC BROADCASTING DIVISION  
 5 12 For salaries, support, maintenance, capital expenditures,  
 5 13 miscellaneous purposes, and for not more than the following  
 5 14 full-time equivalent positions:  
 5 15 ..... \$ 7,756,417  
 5 16 ..... FTEs 82.00  
 5 17 7. REGIONAL TELECOMMUNICATIONS COUNCILS  
 5 18 For state aid:  
 5 19 ..... \$ 1,065,180  
 5 20 The regional telecommunications councils established  
 5 21 in section 8D.5 shall use the moneys appropriated in this  
 5 22 subsection to provide technical assistance for network  
 5 23 classrooms, planning and troubleshooting for local area  
 5 24 networks, scheduling of video sites, and other related support  
 5 25 activities.  
 5 26 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS  
 5 27 For reimbursement for vocational education expenditures made  
 5 28 by secondary schools:  
 5 29 ..... \$ 2,590,675  
 5 30 Moneys appropriated in this subsection shall be used  
 5 31 to reimburse school districts for vocational education  
 5 32 expenditures made by secondary schools to meet the standards  
 5 33 set in sections 256.11, 258.4, and 260C.14.  
 5 34 9. SCHOOL FOOD SERVICE  
 5 35 For use as state matching funds for federal programs that



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6 1 shall be disbursed according to federal regulations, including  
 6 2 salaries, support, maintenance, miscellaneous purposes, and for  
 6 3 not more than the following full-time equivalent positions:  
 6 4 ..... \$ 2,176,797  
 6 5 ..... FTEs 18.13

6 6 10. IOWA EMPOWERMENT FUND == GENERAL AID

6 7 For deposit in the school ready children grants account of  
 6 8 the Iowa empowerment fund created in section 28.9:

6 9 ..... \$ 5,729,907

6 10 a. From the moneys deposited in the school ready children  
 6 11 grants account for the fiscal year beginning July 1, 2010,  
 6 12 and ending June 30, 2011, not more than \$265,950 is allocated  
 6 13 for the community empowerment office and other technical  
 6 14 assistance activities, and of that amount not more than  
 6 15 \$44,325 shall be used to administer the early childhood  
 6 16 coordinator's position pursuant to section 28.3, subsection  
 6 17 7. It is the intent of the general assembly that regional  
 6 18 technical assistance teams will be established and will include  
 6 19 staff from various agencies, as appropriate, including the  
 6 20 area education agencies, community colleges, the university  
 6 21 of northern Iowa, and the Iowa state university of science  
 6 22 and technology cooperative extension service in agriculture  
 6 23 and home economics. The Iowa empowerment board shall direct  
 6 24 staff to work with the advisory council to inventory technical  
 6 25 assistance needs. Moneys allocated under this lettered  
 6 26 paragraph may be used by the Iowa empowerment board for the  
 6 27 purpose of skills development and support for ongoing training  
 6 28 of the regional technical assistance teams. However, except as  
 6 29 otherwise provided in this subsection, moneys shall not be used  
 6 30 for additional staff or for the reimbursement of staff.

6 31 b. As a condition of receiving moneys appropriated in  
 6 32 this subsection, each community empowerment area board shall  
 6 33 report to the Iowa empowerment board progress on each of the  
 6 34 state indicators approved by the state board, as well as  
 6 35 progress on local indicators. The community empowerment area



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7 1 board must also submit a written plan amendment extending  
7 2 by one year the area's comprehensive school ready children  
7 3 grant plan developed for providing services for children from  
7 4 birth through five years of age and provide other information  
7 5 specified by the Iowa empowerment board. The amendment may  
7 6 also provide for changes in the programs and services provided  
7 7 under the plan. The Iowa empowerment board shall establish  
7 8 a submission deadline for the plan amendment that allows a  
7 9 reasonable period of time for preparation of the plan amendment  
7 10 and for review and approval or request for modification of the  
7 11 plan amendment by the Iowa empowerment board. In addition,  
7 12 the community empowerment board must continue to comply with  
7 13 reporting provisions and other requirements adopted by the Iowa  
7 14 empowerment board in implementing section 28.8.

7 15 c. Of the amount appropriated in this subsection for  
7 16 deposit in the school ready children grants account of the  
7 17 Iowa empowerment fund, \$2,318,018 shall be used for efforts  
7 18 to improve the quality of early care, health, and education  
7 19 programs. Moneys allocated pursuant to this paragraph may  
7 20 be used for additional staff and for the reimbursement of  
7 21 staff. The Iowa empowerment board may reserve a portion of the  
7 22 allocation, not to exceed \$88,650 for the technical assistance  
7 23 expenses of the Iowa empowerment office and shall distribute  
7 24 the remainder to community empowerment areas for local quality  
7 25 improvement efforts through a methodology identified by the  
7 26 board to make the most productive use of the funding, which  
7 27 may include use of the distribution formula, grants, or other  
7 28 means.

7 29 d. Of the amount appropriated in this subsection for  
7 30 deposit in the school ready children grants account of the  
7 31 Iowa empowerment fund, \$825,030 shall be used for support of  
7 32 professional development and training activities for persons  
7 33 working in early care, health, and education by the Iowa  
7 34 empowerment board in collaboration with representation from the  
7 35 Iowa state university of science and technology cooperative



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8 1 extension service in agriculture and home economics, the  
8 2 university of northern Iowa, the department of education, area  
8 3 education agencies, community colleges, child care resource  
8 4 and referral services, and community empowerment area boards.  
8 5 Expenditures shall be limited to professional development and  
8 6 training activities agreed upon by the parties participating in  
8 7 the collaboration.

8 8 11. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE  
8 9 a. For deposit in the school ready children grants account  
8 10 of the Iowa empowerment fund created in section 28.9:

8 11 ..... \$ 7,583,912

8 12 b. The amount appropriated in this subsection shall be  
8 13 used for early care, health, and education programs to assist  
8 14 low-income parents with tuition for preschool and other  
8 15 supportive services for children ages three, four, and five  
8 16 who are not attending kindergarten in order to increase the  
8 17 basic family income eligibility requirement to not more than  
8 18 200 percent of the federal poverty level. In addition, if  
8 19 sufficient funding is available after addressing the needs of  
8 20 those who meet the basic income eligibility requirement, a  
8 21 community empowerment area board may provide for eligibility  
8 22 for those with a family income in excess of the basic income  
8 23 eligibility requirement through use of a sliding scale or other  
8 24 copayment provisions.

8 25 12. IOWA EMPOWERMENT FUND == FAMILY SUPPORT AND PARENT  
8 26 EDUCATION

8 27 a. For deposit in the school ready children grants account  
8 28 of the Iowa empowerment fund created in section 28.9:

8 29 ..... \$ 13,153,653

8 30 b. The amount appropriated in this subsection shall be  
8 31 used for family support services and parent education programs  
8 32 targeted to families expecting a child or with newborn and  
8 33 infant children through age five and shall be distributed using  
8 34 the distribution formula approved by the Iowa empowerment board  
8 35 and shall be used by a community empowerment area only for



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9 1 family support services and parent education programs targeted  
9 2 to families expecting a child or with newborn and infant  
9 3 children through age five. The programs funded under this  
9 4 subsection shall have a home visitation component.

9 5 13. BIRTH TO AGE THREE SERVICES

9 6 For expansion of the federal Individuals With Disabilities  
9 7 Education Improvement Act of 2004, Pub. L. No. 108=446, as  
9 8 amended to January 1, 2010, birth through age three services  
9 9 due to increased numbers of children qualifying for those  
9 10 services:

9 11 ..... \$ 1,721,400

9 12 From the moneys appropriated in this subsection, \$383,769  
9 13 shall be allocated to the child health specialty clinic at the  
9 14 state university of Iowa to provide additional support for  
9 15 infants and toddlers who are born prematurely, drug=exposed, or  
9 16 medically fragile.

9 17 14. FOUR=YEAR=OLD PRESCHOOL PROGRAM

9 18 For allocation to eligible school districts for the  
9 19 four=year=old preschool program under chapter 256C, and for not  
9 20 more than the following full=time equivalent positions:

9 21 ..... \$ 12,242,230

9 22 ..... FTEs 3.00

9 23 From the moneys appropriated pursuant to this subsection,  
9 24 not more than \$303,531 shall be used by the department  
9 25 for administration of the four=year=old preschool program  
9 26 established pursuant to chapter 256C.

9 27 15. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

9 28 To provide moneys for costs of providing textbooks to each  
9 29 resident pupil who attends a nonpublic school as authorized by  
9 30 section 301.1:

9 31 ..... \$ 600,987

9 32 Funding under this subsection is limited to \$20 per pupil and  
9 33 shall not exceed the comparable services offered to resident  
9 34 public school pupils.

9 35 16. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION PROGRAM



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10 1 For purposes of administering the beginning administrator  
 10 2 mentoring and induction program established pursuant to chapter  
 10 3 284A:  
 10 4 ..... \$ 195,157  
 10 5 17. CORE CURRICULUM AND CAREER INFORMATION AND  
 10 6 DECISION=MAKING SYSTEM  
 10 7 For purposes of implementing the statewide core curriculum  
 10 8 for school districts and accredited nonpublic schools and a  
 10 9 state=designated career information and decision=making system:  
 10 10 ..... \$ 1,901,556  
 10 11 18. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM  
 10 12 For purposes of the student achievement and teacher quality  
 10 13 program established pursuant to chapter 284, and for not more  
 10 14 than the following full=time equivalent positions:  
 10 15 ..... \$ 7,314,765  
 10 16 ..... FTEs 4.00  
 10 17 19. MERGED AREA I == NORTHEAST IOWA COMMUNITY COLLEGE  
 10 18 For general state financial aid as defined in section 260C.2  
 10 19 in accordance with chapters 258 and 260C, notwithstanding the  
 10 20 allocation formula in section 260C.18:  
 10 21 ..... \$ 7,883,981  
 10 22 20. MERGED AREA II == NORTH IOWA AREA COMMUNITY COLLEGE  
 10 23 For general state financial aid as defined in section 260C.2  
 10 24 in accordance with chapters 258 and 260C, notwithstanding the  
 10 25 allocation formula in section 260C.18:  
 10 26 ..... \$ 8,436,896  
 10 27 21. MERGED AREA III == IOWA LAKES COMMUNITY COLLEGE  
 10 28 For general state financial aid as defined in section 260C.2  
 10 29 in accordance with chapters 258 and 260C, notwithstanding the  
 10 30 allocation formula in section 260C.18:  
 10 31 ..... \$ 7,768,728  
 10 32 22. MERGED AREA IV == NORTHWEST COMMUNITY COLLEGE  
 10 33 For general state financial aid as defined in section 260C.2  
 10 34 in accordance with chapters 258 and 260C, notwithstanding the  
 10 35 allocation formula in section 260C.18:



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11 1 ..... \$ 3,815,063  
11 2 23. MERGED AREA V == IOWA CENTRAL COMMUNITY COLLEGE  
11 3 For general state financial aid as defined in section 260C.2  
11 4 in accordance with chapters 258 and 260C, notwithstanding the  
11 5 allocation formula in section 260C.18:  
11 6 ..... \$ 8,716,704  
11 7 24. MERGED AREA VI == IOWA VALLEY COMMUNITY COLLEGE DISTRICT  
11 8 For general state financial aid as defined in section 260C.2  
11 9 in accordance with chapters 258 and 260C, notwithstanding the  
11 10 allocation formula in section 260C.18:  
11 11 ..... \$ 7,429,793  
11 12 25. MERGED AREA VII == HAWKEYE COMMUNITY COLLEGE  
11 13 For general state financial aid as defined in section 260C.2  
11 14 in accordance with chapters 258 and 260C, notwithstanding the  
11 15 allocation formula in section 260C.18:  
11 16 ..... \$ 11,063,319  
11 17 26. MERGED AREA IX == EASTERN IOWA COMMUNITY COLLEGE  
11 18 For general state financial aid as defined in section 260C.2  
11 19 in accordance with chapters 258 and 260C, notwithstanding the  
11 20 allocation formula in section 260C.18:  
11 21 ..... \$ 13,761,226  
11 22 27. MERGED AREA X == KIRKWOOD COMMUNITY COLLEGE  
11 23 For general state financial aid as defined in section 260C.2  
11 24 in accordance with chapters 258 and 260C, notwithstanding the  
11 25 allocation formula in section 260C.18:  
11 26 ..... \$ 24,208,455  
11 27 28. MERGED AREA XI == DES MOINES AREA COMMUNITY COLLEGE  
11 28 For general state financial aid as defined in section 260C.2  
11 29 in accordance with chapters 258 and 260C, notwithstanding the  
11 30 allocation formula in section 260C.18:  
11 31 ..... \$ 24,375,295  
11 32 29. MERGED AREA XII == WESTERN IOWA TECH COMMUNITY COLLEGE  
11 33 For general state financial aid as defined in section 260C.2  
11 34 in accordance with chapters 258 and 260C, notwithstanding the  
11 35 allocation formula in section 260C.18:



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12 1 ..... \$ 9,034,857  
 12 2 30. MERGED AREA XIII == IOWA WESTERN COMMUNITY COLLEGE  
 12 3 For general state financial aid as defined in section 260C.2  
 12 4 in accordance with chapters 258 and 260C, notwithstanding the  
 12 5 allocation formula in section 260C.18:  
 12 6 ..... \$ 9,285,726  
 12 7 31. MERGED AREA XIV == SOUTHWESTERN COMMUNITY COLLEGE  
 12 8 For general state financial aid as defined in section 260C.2  
 12 9 in accordance with chapters 258 and 260C, notwithstanding the  
 12 10 allocation formula in section 260C.18:  
 12 11 ..... \$ 3,872,747  
 12 12 32. MERGED AREA XV == INDIAN HILLS COMMUNITY COLLEGE  
 12 13 For general state financial aid as defined in section 260C.2  
 12 14 in accordance with chapters 258 and 260C, notwithstanding the  
 12 15 allocation formula in section 260C.18:  
 12 16 ..... \$ 12,139,931  
 12 17 33. MERGED AREA XVI == SOUTHEASTERN COMMUNITY COLLEGE  
 12 18 For general state financial aid as defined in section 260C.2  
 12 19 in accordance with chapters 258 and 260C, notwithstanding the  
 12 20 allocation formula in section 260C.18:  
 12 21 ..... \$ 6,961,511  
 12 22 Sec. 7. COMMUNITY COLLEGE SALARIES. There is appropriated  
 12 23 from the general fund of the state to the department of  
 12 24 education for the fiscal year beginning July 1, 2010, and  
 12 25 ending June 30, 2011, the following amount, or so much thereof  
 12 26 as is necessary, to be used for the purpose designated:  
 12 27 For distribution to community colleges to supplement faculty  
 12 28 salaries:  
 12 29 ..... \$ 825,012  
 12 30 Sec. 8. COMMUNITY COLLEGE EFFICIENCIES INITIATIVES AND  
 12 31 FUNDING REDUCTION REPORT. The board of directors of each  
 12 32 community college shall submit to the department of education  
 12 33 on or before October 1, 2010, a report which provides details  
 12 34 on any initiatives implemented by the community college to  
 12 35 create greater efficiency within the community college during



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13 1 the 2009=2010 fiscal year, and details on the methods by which  
 13 2 the community college implemented budget reductions ordered  
 13 3 by the governor pursuant to executive order number 19 issued  
 13 4 October 8, 2009. The department shall compile and summarize  
 13 5 the reports in a report that shall be submitted to the state  
 13 6 board of education and the general assembly on or before  
 13 7 December 15, 2010.

STATE BOARD OF REGENTS

13 8  
 13 9       Sec. 9.       There is appropriated from the general fund of  
 13 10 the state to the state board of regents for the fiscal year  
 13 11 beginning July 1, 2010, and ending June 30, 2011, the following  
 13 12 amounts, or so much thereof as may be necessary, to be used for  
 13 13 the purposes designated:

13 14       1. OFFICE OF STATE BOARD OF REGENTS

13 15       a. For salaries, support, maintenance, miscellaneous  
 13 16 purposes, and for not more than the following full-time  
 13 17 equivalent positions:

13 18 .....	\$ 1,105,123
13 19 .....	FTEs       16.00

13 20       The state board of regents shall submit a monthly financial  
 13 21 report in a format agreed upon by the state board of regents  
 13 22 office and the legislative services agency.

13 23       b. For moneys to be allocated to the southwest Iowa graduate  
 13 24 studies center:

13 25 .....	\$       90,766
-------------	-----------------

13 26       c. For moneys to be allocated to the siouxland interstate  
 13 27 metropolitan planning council for the tristate graduate center  
 13 28 under section 262.9, subsection 21:

13 29 .....	\$       69,110
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13 30       d. For moneys to be allocated to the quad-cities graduate  
 13 31 studies center:

13 32 .....	\$       134,665
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13 33       e. For moneys to be distributed to Iowa public radio for  
 13 34 public radio operations:

13 35 .....	\$       406,318
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14 1       2. STATE UNIVERSITY OF IOWA  
 14 2       a. General university, including lakeside laboratory  
 14 3       For salaries, support, maintenance, equipment, miscellaneous  
 14 4 purposes, and for not more than the following full=time  
 14 5 equivalent positions:  
 14 6 ..... \$217,638,034  
 14 7 ..... FTEs    5,058.55  
 14 8       b. Oakdale campus  
 14 9       For salaries, support, maintenance, miscellaneous purposes,  
 14 10 and for not more than the following full=time equivalent  
 14 11 positions:  
 14 12 ..... \$   2,268,925  
 14 13 ..... FTEs       38.25  
 14 14       c. State hygienic laboratory  
 14 15       For salaries, support, maintenance, miscellaneous purposes,  
 14 16 and for not more than the following full=time equivalent  
 14 17 positions:  
 14 18 ..... \$   3,669,943  
 14 19 ..... FTEs       102.50  
 14 20       d. Family practice program  
 14 21       For allocation by the dean of the college of medicine, with  
 14 22 approval of the advisory board, to qualified participants  
 14 23 to carry out the provisions of chapter 148D for the family  
 14 24 practice program, including salaries and support, and for not  
 14 25 more than the following full=time equivalent positions:  
 14 26 ..... \$   1,855,628  
 14 27 ..... FTEs       190.40  
 14 28       e. Child health care services  
 14 29       For specialized child health care services, including  
 14 30 childhood cancer diagnostic and treatment network programs,  
 14 31 rural comprehensive care for hemophilia patients, and the  
 14 32 Iowa high=risk infant follow=up program, including salaries  
 14 33 and support, and for not more than the following full=time  
 14 34 equivalent positions:  
 14 35 ..... \$       684,297



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15	1	.....	FTEs	57.97
15	2	f. Statewide cancer registry		
15	3	For the statewide cancer registry, and for not more than the		
15	4	following full-time equivalent positions:		
15	5	.....	\$	154,666
15	6	.....	FTEs	2.10
15	7	g. Substance abuse consortium		
15	8	For moneys to be allocated to the Iowa consortium for		
15	9	substance abuse research and evaluation, and for not more than		
15	10	the following full-time equivalent position:		
15	11	.....	\$	57,621
15	12	.....	FTEs	1.00
15	13	h. Center for biocatalysis		
15	14	For the center for biocatalysis, and for not more than the		
15	15	following full-time equivalent positions:		
15	16	.....	\$	750,990
15	17	.....	FTEs	6.28
15	18	i. Primary health care initiative		
15	19	For the primary health care initiative in the college		
15	20	of medicine, and for not more than the following full-time		
15	21	equivalent positions:		
15	22	.....	\$	673,375
15	23	.....	FTEs	5.89
15	24	From the moneys appropriated in this lettered paragraph,		
15	25	\$271,159 shall be allocated to the department of family		
15	26	practice at the state university of Iowa college of medicine		
15	27	for family practice faculty and support staff.		
15	28	j. Birth defects registry		
15	29	For the birth defects registry, and for not more than the		
15	30	following full-time equivalent position:		
15	31	.....	\$	39,730
15	32	.....	FTEs	1.00
15	33	k. Larned A. Waterman Iowa nonprofit resource center		
15	34	For the Larned A. Waterman Iowa nonprofit resource center,		
15	35	and for not more than the following full-time equivalent		



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16 1 positions:  
 16 2 ..... \$ 168,662  
 16 3 ..... FTEs 2.75  
 16 4 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
 16 5 a. General university  
 16 6 For salaries, support, maintenance, equipment, miscellaneous  
 16 7 purposes, and for not more than the following full-time  
 16 8 equivalent positions:  
 16 9 ..... \$170,536,017  
 16 10 ..... FTEs 3,647.42  
 16 11 b. Agricultural experiment station  
 16 12 For the agricultural experiment station salaries, support,  
 16 13 maintenance, miscellaneous purposes, and for not more than the  
 16 14 following full-time equivalent positions:  
 16 15 ..... \$ 29,170,840  
 16 16 ..... FTEs 546.98  
 16 17 c. Cooperative extension service in agriculture and home  
 16 18 economics  
 16 19 For the cooperative extension service in agriculture and  
 16 20 home economics salaries, support, maintenance, miscellaneous  
 16 21 purposes, and for not more than the following full-time  
 16 22 equivalent positions:  
 16 23 ..... \$ 18,612,391  
 16 24 ..... FTEs 383.34  
 16 25 d. Leopold center  
 16 26 For agricultural research grants at Iowa state university of  
 16 27 science and technology under section 266.39B, and for not more  
 16 28 than the following full-time equivalent positions:  
 16 29 ..... \$ 412,388  
 16 30 ..... FTEs 11.25  
 16 31 e. Livestock disease research  
 16 32 For deposit in and the use of the livestock disease research  
 16 33 fund under section 267.8:  
 16 34 ..... \$ 179,356  
 16 35 4. UNIVERSITY OF NORTHERN IOWA



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17 1     a. General university  
 17 2       For salaries, support, maintenance, equipment, miscellaneous  
 17 3 purposes, and for not more than the following full-time  
 17 4 equivalent positions:  
 17 5 ..... \$ 77,549,809  
 17 6 ..... FTEs 1,447.50  
 17 7     b. Recycling and reuse center  
 17 8       For purposes of the recycling and reuse center, and for not  
 17 9 more than the following full-time equivalent positions:  
 17 10 ..... \$ 181,858  
 17 11 ..... FTEs 3.00  
 17 12     c. Science, technology, engineering, and mathematics (STEM)  
 17 13 collaborative initiative  
 17 14       For purposes of establishing a science, technology,  
 17 15 engineering, and mathematics (STEM) collaborative initiative,  
 17 16 and for not more than the following full-time equivalent  
 17 17 positions:  
 17 18 ..... \$ 1,800,000  
 17 19 ..... FTEs 6.20  
 17 20       From the moneys appropriated in this lettered paragraph,  
 17 21 up to \$300,000 shall be allocated for salaries, staffing,  
 17 22 and institutional support. The remainder of the moneys  
 17 23 appropriated in this lettered paragraph shall be expended  
 17 24 only to support activities directly related to recruitment of  
 17 25 kindergarten through grade 12 mathematics and science teachers  
 17 26 and for ongoing mathematics and science programming for student  
 17 27 enrolled in kindergarten through grade 12.  
 17 28     d. Real estate education program  
 17 29       For purposes of the real estate education program, and for  
 17 30 not more than the following full-time equivalent position:  
 17 31 ..... \$ 130,022  
 17 32 ..... FTEs 1.00  
 17 33     5. STATE SCHOOL FOR THE DEAF  
 17 34       For salaries, support, maintenance, miscellaneous purposes,  
 17 35 and for not more than the following full-time equivalent



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18 1 positions:  
 18 2 ..... \$ 8,679,964  
 18 3 ..... FTEs 126.60  
 18 4 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL  
 18 5 For salaries, support, maintenance, miscellaneous purposes,  
 18 6 and for not more than the following full-time equivalent  
 18 7 positions:  
 18 8 ..... \$ 4,917,362  
 18 9 ..... FTEs 62.87  
 18 10 7. TUITION AND TRANSPORTATION COSTS  
 18 11 For payment to local school boards for the tuition and  
 18 12 transportation costs of students residing in the Iowa braille  
 18 13 and sight saving school and the state school for the deaf  
 18 14 pursuant to section 262.43 and for payment of certain clothing,  
 18 15 prescription, and transportation costs for students at these  
 18 16 schools pursuant to section 270.5:  
 18 17 ..... \$ 12,206  
 18 18 8. LICENSED CLASSROOM TEACHERS  
 18 19 For distribution at the Iowa braille and sight saving school  
 18 20 and the Iowa school for the deaf based upon the average yearly  
 18 21 enrollment at each school as determined by the state board of  
 18 22 regents:  
 18 23 ..... \$ 85,140  
 18 24 Sec. 10. STATE BOARD OF REGENTS EFFICIENCIES INITIATIVES  
 18 25 AND FUNDING REDUCTION REPORT. The state board of regents shall  
 18 26 submit to the general assembly on or before December 15, 2010,  
 18 27 a report which provides details on any initiatives implemented  
 18 28 by a regents institution to create greater efficiency within  
 18 29 the regents institution during the 2009=2010 fiscal year,  
 18 30 and details on the methods by which the regents institutions  
 18 31 implemented budget reductions ordered by the governor pursuant  
 18 32 to executive order number 19 issued October 8, 2009.  
 18 33 Sec. 11. ENERGY COST=SAVINGS PROJECTS == FINANCING. For  
 18 34 the fiscal year beginning July 1, 2010, and ending June 30,  
 18 35 2011, the state board of regents may use notes, bonds, or



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19 1 other evidences of indebtedness issued under section 262.48 to  
19 2 finance projects that will result in energy cost savings in an  
19 3 amount that will cause the state board to recover the cost of  
19 4 the projects within an average of six years.  
19 5 Sec. 12. PRESCRIPTION DRUG COSTS. Notwithstanding section  
19 6 270.7, the department of administrative services shall pay  
19 7 the state school for the deaf and the Iowa braille and sight  
19 8 saving school the moneys collected from the counties during the  
19 9 fiscal year beginning July 1, 2010, for expenses relating to  
19 10 prescription drug costs for students attending the state school  
19 11 for the deaf and the Iowa braille and sight saving school.  
19 12 Sec. 13. Section 256C.6, Code 2009, is amended by adding the  
19 13 following new subsection:  
19 14 NEW SUBSECTION. 3A. For the fiscal year beginning July  
19 15 1, 2010, if the number of requests from school districts for  
19 16 initial participation in the preschool program exceeds the  
19 17 funding made available for the preschool program, in lieu of  
19 18 applying the provisions of subsection 3, the department shall  
19 19 implement a method for prorating grant awards to ensure that  
19 20 all interested and qualified school districts have access to  
19 21 the funding.  
19 22 Sec. 14. Section 257.16, subsections 3 and 4, Code 2009, are  
19 23 amended to read as follows:  
19 24 3. All moneys received by a school district from the state  
19 25 under this chapter shall be deposited in the general fund of  
19 26 the school district, and may be used for any school general  
19 27 fund purpose unless otherwise provided by law.  
19 28 4. Notwithstanding any provision to the contrary, if  
19 29 the governor orders budget reductions in accordance with  
19 30 section 8.31, the teacher salary supplement district cost,  
19 31 the professional development supplement district cost, and  
19 32 the early intervention supplement district cost as calculated  
19 33 under section 257.10, subsections 9, 10, and 11, and the area  
19 34 education agency teacher salary supplement district cost as  
19 35 calculated under section 257.37A, subsection 1, shall be paid



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20 1 in full as calculated and the reductions in the appropriations  
20 2 provided in accordance with this section shall be reduced from  
20 3 the remaining moneys appropriated pursuant to this section  
20 4 and shall be distributed on a per pupil basis calculated with  
20 5 the weighted enrollment determined in accordance with section  
20 6 257.6, subsection 5.  
20 7 Sec. 15. Section 260C.18D, Code Supplement 2009, is amended  
20 8 by adding the following new subsection:  
20 9 NEW SUBSECTION. 6. Reductions. Moneys appropriated by  
20 10 the general assembly to the department for community college  
20 11 instructor salaries are not subject to a uniform reduction in  
20 12 accordance with section 8.31.  
20 13 Sec. 16. Section 261.25, subsections 1, 2, and 3, Code  
20 14 Supplement 2009, are amended to read as follows:  
20 15 1. There is appropriated from the general fund of the  
20 16 state to the commission for each fiscal year the sum of  
20 17 ~~forty-five~~ forty-four million ~~two hundred~~ thirteen thousand  
20 18 ~~sixty-nine~~ four hundred forty-eight dollars for tuition grants.  
20 19 2. There is appropriated from the general fund of the state  
20 20 to the commission for each fiscal year the sum of four million  
20 21 ~~nine six~~ hundred eighty-eight fifty thousand ~~five~~ four hundred  
20 22 ~~sixty-one~~ eighty-seven dollars for tuition grants for students  
20 23 attending for-profit accredited private institutions located in  
20 24 Iowa. A for-profit institution which, effective March 9, 2005,  
20 25 purchased an accredited private institution that was exempt  
20 26 from taxation under section 501(c) of the Internal Revenue  
20 27 Code, shall be an eligible institution under the tuition grant  
20 28 program. ~~In the case of a qualified student who was enrolled~~  
~~20 29 in such accredited private institution that was purchased~~  
~~20 30 by the for-profit institution effective March 9, 2005, and~~  
~~20 31 who continues to be enrolled in the eligible institution in~~  
~~20 32 succeeding years, the amount the student qualifies for under~~  
~~20 33 this subsection shall be not less than the amount the student~~  
~~20 34 qualified for in the fiscal year beginning July 1, 2004. For~~  
20 35 purposes of the tuition grant program, "for-profit accredited



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21 1 private institution" means an accredited private institution  
21 2 which is not exempt from taxation under section 501(c)(3)  
21 3 of the Internal Revenue Code but which otherwise meets the  
21 4 requirements of section 261.9, subsection 1, paragraph "b", and  
21 5 whose students were eligible to receive tuition grants in the  
21 6 fiscal year beginning July 1, 2003.

21 7 3. There is appropriated from the general fund of the  
21 8 state to the commission for each fiscal year the sum of two  
21 9 million ~~five~~ four hundred ~~twelve~~ thirteen thousand nine hundred  
21 10 ~~fifty-eight~~ fifty-nine dollars for vocational-technical tuition  
21 11 grants.

21 12 Sec. 17. Section 262.9, subsection 33, paragraph i, Code  
21 13 Supplement 2009, is amended to read as follows:

21 14 i. Prepare, jointly with the department of education and  
21 15 the liaison advisory committee on transfer students, and submit  
21 16 by January ~~±~~ 15 annually to the general assembly, an update  
21 17 on the articulation efforts and activities implemented by the  
21 18 community colleges and the institutions of higher education  
21 19 governed by the board.

21 20 Sec. 18. Section 262.93, Code 2009, is amended to read as  
21 21 follows:

21 22 262.93 Reports to general assembly.

21 23 The college student aid commission and the state board of  
21 24 regents each shall submit, by January ~~±~~ 15 of each year, a  
21 25 report on the progress and implementation of the programs which  
21 26 they administer under sections 261.102 through 261.105, 262.82,  
21 27 and 262.92. The reports shall include, but are not limited  
21 28 to, the numbers of students participating in the programs and  
21 29 allocation of funds appropriated for the programs.

21 30 Sec. 19. Section 263A.13, Code 2009, is amended to read as  
21 31 follows:

21 32 263A.13 Hospital reports to general assembly.

21 33 The university of Iowa hospitals and clinics shall  
21 34 ~~compile and~~ transmit to the general assembly ~~the following~~  
~~21 35 information~~ its independently audited financial statement by



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22 1 ~~December~~ January 15 of each fiscal year+.

22 2 1. ~~Revenue from all income sources, by source, including but~~

~~22 3 not limited to state appropriations, other state funds, tuition~~

~~22 4 income, patient charges, payments from political subdivisions,~~

~~22 5 interest income, and gifts, and grants from public and private~~

~~22 6 sources.~~

22 7 2. ~~Expenditures by program and revenue source.~~

22 8 3. ~~Net revenue over spending from hospital operations,~~

~~22 9 including the method used to calculate the results.~~

~~22 10 The legislative services agency shall develop forms for~~

~~22 11 collecting the information required in this subparagraph.~~

22 12 Sec. 20. Section 272.13, unnumbered paragraph 3, Code 2009,

22 13 is amended to read as follows:

22 14 All complaint files, investigation files, other

22 15 investigation reports, and other investigative information in

22 16 the possession of the board or its employees or agents, which

22 17 relate to licensee discipline, are privileged and confidential,

22 18 and are not subject to discovery, subpoena, or other means

22 19 of legal compulsion for their release to a person other than

22 20 the respondent and the board and its employees and agents

22 21 involved in licensee discipline, and are not admissible in

22 22 evidence in a judicial or administrative proceeding other

22 23 than the proceeding involving licensee discipline. ~~However,~~

~~22 24 investigative~~ A complaint, any amendment to a complaint and

22 25 any supporting documents shall be provided to the respondent

22 26 immediately upon the board's determination that jurisdictional

22 27 requirements have been met and prior to the commencement of

22 28 the board's investigation. Investigative information in the

22 29 possession of the board or its employees or agents which

22 30 relates to licensee discipline may be disclosed to appropriate

22 31 licensing authorities within this state, the appropriate

22 32 licensing authority in another state, the District of Columbia,

22 33 or a territory or country in which the licensee is licensed

22 34 or has applied for a license. A final written decision and

22 35 finding of fact of the board in a disciplinary proceeding is a



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23 1 public record.

23 2 Sec. 21. Section 284.3A, subsection 2, Code Supplement  
23 3 2009, is amended to read as follows:

23 4 2. a. For the school budget year beginning July 1,  
23 5 2010, and each succeeding school year, school districts

23 6 and area education agencies shall combine payments made to  
23 7 teachers under sections 257.10 and 257.37A with regular wages  
23 8 ~~and to create one a combined salary system.~~ The teacher

23 9 contract issued under section 279.13 must include the combined  
23 10 salary. If a school district or area education agency uses

23 11 a salary schedule, ~~one a combined~~ salary schedule shall be

23 12 used for regular wages and for distribution of payments under  
23 13 sections 257.10 and 257.37A, incorporating the salary minimums

23 14 required in section 284.7. The combined salary schedule must  
23 15 use only the combined salary and cannot differentiate regular

23 16 salaries and distribution of payments under sections 257.10 and  
23 17 257.37A.

23 18 b. If the licensed employees of a school district or area  
23 19 education agency are organized under chapter 20 for collective

23 20 bargaining purposes, the creation of the new combined salary  
23 21 ~~system~~ shall be subject to the scope of negotiations specified

23 22 in section 20.9. A reduction in the teacher salary supplement  
23 23 per pupil amount shall also be subject to the scope of

23 24 negotiations specified in section 20.9.

23 25 c. If the licensed employees of a school district or area  
23 26 education agency are not organized for collective bargaining

23 27 purposes, the board of directors shall create the new

23 28 combined salary system. The board of directors shall determine  
23 29 adjustments in salaries resulting from a reduction in the

23 30 teacher salary supplement per pupil amount.

23 31 Sec. 22. Section 284.3A, Code Supplement 2009, is amended by  
23 32 adding the following new subsection:

23 33 NEW SUBSECTION. 4. The teacher salary supplement district  
23 34 cost as calculated under section 257.10, subsection 9, and the

23 35 area education agency teacher salary supplement district cost



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24 1 as calculated under section 257.37A, subsection 1, are not  
24 2 subject to a uniform reduction in accordance with section 8.31.  
24 3 Sec. 23. Section 284.13, subsection 1, paragraphs a, b, c,  
24 4 and d, Code Supplement 2009, are amended to read as follows:  
24 5 a. For the fiscal year beginning July 1, ~~2009~~ 2010,  
24 6 and ending June 30, ~~2010~~ 2011, to the department of  
24 7 education, the amount of ~~one million one~~ nine hundred  
24 8 ~~twenty-five~~ sixty-four thousand dollars for the issuance of  
24 9 national board certification awards in accordance with section  
24 10 256.44. Of the amount allocated under this paragraph, not less  
24 11 than ~~eighty-five~~ seventy-six thousand five hundred dollars  
24 12 shall be used to administer the ambassador to education  
24 13 position in accordance with section 256.45.  
24 14 b. For the fiscal year beginning July 1, ~~2009~~ 2010, and  
24 15 succeeding fiscal years, an amount up to ~~three~~ four million  
24 16 ~~nine one hundred forty-nine~~ seven thousand ~~seven~~ two hundred  
24 17 ~~fifty~~ forty dollars for first-year and second-year beginning  
24 18 teachers, to the department of education for distribution to  
24 19 school districts and area education agencies for purposes  
24 20 of the beginning teacher mentoring and induction programs.  
24 21 A school district or area education agency shall receive  
24 22 one thousand three hundred dollars per beginning teacher  
24 23 participating in the program. If the funds appropriated for  
24 24 the program are insufficient to pay mentors, school districts,  
24 25 and area education agencies as provided in this paragraph,  
24 26 the department shall prorate the amount distributed to  
24 27 school districts and area education agencies based upon the  
24 28 amount appropriated. Moneys received by a school district  
24 29 or area education agency pursuant to this paragraph shall be  
24 30 expended to provide each mentor with an award of five hundred  
24 31 dollars per semester, at a minimum, for participation in  
24 32 the school district's or area education agency's beginning  
24 33 teacher mentoring and induction program; to implement the  
24 34 plan; and to pay any applicable costs of the employer's share  
24 35 of contributions to federal social security and the Iowa



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25 1 public employees' retirement system or a pension and annuity  
25 2 retirement system established under chapter 294, for such  
25 3 amounts paid by the district or area education agency.

25 4 c. For ~~each~~ the fiscal year of ~~the fiscal period~~ beginning  
25 5 July 1, ~~2007~~ 2010, and ending June 30, ~~2010~~ 2011, up to  
25 6 six hundred ~~ninety=~~thirteen thousand ~~eight hundred~~  
25 7 ~~seventy=~~eight dollars to the department for purposes of  
25 8 implementing the professional development program requirements  
25 9 of section 284.6, assistance in developing model evidence for  
25 10 teacher quality committees established pursuant to section  
25 11 284.4, subsection 1, paragraph "c", and the evaluator training  
25 12 program in section 284.10. A portion of the funds allocated  
25 13 to the department for purposes of this paragraph may be used  
25 14 by the department for administrative purposes and for not more  
25 15 than four full-time equivalent positions.

25 16 d. For each fiscal year in which funds are appropriated  
25 17 for purposes of this chapter, an amount up to one million  
25 18 ~~eight~~ six hundred ~~forty=~~twenty=nine thousand ~~six hundred~~  
25 19 ~~forty=~~seven dollars to the department for the establishment  
25 20 of teacher development academies in accordance with section  
25 21 284.6, subsection 10. A portion of the funds allocated to  
25 22 the department for purposes of this paragraph may be used for  
25 23 administrative purposes.

25 24 Sec. 24. 2010 Iowa Acts, House File 2295, section 1,  
25 25 subsection 1, if enacted, is amended to read as follows:

25 26 1. The department of education shall convene a task force  
25 27 to review the present mission, structure, governance, and  
25 28 funding of the area education agency system to determine if the  
25 29 current model is applicable to the challenges and requirements  
25 30 of twenty-first century learning. The task force shall review  
25 31 funding options for area education agencies subject to uniform  
25 32 reductions in appropriations ordered by the governor pursuant  
25 33 to section 8.31.

25 34 Sec. 25. EFFECTIVE UPON ENACTMENT.

25 35 1. The section of this Act amending section 257.16,



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26 1 subsection 4, being deemed of immediate importance, takes  
26 2 effect upon enactment and applies to the calculation of the  
26 3 teacher salary supplement district cost for the school budget  
26 4 year beginning July 1, 2009.

26 5 2. The section of this Act enacting section 260C.18D,  
26 6 subsection 6, being deemed of immediate importance, takes  
26 7 effect upon enactment.

26 8 3. The section of this Act amending section 272.13,  
26 9 unnumbered paragraph 3, being deemed of immediate importance,  
26 10 takes effect upon enactment.

26 11 4. The section of this Act amending section 284.3A,  
26 12 subsection 2, being deemed of immediate importance, takes  
26 13 effect upon enactment.

26 14 5. The section of this Act enacting section 284.3A,  
26 15 subsection 4, being deemed of immediate importance, takes  
26 16 effect upon enactment and applies to the calculation of the  
26 17 teacher salary supplement district cost for the school budget  
26 18 year beginning July 1, 2009.

26 19 EXPLANATION

26 20 This bill appropriates moneys for fiscal year 2010=2011  
26 21 from the general fund of the state to the college student aid  
26 22 commission, the department for the blind, the department of  
26 23 education, and the state board of regents and its institutions.

26 24 The bill appropriates to the department for the blind for its  
26 25 administration.

26 26 The bill includes appropriations to the college student aid  
26 27 commission for general administrative purposes, student aid  
26 28 programs, forgivable loans and loan forgiveness for students  
26 29 and physicians and surgeons, an initiative directing primary  
26 30 care physicians to areas of the state experiencing physician  
26 31 shortages, the national guard educational assistance program,  
26 32 the teacher shortage loan forgiveness program, the all Iowa  
26 33 opportunity foster care grant and scholarship programs, the  
26 34 registered nurse loan and nurse educator forgiveness program,  
26 35 and the barber and cosmetology arts and sciences tuition grant



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27 1 program.

27 2     The commission is directed to pay a fee to Des Moines  
27 3 university == osteopathic medical center for administration of  
27 4 the primary health care initiative.

27 5     The bill reduces the standing appropriations for Iowa  
27 6 tuition grants and vocational=technical tuition grants. The  
27 7 bill notwithstanding the \$2.75 million standing appropriation  
27 8 for the Iowa work=study program and provides that the amount  
27 9 appropriated for fiscal year 2010=2011 is zero.

27 10     The bill appropriates moneys to the department of education  
27 11 for purposes of the department's general administration,  
27 12 vocational education administration, division of vocational  
27 13 rehabilitation services including independent living and  
27 14 the entrepreneurs with disabilities program and independent  
27 15 living centers, state library for general administration and  
27 16 the enrich Iowa program, library service area system, public  
27 17 broadcasting division, regional telecommunications councils,  
27 18 vocational education to secondary schools, school food service,  
27 19 Iowa empowerment fund, expansion of the federal Individuals  
27 20 With Disabilities Education Improvement Act birth through age  
27 21 three services, a four=year=old preschool program, textbooks  
27 22 for nonpublic school pupils, the beginning administrator  
27 23 mentoring and induction program, the core curriculum and career  
27 24 information and decision=making system, the student achievement  
27 25 and teacher quality program, community colleges, and community  
27 26 college salaries.

27 27     The department of education and the state board of regents  
27 28 are directed to submit a report to the general assembly by  
27 29 December 15, 2010, detailing community colleges and regents  
27 30 institution initiatives implemented to create greater  
27 31 efficiencies, and details on the methods by which community  
27 32 colleges and regents institutions implemented the 10 percent  
27 33 budget reduction ordered by the governor in 2009.

27 34     The bill appropriates moneys to the state board of regents  
27 35 for the board office, universities' general operating budgets;



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28 1 the southwest Iowa graduate studies center; the siouxland  
28 2 interstate metropolitan planning council; the quad-cities  
28 3 graduate studies center; Iowa public radio; the state  
28 4 university of Iowa; Iowa state university of science and  
28 5 technology; the university of northern Iowa; and for the Iowa  
28 6 school for the deaf and the Iowa braille and sight saving  
28 7 school, including tuition and transportation costs for students  
28 8 residing in the schools.

28 9 The bill also requires the department of administrative  
28 10 services to pay the state school for the deaf and the Iowa  
28 11 braille and sight saving school moneys collected from counties  
28 12 for expenses related to prescription drug costs for students  
28 13 attending the schools and for licensed classroom teachers at  
28 14 the schools.

28 15 The bill allows the state board of regents to use  
28 16 indebtedness to finance certain projects resulting in energy  
28 17 savings.

28 18 The bill includes a number of statutory changes:

28 19 The bill, for fiscal year 2010=2011, establishes that if  
28 20 the number of requests from school districts for initial  
28 21 participation in the preschool program exceeds the funding  
28 22 made available for the preschool program, rather than apply  
28 23 the selection criteria provided in the Code, the department of  
28 24 education must implement a method for prorating grant awards to  
28 25 ensure that all interested and qualified school districts have  
28 26 access to the funding.

28 27 The bill amends language providing for a standing  
28 28 appropriation of state foundation aid to provide that all state  
28 29 foundation aid moneys received by a school district shall be  
28 30 deposited in the general fund of the school district and may  
28 31 be used for any school general fund purpose unless otherwise  
28 32 provided by law.

28 33 The bill also exempts the school district and area  
28 34 education agency teacher salary supplement district cost,  
28 35 the professional development supplement district cost, and



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29 1 the early intervention supplement district cost from an  
29 2 across=the=board reduction in state funding ordered by the  
29 3 governor and requires that the reduction be taken from the  
29 4 remaining moneys appropriated for state foundation aid. Moneys  
29 5 appropriated by the general assembly for community college  
29 6 instructor salaries are also exempted from across=the=board  
29 7 reductions in state funding ordered by the governor. These  
29 8 provisions take effect upon enactment and the provisions  
29 9 relating to teacher salary supplement district cost apply to  
29 10 the calculation of the teacher salary supplement district cost  
29 11 for the school budget year beginning July 1, 2009.

29 12 The bill requires school districts and area education  
29 13 agencies to combine payments made to teachers to create a  
29 14 combined salary, requires the teacher contract to include the  
29 15 combined salary, and requires that the salary schedule only  
29 16 use the combined salary. This provision takes effect upon  
29 17 enactment.

29 18 The bill requires the board of educational examiners to  
29 19 provide a complaint, any amendment to a complaint, and any  
29 20 supporting documents to the respondent immediately upon  
29 21 the board's determination that jurisdictional requirements  
29 22 have been met and prior to the board's investigation. This  
29 23 provision takes effect upon enactment.

29 24 The bill amends statutory language to decrease funding  
29 25 for fiscal year 2010=2011 for purposes of national board  
29 26 certification awards, the ambassador to education position, for  
29 27 the statewide network of professional development for teachers  
29 28 and evaluator training, and teacher development academies.  
29 29 The bill also reduces funding each fiscal year for teacher  
29 30 development academies. The bill increases funding for the  
29 31 fiscal year beginning July 1, 2010, and succeeding fiscal years  
29 32 for beginning teacher mentoring and induction programs.

29 33 The bill amends 2010 Iowa Acts, House File 2295, if enacted,  
29 34 to require that the area education agency task force provided  
29 35 for by the bill review funding options for area education



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**March 09, 2010**

Senate Study Bill 3248 continued

30 1 agencies subject to across-the-board reductions ordered by the  
30 2 governor.  
30 3     The bill changes the dates by which the state board of  
30 4 regents and the college student aid commission must submit  
30 5 certain annual reports from January 1 to January 15. The bill  
30 6 also strikes language specifying the information the university  
30 7 of Iowa hospitals and clinics (UIHC) must report to the general  
30 8 assembly, and authorizes UIHC to submit its independently  
30 9 audited financial statement by January 15 annually.

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