



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 25, 2010

House Amendment 8607

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. ____ Section 455A.13, Code 2009, is amended
1 4 to read as follows:
1 5 455A.13 State nurseries.
1 6 1. Notwithstanding section 17A.2, subsection 11,
1 7 paragraph "g", the department of natural resources
1 8 shall adopt administrative rules establishing a range
1 9 of prices of plant material grown at the state forest
1 10 nurseries to cover all expenses related to the growing
1 11 of the plants. The department is authorized to sell
1 12 plant material in other states.

1 13 ~~1.~~ 2. The department shall develop programs to
1 14 encourage the wise management and preservation of
1 15 existing woodlands and shall continue its efforts to
1 16 encourage forestation and reforestation on private and
1 17 public lands in the state.
1 18 ~~2.~~ 3. The department shall encourage a cooperative
1 19 relationship between the state forest nurseries and
1 20 private nurseries in the state in order to achieve
1 21 these goals.>
1 22 #2. By renumbering as necessary.

BELL of Jasper
HF2531.2764 (2) 83
tm/jp



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1 1 Amend House File 2531 as follows:
1 2 #1. Page 37, after line 14 by inserting:
1 3 <Sec. _____. 2010 Iowa Acts, Senate File 2378,
1 4 section 20, subsection 1, if enacted, is amended to
1 5 read as follows:
1 6 1. A public safety enforcement fund is created in
1 7 the state treasury under the control of the treasurer
1 8 of state. Notwithstanding section 602.8108, after
1 9 the necessary amount is remitted for deposit in the
1 10 Iowa prison infrastructure fund as provided in section
1 11 602.8108A, the state court administrator shall allocate
1 12 to the treasurer of state for deposit in the public
1 13 safety enforcement fund the ~~first~~ next nine million
1 14 one hundred thousand dollars of the moneys received
1 15 under section 602.8108, subsection 2, during the fiscal
1 16 year beginning July 1, 2010, and ending June 30, 2011.
1 17 Moneys deposited into the fund are appropriated to
1 18 the treasurer of state for allocation as provided in
1 19 subsection 2.>
1 20 #2. By renumbering as necessary.

TAYLOR of Linn
HF2531.2763 (2) 83
jm/rj



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1 1 Amend House File 2531 as follows:
 1 2 #1. Page 42, after line 29 by inserting:
 1 3 <DIVISION ____
 1 4 WEAPONS
 1 5 Sec. ____ . Section 724.7, Code 2009, is amended to
 1 6 read as follows:
 1 7 724.7 Nonprofessional permit to carry weapons.
 1 8 Any person who ~~can reasonably justify going armed~~
 1 9 ~~may is not disqualified under section 724.8, who~~
 1 10 satisfies the training requirements of section 724.9,
 1 11 and who files an application in accordance with
 1 12 section 724.10 shall be issued a nonprofessional permit
 1 13 to carry weapons. Such permits shall be on a form
 1 14 prescribed and published by the commissioner of public
 1 15 safety, which shall be readily distinguishable from
 1 16 the professional permit, and shall identify the holder
 1 17 thereof, and state the reason for the issuance of the
 1 18 permit, and the limits of the authority granted by such
 1 19 permit of the permit. All permits so issued shall be
 1 20 for a definite period as established by the issuing
 1 21 officer, but in no event shall exceed a period of
 1 22 twelve months five years and shall be valid throughout
 1 23 the state except where the possession or carrying of a
 1 24 firearm is prohibited by state or federal law.
 1 25 Sec. ____ . Section 724.8, Code 2009, is amended to
 1 26 read as follows:
 1 27 724.8 Persons eligible for permit to carry weapons.
 1 28 No ~~person shall be issued a professional or~~
 1 29 ~~nonprofessional permit to carry weapons unless shall~~
 1 30 be issued to a person who meets any of the following
 1 31 conditions:
 1 32 1. ~~The person is~~ Is less than eighteen years of age
 1 33 ~~or older.~~
 1 34 2. ~~The person has never been convicted of a felony.~~
 1 35 3. ~~The person is not addicted to the use of alcohol~~
 1 36 ~~or any controlled substance.~~
 1 37 4. ~~The person has no history of repeated acts of~~
 1 38 ~~violence.~~
 1 39 5. ~~The issuing officer reasonably determines that~~
 1 40 ~~the applicant does not constitute a danger to any~~
 1 41 ~~person.~~
 1 42 2. Is subject to the provisions of section 724.26.
 1 43 6. 3. ~~The person has never~~ Has, within the
 1 44 previous three years, been convicted of any
 1 45 crime serious or aggravated misdemeanor defined in
 1 46 chapter 708, except "assault" as defined in section
 1 47 708.1 and "harassment" as defined in section 708.7 not
 1 48 involving the use of a firearm or explosive.
 1 49 4. Is prohibited by federal law from shipping,
 1 50 possessing, or receiving a firearm.



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2 1 5. Is a fugitive from justice as defined in 18
2 2 U.S.C. { 921(a)(15), pursuant to 18 U.S.C. { 922(d)(2)
2 3 or 18 U.S.C. { 922(g)(2).

2 4 6. Is an unlawful user of or addicted to any
2 5 controlled substance pursuant to 18 U.S.C. { 922(d)(3)
2 6 or 18 U.S.C. { 922(g)(3).

2 7 7. Has been adjudicated seriously mentally impaired
2 8 or been committed to a mental institution for purposes
2 9 of 18 U.S.C. { 922(d)(4) or 18 U.S.C. { 922(g)(4).

2 10 8. Is an alien illegally or unlawfully in the
2 11 United States or admitted to the United States under
2 12 a nonimmigrant visa, as those terms are used in 18
2 13 U.S.C. { 922(d)(5), 18 U.S.C. { 922(g)(5), or 18 U.S.C.
2 14 { 922(y).

2 15 9. Has been discharged from the armed forces
2 16 under dishonorable conditions pursuant to 18 U.S.C. {
2 17 922(d)(6) or 18 U.S.C. { 922(g)(6).

2 18 10. Has renounced the person's United States
2 19 citizenship pursuant to 18 U.S.C. { 922(d)(7) or 18
2 20 U.S.C. { 922(g)(7).

2 21 11. Is subject to a court order that restrains such
2 22 person from harassing, stalking, or threatening an
2 23 intimate partner or any child of the intimate partner,
2 24 as defined in 18 U.S.C. { 921(a)(32), pursuant to 18
2 25 U.S.C. { 922(d)(8) or 18 U.S.C. { 922(g)(8).

2 26 12. Has been convicted of a misdemeanor crime of
2 27 domestic violence as defined in 18 U.S.C. { 921(a)(33),
2 28 pursuant to 18 U.S.C. { 922(d)(9) or 18 U.S.C. {
2 29 922(g)(9).

2 30 13. Is under indictment for a crime punishable by
2 31 imprisonment for a term exceeding one year as defined
2 32 in 18 U.S.C. { 921(a)(20), pursuant to 18 U.S.C. {
2 33 922(n).

2 34 Sec. ____. Section 724.9, Code 2009, is amended by
2 35 striking the section and inserting in lieu thereof the
2 36 following:

2 37 724.9 Firearm training program.

2 38 1. An applicant shall demonstrate knowledge of
2 39 firearm safety by any of the following means:

2 40 a. Completion of any national rifle association
2 41 firearms safety or firearms training course.

2 42 b. Completion of any firearms safety or firearms
2 43 training course available to the general public
2 44 offered by a law enforcement agency, community
2 45 college, college, private or public institution or
2 46 organization, or firearms training school utilizing
2 47 instructors certified by the national rifle association
2 48 or the department of public safety or another state's
2 49 department of public safety, state police department,
2 50 or similar certifying body.



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- 3 1 c. Completion of any law enforcement firearms
3 2 safety or firearms training course or class offered
3 3 for security guards, investigators, special deputies,
3 4 or any division or subdivision of a law enforcement or
3 5 security enforcement agency.
- 3 6 d. Evidence of equivalent experience with a firearm
3 7 through participation in any organized shooting
3 8 competition.
- 3 9 e. Completion of small arms training while serving
3 10 with the armed forces of the United States as evidenced
3 11 by any of the following:
- 3 12 (1) For personnel released or retired from active
3 13 duty, possession of an honorable discharge or general
3 14 discharge under honorable conditions.
- 3 15 (2) For personnel on active duty or serving in
3 16 one of the national guard or reserve components of
3 17 the armed forces of the United States, possession of
3 18 a certificate of completion of basic training with a
3 19 service record of successful completion of small arms
3 20 training and qualification.
- 3 21 f. Previously having held a license to carry a
3 22 firearm in this state, any political subdivision of
3 23 this state, or in a state recognized under section
3 24 724.11A, unless such license was revoked for cause.
- 3 25 g. Completion of a law enforcement agency firearms
3 26 training course that qualifies a peace officer to carry
3 27 a firearm in the normal course of the peace officer's
3 28 duties.
- 3 29 2. Evidence of qualification under this section may
3 30 be documented by any of the following:
- 3 31 a. A photocopy of a certificate of completion or
3 32 any similar document indicating completion of any
3 33 course or class identified in subsection 1.
- 3 34 b. An affidavit from the instructor, school,
3 35 organization, or group that conducted or taught a
3 36 course or class identified in subsection 1 attesting to
3 37 the completion of the course or class by the applicant.
- 3 38 c. A copy of any document indicating participation
3 39 in any firearms shooting competition.
- 3 40 d. A copy of a license described in subsection 1,
3 41 paragraph "f".
- 3 42 3. An issuing officer shall not condition the
3 43 issuance of a permit on training requirements that are
3 44 not specified in or that exceed the requirements of
3 45 this section.
- 3 46 Sec. _____. Section 724.10, Code 2009, is amended to
3 47 read as follows:
- 3 48 724.10 Application for permit to carry weapons ==
3 49 ~~criminal history~~ background check required.
- 3 50 1. A person shall not be issued a permit to carry



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4 1 weapons unless the person has completed and signed an
4 2 application on a form to be prescribed and published
4 3 by the commissioner of public safety. The application
4 4 shall ~~state~~ require only the full name, driver's
4 5 license or nonoperator's identification card number,
4 6 residence, place of birth, and age of the applicant,
4 7 and shall state whether the applicant ~~has ever been~~
~~4 8 convicted of a felony, whether the person is addicted~~
~~4 9 to the use of alcohol or any controlled substance, and~~
~~4 10 whether the person has any history of mental illness or~~
~~4 11 repeated acts of violence meets the criteria specified~~
4 12 in sections 724.8 and 724.9. An applicant may provide
4 13 the applicant's social security number if the applicant
4 14 so chooses. The applicant shall also display an
4 15 identification card that bears a distinguishing number
4 16 assigned to the cardholder, the full name, date of
4 17 birth, sex, residence address, and a brief description
4 18 and colored photograph of the cardholder.
4 19 2. The sheriff issuing officer, upon receipt
4 20 of an initial or renewal application under this
~~4 21 section, shall conduct immediately conduct a criminal~~
~~4 22 history background check concerning each applicant by~~
4 23 obtaining criminal history data from the department of
4 24 public safety which shall include an inquiry of the
4 25 national instant criminal background system maintained
~~4 26 by the federal bureau of investigation or any successor~~
4 27 agency.
4 28 3. A person who knowingly makes a false statement
4 29 of material fact on the an application submitted under
4 30 this section or who knowingly submits any materially
4 31 falsified or forged document in connection with such
4 32 application commits a class "D" felony an aggravated
4 33 misdemeanor.
4 34 Sec. ____. Section 724.11, Code 2009, is amended to
4 35 read as follows:
4 36 724.11 Issuance of permit to carry weapons.
4 37 1. Applications for permits to carry weapons shall
4 38 be made to the sheriff of the county in which the
4 39 applicant resides. Applications from persons who are
4 40 nonresidents of the state, or whose need to go armed
4 41 arises out of employment by the state, shall be made
4 42 to the commissioner of public safety. In either case,
~~4 43 the issuance of the permit shall be by and at the~~
~~4 44 discretion of the sheriff or commissioner, who shall,~~
4 45 before issuing the permit, shall determine that the
4 46 requirements of sections 724.6 to 724.10 have been
4 47 satisfied. However, the training program requirements
4 48 in section 724.9 ~~may~~ shall be waived for renewal
4 49 permits.
4 50 2. The issuing officer shall collect a fee of ten



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5 1 dollars, except from a duly appointed peace officer
5 2 or correctional officer, for each permit issued.
5 3 Renewal permits or duplicate permits shall be issued
5 4 for a fee of five dollars, provided the application
5 5 for such renewal permit is received by the issuing
5 6 officer at least thirty days prior to the expiration of
5 7 the applicant's current permit. The issuing officer
5 8 shall notify the commissioner of public safety of the
5 9 issuance of any permit at least monthly and forward to
5 10 the commissioner an amount equal to two dollars for
5 11 each permit issued and one dollar for each renewal
5 12 or duplicate permit issued. All such fees received
5 13 by the commissioner shall be paid to the treasurer
5 14 of state and deposited in the operating account of
5 15 the department of public safety to offset the cost
5 16 of administering this chapter. ~~Any~~ Notwithstanding
5 17 section 8.33, any unspent balance as of June 30 of each
5 18 year shall revert to the general fund as provided by
5 19 section 8.33 of the state.

5 20 3. The sheriff or commissioner of public safety
5 21 shall approve or deny an initial or renewal application
5 22 submitted under this section within thirty days of
5 23 receipt of the application. If the issuing officer
5 24 has not received a response to an information request
5 25 necessary to determine the applicant's eligibility at
5 26 the end of the thirty-day period and the applicant is
5 27 not otherwise disqualified, the issuing officer shall
5 28 issue a conditional permit to the applicant. The
5 29 conditional permit shall be readily distinguishable
5 30 in appearance from a five-year permit and shall be
5 31 immediately revoked if the information subsequently
5 32 received indicates the applicant is ineligible for a
5 33 permit and the application is denied. A person whose
5 34 application for a permit under this chapter is denied
5 35 may seek review of the denial under section 724.21A.

5 36 Sec. ____ . NEW SECTION. 724.11A Reciprocity.

5 37 1. The commissioner of public safety shall compare
5 38 the provisions of sections 724.7 and 724.8 with similar
5 39 statutes of other states to determine whether such
5 40 state's laws are similar to or exceed the requirements
5 41 of sections 724.7 and 724.8. The commissioner shall
5 42 seek a reciprocity agreement with each state whose laws
5 43 are similar to or exceed the requirements of sections
5 44 724.7 and 724.8.

5 45 2. A valid nonprofessional permit or license to
5 46 carry weapons recognized in this state pursuant to
5 47 subsection 1 shall have the same legal effect as a
5 48 nonprofessional permit to carry weapons issued under
5 49 this chapter, except that such permit shall not be
5 50 considered to be a substitute for an annual permit to



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6 1 acquire weapons issued pursuant to section 724.15.
6 2 Sec. _____. Section 724.13, Code 2009, is amended by
6 3 striking the section and inserting in lieu thereof the
6 4 following:
6 5 724.13 Suspension or revocation of permit to carry
6 6 weapons.
6 7 An issuing officer who finds that a person issued
6 8 a permit to carry weapons under this chapter has
6 9 been arrested for a disqualifying offense or is the
6 10 subject of proceedings that could lead to the person's
6 11 ineligibility for such permit may immediately suspend
6 12 such permit. An issuing officer proceeding under this
6 13 section shall immediately notify the permit holder of
6 14 the suspension by personal service or certified mail on
6 15 a form prescribed and published by the commissioner of
6 16 public safety and the suspension shall become effective
6 17 upon the permit holder's receipt of such notice. If
6 18 the suspension is based on an arrest or a proceeding
6 19 that does not result in a disqualifying conviction or
6 20 finding against the permit holder, the issuing officer
6 21 shall immediately reinstate the permit upon receipt of
6 22 proof of the matter's final disposition. If the arrest
6 23 leads to a disqualifying conviction or the proceedings
6 24 to a disqualifying finding, the issuing officer shall
6 25 revoke the permit. The issuing officer may also
6 26 revoke the permit of a person whom the issuing officer
6 27 later finds was not qualified for such a permit at the
6 28 time of issuance or who the officer finds provided
6 29 materially false information on the permit application.
6 30 A person aggrieved by a suspension or revocation under
6 31 this section make seek review of the decision pursuant
6 32 to section 724.21A.
6 33 Sec. _____. Section 724.15, Code 2009, is amended to
6 34 read as follows:
6 35 724.15 Annual permit to acquire pistols or
6 36 revolvers.
6 37 1. Any person who ~~acquires~~ desires to
6 38 acquire ownership of any pistol or revolver shall
6 39 first obtain an annual permit. An annual permit shall
6 40 ~~not~~ be issued upon request to any person resident of
6 41 this state unless the person is subject to any of the
6 42 following:
6 43 a. ~~The person is~~ Is less than twenty-one years of
6 44 age ~~or older.~~
6 45 b. ~~The person has never been convicted of a felony.~~
6 46 c. ~~The person is not addicted to the use of alcohol~~
6 47 ~~or a controlled substance.~~
6 48 d. ~~The person has no history of repeated acts of~~
6 49 ~~violence.~~
6 50 e. ~~The person has never been convicted of a crime~~



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~~7 1 defined in chapter 708, except "assault" as defined in
7 2 section 708.1 and "harassment" as defined in section
7 3 708.7.~~

~~7 4 f. The person has never been adjudged mentally
7 5 incompetent.~~

7 6 b. Is subject to the provisions of section 724.26.

7 7 c. Is prohibited by federal law from shipping,
7 8 possessing, or receiving a firearm.

7 9 2. Any person who acquires ownership of a pistol
7 10 or revolver shall not be required to obtain an annual
7 11 permit if any of the following apply:

7 12 a. The person transferring the pistol or revolver
7 13 and the person acquiring the pistol or revolver are
7 14 licensed firearms dealers under federal law~~+~~.

7 15 b. The pistol or revolver acquired is an antique
7 16 firearm, a collector's item, a device which is not
7 17 designed or redesigned for use as a weapon, a device
7 18 which is designed solely for use as a signaling,
7 19 pyrotechnic, line-throwing, safety, or similar device,
7 20 or a firearm which is unserviceable by reason of being
7 21 unable to discharge a shot by means of an explosive
7 22 and is incapable of being readily restored to a firing
7 23 condition~~+~~~~or~~.

7 24 c. The person acquiring the pistol or revolver is
7 25 authorized to do so on behalf of a law enforcement
7 26 agency.

7 27 d. The person has obtained a valid permit to carry
7 28 weapons, as provided in section 724.11.

7 29 e. The person transferring the pistol or revolver
7 30 and the person acquiring the pistol or revolver
7 31 are related to one another within the second degree
7 32 of consanguinity or affinity unless the person
7 33 transferring the pistol or revolver knows that the
7 34 person acquiring the pistol or revolver would be
7 35 ~~ineligible to obtain~~ disqualified from obtaining a
7 36 permit.

7 37 3. The annual permit to acquire pistols or
7 38 revolvers shall authorize the permit holder to acquire
7 39 one or more pistols or revolvers during the period
7 40 that the permit remains valid. ~~If the issuing officer
7 41 determines that the applicant has become disqualified
7 42 under the provisions of subsection 1, the issuing
7 43 officer may immediately invalidate the permit.~~

7 44 4. An issuing officer who finds that a person
7 45 issued a permit to acquire pistols or revolvers under
7 46 this chapter has been arrested for a disqualifying
7 47 offense or who is the subject of proceedings that could
7 48 lead to the person's ineligibility for such permit may
7 49 immediately suspend such permit. An issuing officer
7 50 proceeding under this subsection shall immediately



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8 1 notify the permit holder of the suspension by personal
8 2 service or certified mail on a form prescribed and
8 3 published by the commissioner of public safety and
8 4 the suspension shall become effective upon the permit
8 5 holder's receipt of such notice. If the suspension
8 6 is based on an arrest or a proceeding that does not
8 7 result in a disqualifying conviction or finding against
8 8 the permit holder, the commissioner shall immediately
8 9 reinstate the permit upon receipt of proof of the
8 10 matter's final disposition. If the arrest leads to a
8 11 a disqualifying conviction or the proceedings to a
8 12 disqualifying finding, the issuing officer shall revoke
8 13 the permit. The issuing officer may also revoke the
8 14 permit of a person whom the issuing officer later finds
8 15 was not qualified for such a permit at the time of
8 16 issuance or who the officer finds provided materially
8 17 false information on the permit application. A person
8 18 aggrieved by a suspension or revocation under this
8 19 subsection may seek review of the decision, pursuant
8 20 to section 724.21A.

8 21 Sec. _____. Section 724.17, Code 2009, is amended to
8 22 read as follows:

8 23 724.17 Application for annual permit to acquire ==
8 24 criminal history check required.

8 25 The application for an annual permit to acquire
8 26 pistols or revolvers may be made to the sheriff of the
8 27 county of the applicant's residence and shall be on a
8 28 form prescribed and published by the commissioner of
8 29 public safety. The application shall ~~state~~ require
8 30 only the full name of the applicant, the driver's
8 31 license or nonoperator's identification card number of
8 32 the applicant, the residence of the applicant, and the
8 33 age and place of birth of the applicant. The applicant
8 34 shall also display an identification card that bears
8 35 a distinguishing number assigned to the cardholder,
8 36 the full name, date of birth, sex, residence address,
8 37 and brief description and colored photograph of the
8 38 cardholder, or other identification as specified by
8 39 rule of the department of public safety. The sheriff
8 40 shall conduct a criminal history check concerning
8 41 each applicant by obtaining criminal history data
8 42 from the department of public safety which shall
8 43 include an inquiry of the national instant criminal
8 44 background system maintained by the federal bureau of
8 45 investigation or any successor agency. ~~A person who~~
8 46 knowingly makes a false statement of material fact on
8 47 the application commits a class "D" felony. A person
8 48 who knowingly makes a false statement of material fact
8 49 on an application submitted under this section or who
8 50 knowingly submits any materially falsified or forged



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9 1 document in connection with such application commits
9 2 an aggravated misdemeanor.
9 3 Sec. _____. NEW SECTION. 724.21A Hearing on denial,
9 4 suspension, or revocation of permit to carry weapons and
9 5 permits to acquire pistols or revolvers.
9 6 1. In any case where the sheriff or the
9 7 commissioner of public safety denies an application
9 8 for or suspends or revokes a permit to carry weapons
9 9 or an annual permit to acquire pistols or revolvers,
9 10 the applicant or permit holder shall have the right to
9 11 appeal the denial, suspension, or revocation of the
9 12 permit to an administrative law judge in the department
9 13 of inspections and appeals within thirty days of
9 14 receiving written notice of the denial, suspension, or
9 15 revocation.
9 16 2. The applicant or permit holder may file an
9 17 appeal with an administrative law judge by filing a
9 18 copy of the denial, suspension, or revocation notice
9 19 with a written statement that clearly states the
9 20 applicant's reasons rebutting the denial, suspension,
9 21 or revocation along with a fee of ten dollars.
9 22 Additional supporting information relevant to the
9 23 proceedings may also be included.
9 24 3. The administrative law judge shall grant an
9 25 aggrieved applicant an opportunity to be heard within
9 26 forty-five days of receipt of the request for an
9 27 appeal. The hearing may be held by telephone or video
9 28 conference at the discretion of the administrative law
9 29 judge. The administrative law judge shall receive
9 30 witness testimony and other evidence relevant to the
9 31 proceedings at the hearing.
9 32 4. Upon conclusion of the hearing, the
9 33 administrative law judge shall order that the denial,
9 34 suspension, or revocation of the permit be either
9 35 rescinded or sustained. An applicant, permit holder,
9 36 or issuing officer aggrieved by the final judgment of
9 37 the administrative law judge shall have the right to
9 38 judicial review in accordance with the terms of the
9 39 Iowa administrative procedure Act, chapter 17A.
9 40 Sec. _____. Section 724.25, subsection 1, Code 2009,
9 41 is amended to read as follows:
9 42 1. As used in ~~sections 724.8, subsection 2,~~
9 43 ~~and section 724.26,~~ the word "felony" means any offense
9 44 punishable in the jurisdiction where it occurred
9 45 by imprisonment for a term exceeding one year, but
9 46 does not include any offense, other than an offense
9 47 involving a firearm or explosive, classified as a
9 48 misdemeanor under the laws of the state and punishable
9 49 by a term of imprisonment of two years or less.
9 50 Sec. _____. Section 724.27, Code 2009, is amended to



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10 1 read as follows:

10 2 724.27 Offenders' rights restored.

10 3 1. The provisions of section 724.8, ~~subsection~~

~~10 4 2, section 724.15, subsection 1, paragraphs "b" and~~

~~10 5 "e", and section 724.26 shall not apply to a person who~~

10 6 is eligible to have the person's civil rights regarding

10 7 firearms restored under section 914.7 ~~and who is~~

~~10 8 pardoned or has had the person's civil rights restored~~

~~10 9 by the President of the United States or the chief~~

~~10 10 executive of a state and who is expressly authorized~~

~~10 11 by the President of the United States or such chief~~

~~10 12 executive to receive, transport, or possess firearms or~~

~~10 13 destructive devices.~~ if any of the following occur:

10 14 a. The person is pardoned by the President of the

10 15 United States or the chief executive of a state for a

10 16 disqualifying conviction.

10 17 b. The person's civil rights have been restored

10 18 after a disqualifying conviction, commitment, or

10 19 adjudication.

10 20 c. The person's conviction for a disqualifying

10 21 offense has been expunged.

10 22 2. Subsection 1 shall not apply to a person whose

10 23 pardon, restoration of civil rights, or expungement of

10 24 conviction expressly forbids the person to receive,

10 25 transport, or possess firearms or destructive devices.>

10 26 #2. By renumbering as necessary.

PAULSEN of Linn
HF2531.2775 (3) 83
sc/nh



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House Amendment 8610

PAG LIN

1 1 Amend the Senate amendment, H=8539, to House File
1 2 2525, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. By striking page 2, line 18, through page 3,
1 5 line 13.
1 6 #2. By renumbering as necessary.

DE BOEF of Keokuk
HF2525.2779 (2) 83
da/da



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House Amendment 8611

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 members.
1 11 a. The governor shall appoint seven members each
1 12 for a four-year term beginning and ending as provided
1 13 in section 69.19 and subject to confirmation by the
1 14 senate as follows:
1 15 (1) Three persons, each of whom is a county
1 16 supervisor, county sheriff, mayor, ~~city chief of~~
~~1 17 police, or county attorney nonsupervisory police~~
1 18 officer, or a chief of police of a department with less
1 19 than eleven police officers.
1 20 ~~(2) Two persons who represent the general public~~
~~1 21 and are not employed in any law enforcement, judicial,~~
~~1 22 or corrections capacity.~~
1 23 ~~(3)~~(2) Two persons who are knowledgeable about
1 24 Iowa's juvenile justice system.
1 25 (3) person who represents the general public and
1 26 is not employed in any law enforcement, judicial, or
1 27 corrections capacity.
1 28 (4) One person who is either a crime victim, or who
1 29 represents a crime victim organization.
1 30 b. The departments of human services, corrections,
1 31 and public safety, the division on the status of
1 32 African-Americans, the Iowa department of public
1 33 health, the chairperson of the board of parole, the
1 34 attorney general, the state public defender, and the
1 35 governor's office of drug control policy, ~~and the chief~~
~~1 36 justice of the supreme court~~ shall each designate a
1 37 person to serve on the council. ~~The person appointed~~
~~1 38 by the Iowa department of public health shall be from~~
~~1 39 the departmental staff who administer the comprehensive~~
~~1 40 substance abuse program under chapter 125.~~
1 41 c. The chief justice of the supreme court shall
1 42 ~~appoint two additional members currently serving~~
~~1 43 as district judges~~ designate one member who is a
1 44 district judge and one member who is either a district
1 45 associate judge or associate juvenile judge. ~~Two~~
~~1 46 members of the senate and two members of the house of~~
~~1 47 representatives shall be ex officio members and shall~~
~~1 48 be appointed by the majority and minority leaders~~
~~1 49 of the senate and the speaker and minority leader~~
~~1 50 of the house of representatives pursuant to section~~



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~~House Amendment 8611 continued~~

~~2 1 69.16 and shall serve terms as provided in section~~
~~2 2 69.16B. The chairperson and ranking member of the~~
~~2 3 senate committee on judiciary shall be members. In~~
~~2 4 alternating four-year intervals, the chairperson and~~
~~2 5 ranking member of the house committee on judiciary~~
~~2 6 or of the house committee on public safety shall be~~
~~2 7 members, with the chairperson and ranking member of the~~
~~2 8 house committee on public safety serving during the~~
~~2 9 initial interval. Nonlegislative members appointed~~
~~2 10 pursuant to this paragraph shall serve for four-year~~
~~2 11 terms beginning and ending as provided in section 69.19~~
~~2 12 unless the member ceases to serve as a district court~~
~~2 13 judge.~~
~~2 14 d. The Iowa county attorneys association shall~~
~~2 15 designate a person to serve on the council.~~
~~2 16 2. Members of the council shall receive~~
~~2 17 reimbursement from the state for actual and necessary~~
~~2 18 expenses incurred in the performance of their official~~
~~2 19 duties. Members may also be eligible to receive~~
~~2 20 compensation as provided in section 7E.6.>~~
~~2 21 #2. Page 3, after line 28 by inserting:~~
~~2 22 <Sec. ____ . APPOINTMENTS TO CRIMINAL AND JUVENILE~~
~~2 23 JUSTICE PLANNING ADVISORY COUNCIL. The applicable~~
~~2 24 provisions of chapter 69 shall apply to vacant~~
~~2 25 positions on the criminal and juvenile justice planning~~
~~2 26 advisory council occurring on or after July 1, 2010.>~~
~~2 27 #3. By renumbering as necessary.~~

SWAIM of Davis
 SF2252.2765 (2) 83
 jm/nh



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House Amendment 8612

PAG LIN

1 1 Amend House File 2531 as follows:
1 2 #1. Page 38, after line 1 by inserting:
1 3 <DIVISION ____
1 4 RENEWABLE FUELS AND COPRODUCTS
1 5 Sec. ____ . Section 159A.6, subsection 1, Code
1 6 Supplement 2009, is amended to read as follows:
1 7 1. The office shall support education regarding,
1 8 and promotion and advertising of, renewable fuels
1 9 and coproducts. The office shall consult with the
1 10 petroleum marketers and convenience stores of Iowa,
1 11 the Iowa corn growers association, and the Iowa soybean
1 12 association.>
1 13 #2. By renumbering as necessary.

S. OLSON of Clinton
HF2531.2781 (2) 83
da/nh



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House Amendment 8613

PAG LIN

1 1 Amend House File 2531 as follows:
 1 2 #1. Page 38, after line 1 by inserting:
 1 3 <DIVISION ____
 1 4 FIRE SUPPRESSION SYSTEMS
 1 5 Sec. _____. Section 100.35, Code 2009, is amended to
 1 6 read as follows:
 1 7 100.35 Rules of marshal.
 1 8 1. The fire marshal shall adopt, and may amend
 1 9 rules under chapter 17A, which include standards
 1 10 relating to exits and exit lights, fire escapes,
 1 11 fire protection, fire safety and the elimination of
 1 12 fire hazards, in and for churches, schools, hotels,
 1 13 theaters, amphitheaters, hospitals, health care
 1 14 facilities as defined in section 135C.1, boarding homes
 1 15 or housing, rest homes, dormitories, college buildings,
 1 16 lodge halls, club rooms, public meeting places, places
 1 17 of amusement, apartment buildings, food establishments
 1 18 as defined in section 137F.1, and all other buildings
 1 19 or structures in which persons congregate from time to
 1 20 time, whether publicly or privately owned. Violation
 1 21 of a rule adopted by the fire marshal is a simple
 1 22 misdemeanor. However, upon proof that the fire marshal
 1 23 gave written notice to the defendant of the violation,
 1 24 and proof that the violation constituted a clear and
 1 25 present danger to life, and proof that the defendant
 1 26 failed to eliminate the condition giving rise to the
 1 27 violation within thirty days after receipt of notice
 1 28 from the fire marshal, the penalty is that provided
 1 29 by law for a serious misdemeanor. Each day of the
 1 30 continuing violation of a rule after conviction of
 1 31 a violation of the rule is a separate offense. A
 1 32 conviction is subject to appeal as in other criminal
 1 33 cases.
 1 34 2. Rules by the fire marshal affecting the
 1 35 construction of new buildings, additions to buildings
 1 36 or rehabilitation of existing buildings and related to
 1 37 fire protection, shall be substantially in accord with
 1 38 the provisions of the nationally recognized building
 1 39 and related codes adopted as the state building code
 1 40 pursuant to section 103A.7 or with codes adopted by
 1 41 a local subdivision which are in substantial accord
 1 42 with the codes comprising the state building code. The
 1 43 rules adopted by the fire marshal shall not require
 1 44 the installation of fire sprinklers or a related
 1 45 fire suppression system in a one=family or two=family
 1 46 residential dwelling or a residential building that
 1 47 contains no more than four dwelling units.
 1 48 3. The rules adopted by the state fire marshal
 1 49 under this section shall provide standards for fire
 1 50 resistance of cellulose insulation sold or used in this



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2 1 state, whether for public or private use. The rules
2 2 shall provide for approval of the cellulose insulation
2 3 by at least one nationally recognized independent
2 4 testing laboratory.
2 5 Sec. _____. Section 103A.7, subsection 2, paragraph
2 6 d, Code Supplement 2009, is amended to read as follows:
2 7 d. Protection of the health, safety, and welfare
2 8 of occupants and users. The rules adopted by the
2 9 state building code commissioner shall not require
2 10 the installation of fire sprinklers or a related
2 11 fire suppression system in a one-family or two-family
2 12 residential dwelling or a residential building that
2 13 contains no more than four dwelling units.
2 14 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
2 15 of this Act, being deemed of immediate importance,
2 16 takes effect upon enactment.>
2 17 #2. By renumbering as necessary.

SODERBERG of Plymouth
HF2531.2784 (1) 83
tm/jp



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House Amendment 8614

PAG LIN

1 1 Amend the Senate amendment, H=8568, to House File
1 2 2526, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 3, lines 11 and 12, by striking <low-income
1 5 Iowans> and inserting <persons who are eligible for the
1 6 federal low-income home energy assistance program and
1 7 other low-income Iowans and of working with community
1 8 action programs and other partners>
1 9 #2. Page 7, after line 32 by inserting:
1 10 <____. Page 113, after line 17 by inserting:
1 11 <Sec. ____ NEW SECTION. 216A.105 Deliverable
1 12 fuels == mandatory delivery == penalties and remedies.
1 13 1. A deliverable fuel vendor engaged in the
1 14 business of providing deliverable fuel to customers in
1 15 this state shall not withhold the sale or delivery of
1 16 deliverable fuel to a customer from November 1 through
1 17 April 1 annually if either of the following apply:
1 18 a. The customer is certified as eligible for the
1 19 federal low-income home energy assistance program.
1 20 b. The customer is certified as eligible for the
1 21 federal low-income home energy assistance program, has
1 22 received the maximum amount of the annual assistance
1 23 pursuant to the program, and makes a prepaid cash
1 24 payment in an amount corresponding to the vendor's
1 25 stated cash price of that day for two hundred gallons
1 26 of deliverable fuel.
1 27 2. In the event that an unpaid balance is owed
1 28 by a customer who is certified as eligible for the
1 29 federal low-income home energy assistance program, the
1 30 division may offer assistance in facilitating a payment
1 31 arrangement.
1 32 3. a. A customer shall be responsible for the
1 33 reasonable cost of system safety checks conducted
1 34 by a deliverable fuel vendor, unless the customer
1 35 is certified as eligible for the federal low-income
1 36 home energy assistance program and the cost is paid
1 37 for with program funds. System safety check payments
1 38 shall be in addition to, and shall not reduce, the
1 39 cash payment otherwise available for deliverable fuel
1 40 sale or delivery pursuant to subsection 1, paragraph
1 41 "b". A deliverable fuel vendor of propane conducting a
1 42 system safety check shall inform customers certified
1 43 as eligible for the low-income home energy assistance
1 44 program of the existence of programs and projects
1 45 developed by the Iowa propane education and research
1 46 council to provide assistance to persons certified as
1 47 eligible for the program, if applicable based upon the
1 48 results of the safety check. A deliverable fuel vendor
1 49 shall not be required to make or complete a delivery
1 50 of deliverable fuel if a system safety check reveals



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2 1 mechanical problems or defects with the system which
2 2 constitute a safety hazard or concern.
2 3 b. A customer shall be responsible for the
2 4 reasonable cost of delivering the deliverable fuel to
2 5 the customer, as determined by the deliverable fuel
2 6 vendor, unless the customer is certified as eligible
2 7 for the federal low-income home energy assistance
2 8 program and the cost is paid for with program funds.
2 9 Delivery fees or charges shall be in addition to, and
2 10 shall not reduce, the cash payment otherwise available
2 11 for the deliverable fuel sale or delivery pursuant to
2 12 subsection 1, paragraph "b".
2 13 4. A violation of this section is an unlawful
2 14 practice pursuant to section 714.16.
2 15 5. For the purposes of this section, unless the
2 16 context otherwise requires:
2 17 a. "Customer" means an existing customer of a
2 18 deliverable fuel vendor or a prospective customer who
2 19 is certified as eligible for the federal low-income
2 20 home energy assistance program and submits an
2 21 application or otherwise applies for the purchase or
2 22 delivery of deliverable fuel from a deliverable fuel
2 23 vendor serving the general geographic area or vicinity
2 24 where the fuel will be delivered.
2 25 b. "Deliverable fuel" means propane or any other
2 26 heating fuel sold or delivered in this state for home
2 27 heating purposes, other than electricity or natural
2 28 gas sold by a public utility furnishing electricity or
2 29 natural gas to the public for consumption pursuant to
2 30 chapter 476.
2 31 c. "Deliverable fuel vendor" means a retail propane
2 32 marketer or a retail dispenser or marketer of a
2 33 deliverable fuel other than propane for home heating
2 34 purposes.
2 35 d. "Propane" and "retail propane marketer" mean the
2 36 same as defined in section 101C.2. >>
2 37 #3. By renumbering as necessary.

SMITH of Marshall
HF2526.2790 (2) 83
jp/pf



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House Amendment 8615

PAG LIN

1 1 Amend the Senate amendment, H=8568, to House File
1 2 2526, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 7, after line 32 by inserting:
1 5 <____. Page 113, after line 17 by inserting:
1 6 <Sec. ____ NEW SECTION. 135.30B Expressing breast
1 7 milk in the workplace.
1 8 1. For the purpose of this section, unless the
1 9 context otherwise requires:
1 10 a. "Employer" means a person engaged in a business
1 11 that has one or more employees and also includes the
1 12 state of Iowa, a department or agency thereof, and any
1 13 political subdivision of the state.
1 14 b. "Reasonable efforts" means any effort that would
1 15 not impose an undue hardship on the operation of the
1 16 employer's business.
1 17 c. "Undue hardship" means any action that requires
1 18 significant difficulty, compromises the safety of other
1 19 employees, requires temporary facility closure, or
1 20 results in expenditures exceeding five hundred dollars,
1 21 exclusive of the costs of additional labor or unpaid
1 22 leave costs.
1 23 2. a. An employer shall provide reasonable unpaid
1 24 break time or permit an employee to use paid break
1 25 time, meal time, or both, each day, to allow the
1 26 employee to express breast milk for the employee's
1 27 nursing child for up to two years after the child's
1 28 birth.
1 29 b. The employer shall make reasonable efforts
1 30 to provide a place, other than a toilet stall, which
1 31 is shielded from view and free from intrusion from
1 32 coworkers and the public, that may be used by an
1 33 employee to express breast milk in privacy.
1 34 c. The department of public health shall provide
1 35 on its internet site information and links to other
1 36 internet sites where employers can access information
1 37 regarding methods to accommodate employees who express
1 38 breast milk in the workplace. The department shall
1 39 consult with appropriate organizations or associations
1 40 to determine the appropriate information and internet
1 41 site links so as to provide employers with the most
1 42 accurate and useful information available.
1 43 d. (1) An employee shall provide notice to an
1 44 employer of the employee's need for time and a location
1 45 to express breast milk at least sixty days prior to the
1 46 anticipated date that the employee will give birth.
1 47 (2) If an employee gives birth more than sixty days
1 48 prior to the employee's anticipated date of delivery,
1 49 or the employee is hired while breast-feeding, the
1 50 employee shall notify the employer within a reasonable



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2 1 time about the employee's need for time and a location
2 2 to express breast milk.
2 3 e. (1) At least thirty days prior to the
2 4 anticipated date that the employee will give birth,
2 5 the employer and employee shall establish a written
2 6 agreement pursuant to the provisions of this
2 7 subsection. The agreement shall be signed by the
2 8 employer or the employer's designee and the employee
2 9 and shall be notarized by a third party, who may
2 10 be another employee of the employer. A copy of the
2 11 agreement shall be given to the employee and a copy
2 12 placed in the employee's personnel file.
2 13 (2) If an employee gives birth more than
2 14 thirty days prior to the employee's anticipated
2 15 date of delivery, or the employee is hired while
2 16 breast-feeding, the employer and employee shall
2 17 establish a written agreement pursuant to the
2 18 provisions of this subsection as soon as practicable.
2 19 The agreement shall be signed by the employer or
2 20 the employer's designee and the employee and shall
2 21 be notarized by a third party, who may be another
2 22 employee of the employer. A copy of the agreement
2 23 shall be given to the employee and a copy placed in the
2 24 employee's personnel file.
2 25 (3) If an employer and employee are unable to agree
2 26 on the amount of time, the location, or both for the
2 27 employee to express breast milk, the employee may file
2 28 a written or electronic complaint using a form provided
2 29 by the Iowa civil rights commission on its internet
2 30 site.
2 31 3. A person who knowingly violates any provision
2 32 of this section, the rules adopted to implement this
2 33 section, or a lawful order, written or oral, of the
2 34 department or authorized agents of the department,
2 35 commits a simple misdemeanor.>
2 36 _____. Title page, line 3, after <appropriations> by
2 37 inserting: <providing a penalty,>>

L. MILLER of Scott
HF2526.2803 (2) 83
jp/sc



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House Amendment 8616

PAG LIN

1 1 Amend the Senate amendment, H=8568, to House File
1 2 2526, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 3, by striking lines 33 and 34.
1 5 #2. Page 3, line 35, by striking <(c)> and inserting
1 6 <(b)>

HEATON of Henry
HF2526.2799 (3) 83
pf/jp



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House Amendment 8617

PAG LIN

1 1 Amend the amendment, H=8572, to Senate File 2265,
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, line 4, by striking <shall consider
1 6 and may> and inserting <may consider and>
1 7 #2. Page 1, after line 25 by inserting:
1 8 <___. Page 3, line 17, by striking <shall> and
1 9 inserting <may>>
1 10 #3. Page 1, after line 36 by inserting:
1 11 <___. Page 7, line 30, by striking <shall> and
1 12 inserting <may>
1 13 ___. Page 9, line 3, by striking <shall> and
1 14 inserting <may>
1 15 ___. Page 9, line 31, by striking <shall> and
1 16 inserting <may>
1 17 ___. Page 11, line 30, by striking <shall> and
1 18 inserting <may>>

GRASSLEY of Butler
H8572.2782 (1) 83
md/sc



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House Amendment 8618

PAG LIN

1 1 Amend the Senate amendment, H=8539, to House File
1 2 2525, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 2, line 1, after <266.39> by inserting <,
1 5 in consultation with the Iowa cooperative extension
1 6 service in agriculture and home economics as provided
1 7 in chapter 266, at Iowa state university of science and
1 8 technology>
1 9 #2. Page 2, line 7, after <agriculture> by inserting
1 10 <, in consultation with the Iowa cooperative extension
1 11 service in agriculture and home economics,>
1 12 #3. By renumbering as necessary.

BAILEY of Hamilton
HF2525.2797 (1) 83
da/jp



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House Amendment 8619

PAG LIN

1 1 Amend House File 2528 as follows:

1 2 #1. By striking everything after the enacting clause
1 3 and inserting:

1 4 <Section 1. Section 80A.13, Code 2009, is amended
1 5 to read as follows:

1 6 80A.13 Campus weapon requirements.

1 7 An individual employed by a college or university,
1 8 or by a private security business holding a contract
1 9 with a college or university, who performs private
1 10 security duties on a college or university campus and
1 11 who carries a weapon while performing these duties
1 12 shall ~~meet all of the following requirements:~~

1 13 1. ~~File with the sheriff of the county in which
1 14 the campus is located evidence that the individual has
1 15 successfully completed an approved firearms training
1 16 program under section 724.9. This requirement does not
1 17 apply to armored car personnel.~~

1 18 2. ~~Possess a permit to carry weapons issued by the
1 19 sheriff of the county in which the campus is located
1 20 under sections 724.6 through 724.11. This requirement
1 21 does not apply to armored car personnel.~~

1 22 3. File file with the sheriff of the county in
1 23 which the campus is located a sworn affidavit from
1 24 the employer outlining the nature of the duties to be
1 25 performed and justification of the need to go armed.

1 26 Sec. 2. Section 724.4, Code 2009, is amended to
1 27 read as follows:

1 28 724.4 Carrying weapons.

1 29 1. Except as otherwise provided in this section, a
1 30 person who goes armed with a dangerous weapon ~~concealed~~
1 31 ~~on or about the person, or who, within the limits of~~
1 32 ~~any city, goes armed with a pistol or revolver, or~~
1 33 ~~any loaded firearm of any kind, whether concealed~~
1 34 ~~or not, or who knowingly carries or transports in a~~
1 35 ~~vehicle a pistol or revolver, commits an aggravated~~
1 36 ~~misdemeanor with the intent to commit a crime of~~
1 37 violence commits a class "D" felony. This subsection
1 38 applies regardless of whether the dangerous weapon
1 39 is concealed or not concealed on or about the person
1 40 and regardless of whether the dangerous weapon is
1 41 transported in a vehicle. For purposes of this
1 42 subsection, "crime of violence" means a felony which
1 43 has, as an element of the offense, the use of physical
1 44 force by one person against another person.

1 45 2. A person who goes armed with a knife concealed
1 46 on or about the person, if the person uses the knife
1 47 in the commission of a crime, commits an aggravated
1 48 misdemeanor.

1 49 3. A person who goes armed with a knife concealed
1 50 on or about the person, if the person does not use the



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2 1 knife in the commission of a crime:

2 2 a. If the knife has a blade exceeding eight inches
2 3 in length, commits an aggravated misdemeanor.

2 4 b. If the knife has a blade exceeding five inches
2 5 but not exceeding eight inches in length, commits a
2 6 serious misdemeanor.

2 7 4. Subsections 1 through 3 do not apply to any of
2 8 the following:

2 9 a. A person who for any lawful purpose goes armed
2 10 with a dangerous weapon in the person's own dwelling
2 11 or place of business, or on land owned or possessed by
2 12 the person.

2 13 b. A peace officer, when the officer's duties
2 14 require the person to carry such weapons.

~~2 15 e. A member of the armed forces of the United
2 16 States or of the national guard or person in the
2 17 service of the United States, when the weapons are
2 18 carried in connection with the person's duties as such.~~

~~2 19 d. A correctional officer, when the officer's
2 20 duties require, serving under the authority of the Iowa
2 21 department of corrections.~~

2 22 e. c. A person who for any lawful purpose carries
2 23 an unloaded pistol, revolver, or other dangerous weapon
2 24 inside a closed and fastened container or securely
2 25 wrapped package which is too large to be concealed on
2 26 the person.

~~2 27 f. A person who for any lawful purpose carries or
2 28 transports an unloaded pistol or revolver in a vehicle
2 29 inside a closed and fastened container or securely
2 30 wrapped package which is too large to be concealed on
2 31 the person or inside a cargo or luggage compartment
2 32 where the pistol or revolver will not be readily
2 33 accessible to any person riding in the vehicle or
2 34 common carrier.~~

~~2 35 g. A person while the person is lawfully engaged in
2 36 target practice on a range designed for that purpose or
2 37 while actually engaged in lawful hunting.~~

2 38 h. d. A person who carries a knife used in hunting
2 39 or fishing, while actually engaged in lawful hunting
2 40 or fishing.

~~2 41 i. A person who has in the person's possession
2 42 and who displays to a peace officer on demand a valid
2 43 permit to carry weapons which has been issued to the
2 44 person, and whose conduct is within the limits of that
2 45 permit. A person shall not be convicted of a violation
2 46 of this section if the person produces at the person's
2 47 trial a permit to carry weapons which was valid at
2 48 the time of the alleged offense and which would have
2 49 brought the person's conduct within this exception if
2 50 the permit had been produced at the time of the alleged~~



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~~House Amendment 8619 continued~~

~~3 1 offense.~~
3 2 ~~j.~~ e. A law enforcement officer from another state
3 3 when the officer's duties require the officer to carry
3 4 the weapon and the officer is in this state for any of
3 5 the following reasons:
3 6 (1) The extradition or other lawful removal of a
3 7 prisoner from this state.
3 8 (2) Pursuit of a suspect in compliance with chapter
3 9 806.
3 10 (3) Activities in the capacity of a law enforcement
3 11 officer with the knowledge and consent of the chief
3 12 of police of the city or the sheriff of the county in
3 13 which the activities occur or of the commissioner of
3 14 public safety.
3 15 ~~k.~~ f. A person engaged in the business of
3 16 transporting prisoners under a contract with the
3 17 Iowa department of corrections or a county sheriff,
3 18 a similar agency from another state, or the federal
3 19 government.
3 20 Sec. 3. Section 724.4B, subsection 2, paragraph a,
3 21 Code 2009, is amended to read as follows:
3 22 a. A person listed under section 724.4, subsection
3 23 4, ~~paragraphs~~ paragraph "b" ~~through "f", "c", or~~
3 24 ~~"j" "e".~~
3 25 Sec. 4. Section 724.6, subsection 1, Code
3 26 Supplement 2009, is amended to read as follows:
3 27 1. A person ~~may be issued a permit to carry weapons~~
~~3 28 when the person's employment who is employed in a~~
3 29 private investigation business or private security
3 30 business licensed under chapter 80A, ~~or a person's~~
~~3 31 employment~~ as a peace officer, correctional officer,
3 32 security guard, bank messenger or other person
3 33 transporting property of a value requiring security, or
3 34 in police work, whose employment reasonably justifies
3 35 that person going armed, shall be issued a professional
3 36 permit to carry weapons if the person applies for
3 37 the permit and meets the requirements of sections
3 38 724.8 through 724.10. The permit shall be on a form
3 39 prescribed and published by the commissioner of public
3 40 safety, shall identify the holder, and shall state
3 41 the nature of the employment requiring the holder to
3 42 go armed. A permit so issued, other than to a peace
3 43 officer, shall authorize the person to whom it is
3 44 issued to go armed anywhere in the state, ~~only~~ while
3 45 engaged in the employment, and while going to and from
3 46 the place of the employment. A permit issued to a
3 47 certified peace officer shall authorize that peace
3 48 officer to go armed anywhere in the state at all times.
3 49 Permits shall expire ~~twelve months~~ five years after the
3 50 date when issued except that permits issued to peace



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4 1 officers and correctional officers are valid through
4 2 the officer's period of employment unless otherwise
4 3 canceled. When the employment is terminated, the
4 4 holder of the permit shall surrender it to the issuing
4 5 officer for cancellation.
4 6 Sec. 5. Section 724.7, Code 2009, is amended to
4 7 read as follows:
4 8 724.7 Nonprofessional permit to carry weapons.
4 9 ~~Any person who can reasonably justify going armed~~
~~4 10 may not otherwise prohibited from possessing or~~
~~4 11 transporting a firearm and who meets the requirements~~
4 12 in sections 724.8 through 724.10 shall be issued a
4 13 nonprofessional permit to carry weapons if the person
4 14 applies for such permit. Such permits shall be on a
4 15 form prescribed and published by the commissioner of
4 16 public safety, which shall be readily distinguishable
4 17 from the professional permit, and shall identify the
4 18 holder thereof, and state the reason for the issuance
4 19 of the permit, and the limits of the authority granted
~~4 20 by such permit. All permits so issued shall be for a~~
4 21 definite five-year period as established by the issuing
~~4 22 officer, but in no event shall exceed a period of~~
~~4 23 twelve months.~~
4 24 Sec. 6. Section 724.8, subsection 5, Code 2009, is
4 25 amended to read as follows:
4 26 5. ~~The issuing officer reasonably determines that~~
~~4 27 the applicant does not constitute a danger to any~~
~~4 28 person person is not otherwise prohibited by state or~~
4 29 federal law from possessing or transporting a firearm.
4 30 Sec. 7. Section 724.9, Code 2009, is amended to
4 31 read as follows:
4 32 724.9 Firearm training program.
4 33 A training program to qualify persons in the safe
4 34 use of firearms shall be provided by the issuing
4 35 officer of permits, as provided in section 724.11.
4 36 ~~The commissioner of public safety shall approve~~
~~4 37 the training program, and the county sheriff or~~
4 38 the commissioner of public safety conducting the
4 39 training program within their respective jurisdictions
4 40 may shall contract with a private organization or
~~4 41 use the services of other agencies, or may use a~~
~~4 42 combination of the two, to provide such training a~~
4 43 private individual or a professional organization who
4 44 shall conduct the training consistent with training
4 45 standards set forth by the national rifle association.
4 46 Any person eligible to be issued a permit to carry
4 47 weapons may enroll in such course. A fee sufficient
4 48 to cover the cost of the program may be charged each
4 49 person attending. Certificates of completion, on a
4 50 form prescribed and published by the commissioner



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5 1 of public safety, shall be issued to each person who
5 2 successfully completes the program. ~~No~~ A person shall
5 3 not be issued either a professional or nonprofessional
5 4 permit unless the person has received a certificate of
5 5 completion or is a certified peace officer. ~~No peace~~
~~5 6 officer or correctional officer, except a certified~~
~~5 7 peace officer, shall go armed with a pistol or revolver~~
~~5 8 unless the officer has received a certificate of~~
~~5 9 completion, provided that this requirement shall not~~
~~5 10 apply to persons who are employed in this state as~~
~~5 11 peace officers on January 1, 1978 until July 1, 1978,~~
~~5 12 or to peace officers of other jurisdictions exercising~~
~~5 13 their legal duties within this state.~~
5 14 Sec. 8. Section 724.11, Code 2009, is amended to
5 15 read as follows:
5 16 724.11 Issuance of permit to carry weapons.
5 17 ~~Applications for permits~~ An application for a
5 18 permit to carry weapons, if made, shall be made to the
5 19 sheriff of the county in which the applicant resides.
5 20 Applications from persons who are nonresidents of
5 21 the state, or whose need to go armed arises out
5 22 of employment by the state, shall be made to the
5 23 commissioner of public safety. In either case,
5 24 the issuance of the permit shall be by ~~and at the~~
~~5 25 discretion of the sheriff or commissioner, who~~
5 26 shall, before issuing the permit, determine that the
5 27 requirements of sections ~~724.6 to 724.8~~ through 724.10
5 28 have been satisfied and the person is not otherwise
5 29 prohibited by state or federal law from possessing or
~~5 30 transporting a firearm. However, the training program~~
~~5 31 requirements in section 724.9 may be waived for renewal~~
~~5 32 permits.~~ The issuing officer shall collect a fee
5 33 of ~~ten~~ fifty dollars, except from a duly appointed
5 34 peace officer or correctional officer, for each permit
5 35 issued. Renewal permits or duplicate permits shall be
5 36 issued for a fee of five dollars. The issuing officer
5 37 shall notify the commissioner of public safety of the
5 38 issuance of any permit at least monthly and forward to
5 39 the commissioner an amount equal to two dollars for
5 40 each permit issued and one dollar for each renewal
5 41 or duplicate permit issued. All such fees received
5 42 by the commissioner shall be paid to the treasurer
5 43 of state and deposited in the operating account of
5 44 the department of public safety to offset the cost of
5 45 administering this chapter. Any unspent balance as of
5 46 June 30 of each year shall revert to the general fund
5 47 as provided by section 8.33.
5 48 Sec. 9. NEW SECTION. 724.11A Reciprocity.
5 49 A person possessing a valid out-of-state permit to
5 50 carry a weapon shall be entitled to the privileges and



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6 1 subject to the restrictions prescribed by this chapter
6 2 provided the state that issued the license recognizes
6 3 weapons permits issued in Iowa and provided the person
6 4 possessing such permit is not otherwise prohibited from
6 5 possessing a firearm.
6 6 Sec. 10. REPEAL. Section 724.5, Code 2009, is
6 7 repealed.>
6 8 #2. Title page, by striking lines 1 through 5 and
6 9 inserting <An Act relating to the carrying of weapons.>

ROBERTS of Carroll
HF2528.2796 (2) 83
rh/nh



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House Amendment 8620

PAG LIN

1 1 Amend the amendment, H=8559, to Senate File 2356,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, after line 50 by inserting:
1 5 <DIVISION ____
1 6 LEGISLATIVE HEALTH CARE COVERAGE COMMISSION
1 7 Sec. _____. 2009 Iowa Acts, chapter 118, section 1,
1 8 is amended by adding the following new subsection:
1 9 NEW SUBSECTION. 6A. The commission shall also
1 10 complete an annual review of the cost of health
1 11 insurance mandates currently imposed on health
1 12 insurance regulated by the state and provide
1 13 projections of the cost of any mandates that the
1 14 commission determines may be considered by the general
1 15 assembly during the upcoming legislative session. The
1 16 review and projections shall be included in the annual
1 17 reports provided by the commission to the general
1 18 assembly pursuant to this section.
1 19 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
1 20 of this Act, being deemed of immediate importance,
1 21 takes effect upon enactment.>
1 22 _____. Title page, line 4, after <exchange> by
1 23 inserting <and including effective date provisions>>
1 24 #2. By renumbering as necessary.

SMITH of Marshall
H8559.2814 (2) 83
av/rj



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House Amendment 8621

PAG LIN

1 1 Amend House amendment, S=5309, to Senate File 2376,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:

1 4 #1. By striking page 2, line 29, through page 4,
1 5 line 16.

1 6 #2. Page 4, by striking lines 17 through 21.

1 7 #3. Page 4, after line 43 by inserting:

1 8 <___. Page 20, after line 15 by inserting:

1 9 <Sec. ___. Section 256I.7, subsection 1, paragraph
1 10 a, as enacted by 2010 Iowa Acts, Senate File 2088,
1 11 section 284, is amended to read as follows:

1 12 a. The early childhood Iowa functions for an area
1 13 shall be performed under the authority of an early
1 14 childhood Iowa area board. The members of an area
1 15 board shall be elected officials or members of the
1 16 public who are not employed by a provider of services
1 17 to or for the area board. In addition, the membership
1 18 of an area board shall include representation from
1 19 early care, education, health, human services,
1 20 business, and faith interests, and at least one parent,
1 21 grandparent, or guardian of a child from zero through
1 22 age five. ~~The education, health, and human services~~
~~1 23 agencies represented on an area board may receive~~
~~1 24 funding from the area board.~~

1 25 Sec. ___. Section 256I.11, subsection 4, paragraph
1 26 d, as enacted by 2010 Iowa Acts, Senate File 2088,
1 27 section 288, is amended to read as follows:

1 28 d. The moneys distributed from the early childhood
1 29 programs grant account shall be used by early childhood
1 30 Iowa areas for the purposes of enhancing quality
1 31 child care capacity in support of parent capability
1 32 to obtain or retain employment. The moneys shall be
1 33 used with a primary emphasis on low-income families
1 34 and children from zero to age five. Moneys shall be
1 35 provided in a flexible manner and shall be used to
1 36 implement strategies identified by the early childhood
1 37 Iowa area to achieve such purposes. The department
1 38 of ~~management~~ human services may use a portion of the
1 39 funding appropriated to the department under this
1 40 subsection for provision of technical assistance
1 41 and other support to the early childhood Iowa areas
1 42 developing and implementing strategies with grant
1 43 moneys distributed from the account. >>

1 44 #4. Page 4, after line 43 by inserting:

1 45 <___. Page 22, after line 29 by inserting:

1 46 <Sec. ___. Section 261.25, Code Supplement 2009, is
1 47 amended by adding the following new subsection:

1 48 NEW SUBSECTION. 6. In the case of a qualified
1 49 student who was enrolled in an accredited private
1 50 institution that was exempt from taxation under section



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2 1 501(c) of the Internal Revenue Code and that was
2 2 purchased by a for-profit institution effective January
2 3 8, 2010, and such qualified student continues to be
2 4 enrolled in the eligible institution in succeeding
2 5 years, the student shall continue to be eligible to
2 6 receive funds under subsection 1 without a change in
2 7 the student's qualification status. >>
2 8 #5. Page 4, after line 43 by inserting:
2 9 <____. Page 29, after line 12 by inserting:
2 10 <Sec. _____. Section 284A.2, subsection 2, Code
2 11 Supplement 2009, is amended to read as follows:
2 12 2. "Beginning administrator" means an individual
2 13 serving under an ~~initial~~ administrator license, issued
2 14 by the board of educational examiners under chapter
2 15 272, who is assuming a position as a school district
2 16 ~~administrator~~ principal or superintendent for the first
2 17 time.
2 18 Sec. _____. Section 284A.5, subsections 3 and 5, Code
2 19 2009, are amended to read as follows:
2 20 3. Each school board shall establish an
2 21 administrator mentoring program for all beginning
2 22 administrators. The school board may adopt the
2 23 model program developed by the department pursuant
2 24 to subsection 2. Each school board's beginning
2 25 administrator mentoring and induction program shall,
2 26 at a minimum, provide for one year of programming to
2 27 support the Iowa standards for school administrators
2 28 adopted pursuant to section 256.7, subsection 27, and
2 29 beginning administrators' professional and personal
2 30 needs. Each school board shall develop ~~an initial~~ and
2 31 implement a beginning administrator mentoring and
2 32 induction plan. The plan shall describe the mentor
2 33 selection process, describe supports for beginning
2 34 administrators, describe program organizational and
2 35 collaborative structures, provide a budget, provide
2 36 for sustainability of the program, and provide for
2 37 program evaluation. The school board employing an
2 38 administrator shall determine the conditions and
2 39 requirements of an administrator participating in a
2 40 program established pursuant to this section. A school
2 41 board shall include its plan in the school district's
2 42 comprehensive school improvement plan submitted
2 43 pursuant to section 256.7, subsection 21.
2 44 5. By the end of a beginning administrator's
2 45 first year of employment, the beginning administrator
2 46 may be comprehensively evaluated to determine if
2 47 the administrator meets expectations to move to a
2 48 ~~standard~~ professional administrator license, where
2 49 appropriate. The school district or area education
2 50 agency that employs a beginning administrator



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3 1 shall recommend the beginning administrator for a
3 2 ~~standard~~ professional administrator license, where
3 3 appropriate, if the beginning administrator is
3 4 determined through a comprehensive evaluation to
3 5 demonstrate competence in the Iowa standards for school
3 6 administrators adopted pursuant to section 256.7,
3 7 subsection 27. A school district or area education
3 8 agency may allow a beginning administrator a second
3 9 year to demonstrate competence in the Iowa standards
3 10 for school administrators if, after conducting a
3 11 comprehensive evaluation, the school district or area
3 12 education agency determines that the administrator
3 13 is likely to successfully demonstrate competence in
3 14 the Iowa standards for school administrators by the
3 15 end of the second year. Upon notification by the
3 16 school district or area education agency, the board
3 17 of educational examiners shall grant a beginning
3 18 administrator who has been allowed a second year
3 19 to demonstrate competence a one-year extension of
3 20 the beginning administrator's initial license. An
3 21 administrator granted a second year to demonstrate
3 22 competence shall undergo a comprehensive evaluation at
3 23 the end of the second year.

3 24 Sec. _____. Section 284A.6, subsection 2, Code 2009,
3 25 is amended to read as follows:

3 26 2. In cooperation with the administrator's
3 27 evaluator, the administrator who has a ~~standard~~
3 28 ~~administrator's~~ professional administrator license
3 29 issued by the board of educational examiners pursuant
3 30 to chapter 272 and is employed by a school district
3 31 or area education agency in a school district
3 32 administrative position, shall develop an individual
3 33 administrator professional development plan. The
3 34 purpose of the plan is to promote individual and group
3 35 professional development. The individual plan shall be
3 36 based, at a minimum, on the needs of the administrator,
3 37 the Iowa standards for school administrators adopted
3 38 pursuant to section 256.7, subsection 27, and the
3 39 student achievement goals of the attendance center and
3 40 the school district as outlined in the comprehensive
3 41 school improvement plan.

3 42 Sec. _____. Section 284A.7, Code 2009, is amended to
3 43 read as follows:

3 44 284A.7 Evaluation requirements for administrators.
3 45 A school district shall conduct an evaluation of
3 46 an administrator who holds a ~~standard~~ professional
3 47 administrator license issued under chapter 272 at
3 48 least once every three years for purposes of assisting
3 49 the administrator in making continuous improvement,
3 50 documenting continued competence in the Iowa standards



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4 1 for school administrators adopted pursuant to section
4 2 256.7, subsection 27, or to determine whether the
4 3 administrator's practice meets school district
4 4 expectations. The review shall include, at a minimum,
4 5 an assessment of the administrator's competence in
4 6 meeting the Iowa standards for school administrators
4 7 and the goals of the administrator's individual
4 8 professional development plan, including supporting
4 9 documentation or artifacts aligned to the Iowa
4 10 standards for school administrators and the individual
4 11 administrator's professional development plan.

4 12 Sec. _____. Section 284A.8, Code Supplement 2009, is
4 13 amended to read as follows:

4 14 284A.8 Beginning administrator mentoring and
4 15 induction program == program funds.

4 16 1. To the extent moneys are available, a school
4 17 district shall receive one thousand five hundred
4 18 dollars per beginning administrator participating in
4 19 the program. ~~If the funds appropriated for the program
4 20 are insufficient to pay mentors and school districts as
4 21 provided in this section, the department shall prorate
4 22 the amount distributed to school districts based upon
4 23 the amount appropriated.~~ Moneys received by a school
4 24 district pursuant to this section shall be expended
4 25 to provide each mentor with an award of five hundred
4 26 dollars per semester, at a minimum, for participation
4 27 in the school district's beginning administrator
4 28 mentoring and induction program; to implement the plan;
4 29 and to pay any applicable costs of the employer's share
4 30 of contributions to federal social security and the
4 31 Iowa public employees' retirement system or a pension
4 32 and annuity retirement system established under chapter
4 33 294, for such amounts paid by the district.

4 34 2. If the funds appropriated for the program are
4 35 insufficient to pay mentors and school districts as
4 36 provided in this section, the department shall prorate
4 37 the amount distributed to school districts based upon
4 38 the amount appropriated. A school district shall give
4 39 priority to fully funding the obligation to principal
4 40 mentors. Remaining moneys, if any, shall first be
4 41 used to fund superintendent mentors and then to fund
4 42 other program costs and applicable costs described in
4 43 subsection 1. >>

4 44 #6. Page 4, after line 50 by inserting:

4 45 <____. Page 31, after line 8 by inserting:

4 46 <Sec. _____. NONPROFIT ORGANIZATIONS == OPEN

4 47 MEETINGS AND OPEN RECORDS INTERIM STUDY COMMITTEE. The
4 48 legislative council is requested to establish an
4 49 interim study committee to study the inclusion under
4 50 the open meetings and open records laws of nonprofit



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5 1 organizations that are supported in whole or in part
5 2 with public funds or revenues derived from public fees,
5 3 that were established by, or are operated by, governing
5 4 boards whose memberships were or are substantially
5 5 comprised of state or local elected officials or
5 6 appointees of governmental bodies. The interim study
5 7 committee shall report its findings and recommendations
5 8 to the general assembly not later than December 15,
5 9 2010. >>
5 10 #7. Page 5, by striking lines 1 through 4.
5 11 #8. Page 5, before line 5 by inserting:
5 12 <____. Page 31, after line 21 by inserting:
5 13 <____. The section of this Act enacting section
5 14 261.25, subsection 6, being deemed of immediate
5 15 importance, takes effect upon enactment. >>
5 16 #9. Page 5, line 6, by striking <changes to> and
5 17 inserting <a study of>
5 18 #10. By renumbering as necessary.
S5309.2818.S (2) 83
jh



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House Amendment 8622

PAG LIN

1 1 Amend the Senate amendment, H=8568, to House File
1 2 2526, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 4, line 23, by striking <16,602,271> and
1 5 inserting <16,102,271>
1 6 #2. Page 4, by striking lines 25 through 34.
1 7 #3. By renumbering as necessary.

SCHULTE of Linn

HEATON of Henry

L. MILLER of Scott

RAYHONS of Hancock

UPMEYER of Hancock

ALONS of Sioux

ANDERSON of Page

ARNOLD of Lucas

BAUDLER of Adair

CHAMBERS of O'Brien

COWNIE of Polk



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DE BOEF of Keokuk

DEYOE of Story

DOLECHECK of Ringgold

DRAKE of Cass

FORRISTALL of Pottawattamie

GRASSLEY of Butler

HAGENOW of Polk

HELLAND of Polk

HUSEMAN of Cherokee

KAUFMANN of Cedar

KOESTER of Polk

LUKAN of Dubuque

MAY of Dickinson

S. OLSON of Clinton

PAULSEN of Linn



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RAECKER of Polk

ROBERTS of Carroll

SANDS of Louisa

SCHULTZ of Crawford

SODERBERG of Plymouth

SORENSEN of Warren

STRUYK of Pottawattamie

SWEENEY of Hardin

TJEPKES of Webster

TYMESON of Madison

VAN ENGELENHOVEN of Marion

WAGNER of Linn

WATTS of Dallas

WINDSCHITL of Harrison



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WORTHAN of Buena Vista
HF2526.2755 (2) 83
pf/jp



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House Amendment 8623

PAG LIN

1 1 Amend Senate File 2356, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 13, after line 5 by inserting:
 1 4 <DIVISION ____
 1 5 CHOICE OF HEALTH CARE
 1 6 Sec. ____ . NEW SECTION. 1.19 Right to choose health
 1 7 care.
 1 8 No law shall restrict a person's natural right and
 1 9 power to secure the blessings of liberty to choose
 1 10 private health care systems or private health care
 1 11 plans. No law shall interfere with the right of a
 1 12 person or entity to pay for lawful medical services
 1 13 to preserve life or health, and no law shall impose a
 1 14 penalty, tax, fee, or fine, of any type, for declining
 1 15 or failing to contract for health care coverage or for
 1 16 declining or failing to participate in any particular
 1 17 health care system or plan, except as required by a
 1 18 court of law where an individual or entity is a named
 1 19 party in a legal dispute. Nothing in this section
 1 20 shall be construed to expand, limit, or otherwise
 1 21 modify any determination of law regarding what
 1 22 constitutes lawful medical services within the state
 1 23 of Iowa.>
 1 24 #2. Title page, line 4, after <exchange> by
 1 25 inserting <, and relating to the right to choose health
 1 26 care>
 1 27 #3. By renumbering as necessary.

ROBERTS of Carroll

SORENSEN of Warren

ALONS of Sioux

ANDERSON of Page

ARNOLD of Lucas

BAUDLER of Adair



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COWNIE of Polk

DE BOEF of Keokuk

DEYOE of Story

DOLECHECK of Ringgold

DRAKE of Cass

FORRISTALL of Pottawattamie

GRASSLEY of Butler

HAGENOW of Polk

HEATON of Henry

HELLAND of Polk

HUSEMAN of Cherokee

KAUFMANN of Cedar

KOESTER of Polk

LUKAN of Dubuque



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L. MILLER of Scott

S. OLSON of Clinton

PAULSEN of Linn

PETTENGILL of Benton

RAECKER of Polk

RANTS of Woodbury

RAYHONS of Hancock

SANDS of Louisa

SCHULTE of Linn

SCHULTZ of Crawford

SODERBERG of Plymouth

STRUYK of Pottawattamie

SWEENEY of Hardin

TJEPKES of Webster



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UPMEYER of Hancock

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WAGNER of Linn

WATTS of Dallas

WINDSCHITL of Harrison

WORTHAN of Buena Vista
SF2356.2696 (3) 83
pf/nh



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House Amendment 8624

PAG LIN

1 1 Amend House Resolution 50 as follows:
1 2 #1. Page 1, line 26, by striking <\$5,915,450> and
1 3 inserting <\$5,866,500>
1 4 #2. Page 1, line 27, by striking <\$4,790,000> and
1 5 inserting <\$4,111,000>
1 6 #3. Page 1, line 28, by striking <\$429,715> and
1 7 inserting <\$324,500>
1 8 #4. Page 1, before line 29 by inserting:
1 9 <Sec. 1A. Expenditures of the House of
1 10 Representatives payable pursuant to Iowa Code sections
1 11 2.10 through 2.14 for the regular legislative session
1 12 and the interim period during the fiscal year beginning
1 13 July 1, 2010, and ending June 30, 2011, are budgeted
1 14 to be as follows:
1 15 1. Members' salary, per diem, and expenses,
1 16 \$5,866,500
1 17 2. Staff compensation, \$4,111,000
1 18 3. Operations expenses, \$324,500>
1 19 #5. Page 2, line 6, after <section 1> by inserting
1 20 <or section 1A>
1 21 #6. By renumbering as necessary.

WESSEL=KROESCHELL of Story
LSB 9007XD.2819 (3) 83
sc/rj



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House Amendment 8625

PAG LIN

1 1 Amend Senate File 2201, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 11, after line 9, by inserting:
1 4 <Sec. _____. NEW SECTION. 514C.26 Mental illness and
1 5 substance abuse treatment coverage for veterans.
1 6 1. Notwithstanding the uniformity of treatment
1 7 requirements of section 514C.6, a group policy
1 8 or contract providing for third-party payment or
1 9 prepayment of health or medical expenses issued by
1 10 a carrier, as defined in section 513B.2, or by an
1 11 organized delivery system authorized under 1993 Iowa
1 12 Acts, chapter 158, shall provide coverage benefits to
1 13 an insured who is a veteran for treatment of mental
1 14 illness and substance abuse if either of the following
1 15 is satisfied:
1 16 a. The policy or contract is issued to an employer
1 17 who on at least fifty percent of the employer's working
1 18 days during the preceding calendar year employed
1 19 more than fifty full-time equivalent employees.
1 20 In determining the number of full-time equivalent
1 21 employees of an employer, employers who are affiliated
1 22 or who are able to file a consolidated tax return for
1 23 purposes of state taxation shall be considered one
1 24 employer.
1 25 b. The policy or contract is issued to a small
1 26 employer as defined in section 513B.2, and such
1 27 policy or contract provides coverage benefits for the
1 28 treatment of mental illness and substance abuse.
1 29 2. Notwithstanding the uniformity of treatment
1 30 requirements of section 514C.6, a plan established
1 31 pursuant to chapter 509A for public employees shall
1 32 provide coverage benefits to an insured who is a
1 33 veteran for treatment of mental illness and substance
1 34 abuse as defined in subsection 3.
1 35 3. For purposes of this section:
1 36 a. "Mental illness" means mental disorders as
1 37 defined by the commissioner by rule.
1 38 b. "Substance abuse" means a pattern of pathological
1 39 use of alcohol or a drug that causes impairment in
1 40 social or occupational functioning, or that produces
1 41 physiological dependency evidenced by physical
1 42 tolerance or by physical symptoms when the alcohol or
1 43 drug is withdrawn.
1 44 c. "Veteran" means the same as defined in section
1 45 35.1.
1 46 4. The commissioner, by rule, shall define "mental
1 47 illness" consistent with definitions provided in
1 48 the most recent edition of the American psychiatric
1 49 association's diagnostic and statistical manual of
1 50 mental disorders, as the definitions may be amended



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2 1 from time to time. The commissioner may adopt the
2 2 definitions provided in such manual by reference.
2 3 5. This section shall not apply to accident only,
2 4 specified disease, short-term hospital or medical,
2 5 hospital confinement indemnity, credit, dental, vision,
2 6 Medicare supplement, long-term care, basic hospital
2 7 and medical-surgical expense coverage as defined
2 8 by the commissioner, disability income insurance
2 9 coverage, coverage issued as a supplement to liability
2 10 insurance, workers' compensation or similar insurance,
2 11 or automobile medical payment insurance, or individual
2 12 accident and sickness policies issued to individuals or
2 13 to individual members of a member association.
2 14 6. A carrier, organized delivery system, or plan
2 15 established pursuant to chapter 509A may manage the
2 16 benefits provided through common methods including
2 17 but not limited to providing payment of benefits
2 18 or providing care and treatment under a capitated
2 19 payment system, prospective reimbursement rate system,
2 20 utilization control system, incentive system for the
2 21 use of least restrictive and least costly levels of
2 22 care, a preferred provider contract limiting choice of
2 23 specific providers, or any other system, method, or
2 24 organization designed to assure services are medically
2 25 necessary and clinically appropriate.
2 26 7. a. A group policy or contract or plan covered
2 27 under this section shall not impose an aggregate annual
2 28 or lifetime limit on mental illness or substance abuse
2 29 coverage benefits unless the policy or contract or
2 30 plan imposes an aggregate annual or lifetime limit
2 31 on substantially all medical and surgical coverage
2 32 benefits.
2 33 b. A group policy or contract or plan covered
2 34 under this section that imposes an aggregate annual
2 35 or lifetime limit on substantially all medical
2 36 and surgical coverage benefits shall not impose an
2 37 aggregate annual or lifetime limit on mental illness
2 38 or substance abuse coverage benefits which is less
2 39 than the aggregate annual or lifetime limit imposed
2 40 on substantially all medical and surgical coverage
2 41 benefits.
2 42 8. A group policy or contract or plan covered
2 43 under this section shall at a minimum allow for
2 44 thirty inpatient days and fifty-two outpatient visits
2 45 annually. The policy or contract or plan may also
2 46 include deductibles, coinsurance, or copayments,
2 47 provided the amounts and extent of such deductibles,
2 48 coinsurance, or copayments applicable to other medical
2 49 or surgical services coverage under the policy or
2 50 contract or plan are the same. It is not a violation



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3 1 of this section if the policy or contract or plan
3 2 excludes entirely from coverage benefits for the cost
3 3 of providing the following:
3 4 a. Care that is substantially custodial in nature.
3 5 b. Services and supplies that are not medically
3 6 necessary or clinically appropriate.
3 7 c. Experimental treatments.
3 8 9. This section applies to third-party payment
3 9 provider policies or contracts and plans established
3 10 pursuant to chapter 509A delivered, issued for
3 11 delivery, continued, or renewed in this state on or
3 12 after January 1, 2011.>
3 13 #2. Title page, line 5, after <associations,> by
3 14 inserting <special health and accident insurance
3 15 coverages,>
3 16 #3. By renumbering as necessary.

ZIRKELBACH of Jones
SF2201.2836 (2) 83
av/nh



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House Amendment 8626

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, by striking line 44 and inserting:
1 5 <<Sec. _____. 2009 Iowa Acts, chapter 118, section 1,
1 6 is amended by adding the following new subsection:
1 7 NEW SUBSECTION. 6A. The commission shall also
1 8 complete an annual review of the cost of health
1 9 insurance mandates currently imposed on health
1 10 insurance regulated by the state and provide
1 11 projections of the cost of any mandates that the
1 12 commission determines may be considered by the general
1 13 assembly during the upcoming legislative session. The
1 14 review and projections shall be included in the annual
1 15 reports provided by the commission to the general
1 16 assembly pursuant to this section.
1 17 Sec. _____. EFFECTIVE UPON ENACTMENT. The following >____.
1 18 Page 5, by striking line 3 and inserting
1 19 <505.18 and 505.19.
1 20 _____. The section of this Act amending 2009 Iowa
1 21 Acts, chapter 118, section 1. >>
1 22 #2. By renumbering as necessary.

SMITH of Marshall
H8578.2825 (2) 83
av/rj



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House Amendment 8627

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, after line 42 by inserting:
1 5 <____. Page 11, after line 9 by inserting:
1 6 <Sec. ____ NEW SECTION. 514C.6A Exemption from
1 7 chapter requirements.
1 8 1. Notwithstanding any other provision of this
1 9 chapter, a third=party payor as defined in section
1 10 514C.6 may issue a basic policy, contract, or plan
1 11 providing for third=party payment or prepayment of
1 12 health or medical expenses that does not provide
1 13 coverage for some or any of the special health and
1 14 accident insurance coverages required by this chapter
1 15 or does not meet some or any of the other requirements
1 16 contained in this chapter.
1 17 2. This section applies to third=party payment
1 18 provider policies, contracts, or plans that are
1 19 delivered, issued for delivery, continued, or renewed
1 20 in this state on or after January 1, 2011. >>
1 21 #2. Page 5, after line 7 by inserting:
1 22 <____. Title page, line 5, after <associations,>
1 23 by inserting <special health and accident insurance
1 24 coverages,>>
1 25 #3. By renumbering as necessary.

PETTENGILL of Benton
H8578.2841 (3) 83
av/nh



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House Amendment 8628

PAG LIN

1 1 Amend the amendment, H=8572, to Senate File 2265,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 3, by striking lines 18 and 19 and
1 5 inserting:
1 6 <12. The task force is dissolved upon submission
1 7 of the report to the governor and the general assembly
1 8 under subsection 11.>

GRASSLEY of Butler
SF2265.2823 (1) 83
md/sc



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House Amendment 8629

PAG LIN

1 1 Amend the amendment, H=8559, Senate File 2356,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, after line 50 by inserting:
1 5 <____. Title page, by striking lines 1 through 4 and
1 6 inserting <An Act relating to the health care including
1 7 IowaCare program provisions and the creation of an Iowa
1 8 insurance information exchange to promote transparency,
1 9 quality, seamlessness, and informed choices relative
1 10 to health care coverage.>>

SMITH of Marshall

UPMEYER of Hancock
SF2356.2835 (4) 83
av/rj



Iowa General Assembly
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House Amendment 8630

PAG LIN

1 1 Amend Senate File 2265, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 6, after <decisions> by inserting
1 4 <, except that a state agency, local government, or
1 5 other public entity applying any of the following
1 6 principles shall not implement or undertake a planning,
1 7 zoning, development, or resources management decision
1 8 that involves the use of eminent domain authority under
1 9 chapter 6A or 6B>

KAUFMANN of Cedar

TYMESON of Madison
SF2265.2833 (2) 83
md/sc



Iowa General Assembly
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House Amendment 8631

PAG LIN

1 1 Amend the amendment, H=8578, to Senate File 2201,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 4, line 15, after <increase> by inserting
1 5 <exceeding the average annual health spending growth
1 6 rate stated in the most recent national health
1 7 expenditure projection published by the centers for
1 8 Medicare and Medicaid services of the United States
1 9 department of health and human services,>
1 10 #2. Page 4, line 26, after <increases> by inserting
1 11 <exceeding the average annual health spending growth
1 12 rate as provided in subsection 1,>
1 13 #3. Page 4, line 31, after <application> by
1 14 inserting <if the increase exceeds the average annual
1 15 health spending growth rate as provided in subsection
1 16 1,>

QUIRK of Chickasaw

T. OLSON of Linn

PETERSEN of Polk
H8578.2847 (1) 83
av/rj



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Senate Amendment 5326

PAG LIN

1 1 Amend Senate File 2250, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. NEW SECTION. 711.5 Robbery ==
1 6 application.
1 7 This chapter does not apply if section 714.3A
1 8 applies.
1 9 Sec. 2. NEW SECTION. 714.3A Aggravated theft.
1 10 1. A person commits aggravated theft when the
1 11 person commits an assault as defined in section
1 12 708.1, subsection 1, that is punishable as a simple
1 13 misdemeanor under section 708.2, subsection 6, after
1 14 the person has removed or attempted to remove property
1 15 not exceeding two hundred dollars in value which
1 16 has not been purchased from a store or mercantile
1 17 establishment, or has concealed such property of
1 18 the store or mercantile establishment, either on
1 19 the premises or outside the premises of the store or
1 20 mercantile establishment.
1 21 2. a. A person who commits aggravated theft is
1 22 guilty of an aggravated misdemeanor.
1 23 b. A person who commits aggravated theft, and who
1 24 has previously been convicted of an aggravated theft,
1 25 robbery in the first degree in violation of section
1 26 711.2, robbery in the second degree in violation of
1 27 section 711.3, or extortion in violation of section
1 28 711.4, is guilty of a class "D" felony.
1 29 3. In determining if a violation is a class "D"
1 30 felony offense the following shall apply:
1 31 a. A deferred judgment entered pursuant to section
1 32 907.3 for a violation of any offense specified in
1 33 subsection 2 shall be counted as a previous offense.
1 34 b. A conviction or the equivalent of a deferred
1 35 judgment for a violation in any other states under
1 36 statutes substantially corresponding to an offense
1 37 specified in subsection 2 shall be counted as a
1 38 previous offense. The courts shall judicially notice
1 39 the statutes of other states which define offenses
1 40 substantially equivalent to the offenses specified
1 41 in this section and can therefore be considered
1 42 corresponding statutes.
1 43 4. Aggravated theft is not an included offense of
1 44 robbery in the first or second degree.
1 45 Sec. 3. Section 808.12, subsections 1 and 3, Code
1 46 2009, are amended to read as follows:
1 47 1. Persons concealing property as set forth
1 48 in section 714.3A or 714.5, may be detained and
1 49 searched by a peace officer, person employed in a
1 50 facility containing library materials, merchant, or



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Senate Amendment 5326 continued

2 1 merchant's employee, provided that the detention is
2 2 for a reasonable length of time and that the search is
2 3 conducted in a reasonable manner by a person of the
2 4 same sex and according to subsection 2 of this section.
2 5 3. The detention or search under this section by a
2 6 peace officer, person employed in a facility containing
2 7 library materials, merchant, or merchant's employee
2 8 does not render the person liable, in a criminal or
2 9 civil action, for false arrest or false imprisonment
2 10 provided the person conducting the search or detention
2 11 had reasonable grounds to believe the person detained
2 12 or searched had concealed or was attempting to conceal
2 13 property as set forth in section 714.3A or 714.5.>
2 14 #2. Title page, lines 1 and 2, by striking <robbery
2 15 in the third degree> and inserting <aggravated theft>
SF2250.2776.H (1) 83
mb



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Senate Amendment 5327

PAG LIN

1 1 Amend Senate File 2324, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 22, by striking <thirty business>
1 4 and inserting <~~business~~ thirty calendar>
1 5 #2. Page 3, by striking lines 4 and 5 and inserting
1 6 <of the requirements specified in subsection 1 have
1 7 been met.>
1 8 #3. Page 3, line 6, after <sixty> by inserting
1 9 <calendar>
1 10 #4. Page 3, by striking lines 13 through 18 and
1 11 inserting:
1 12 <c. The board may assess its costs associated with
1 13 an application or a certificate of franchise authority
1 14 pursuant to the assessment authority contained in
1 15 section 476.10, subsection 1, paragraph "a".>
1 16 #5. Page 3, line 22, by striking
1 17 <thirtieth business> and inserting <~~business~~ ninetieth
1 18 calendar>
1 19 #6. Page 4, line 17, after <for the> by inserting
1 20 <remaining>
1 21 #7. Page 4, line 35, after <for the> by inserting
1 22 <remaining>
1 23 #8. By renumbering, redesignating, and correcting
1 24 internal references as necessary.
SF2324.2778.H (1) 83
mb



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Senate Amendment 5328

PAG LIN

1 1 Amend the Senate amendment, H=8464, to House File
1 2 2459, as passed by the House, as follows:
1 3 #1. Page 1, before line 3 by inserting:
1 4 <____. Page 2, after line 8 by inserting:
1 5 <(16) One member selected by the Iowa drainage
1 6 district association. >>
1 7 #2. Page 1, line 48, after <watershed.> by
1 8 inserting <All political subdivisions within a
1 9 watershed must be notified within thirty days prior
1 10 to organization of any watershed management authority
1 11 within the watershed, and provided the opportunity to
1 12 participate.>
1 13 #3. Page 2, lines 1 and 2, by striking <county or
1 14 a soil and water conservation district> and inserting
1 15 <political subdivision>
1 16 #4. Page 2, by striking lines 32 through 42 and
1 17 inserting:
1 18 <2. A board of directors shall consist of one
1 19 representative of each participating political
1 20 subdivision. This subsection shall not apply if a>
1 21 #5. Page 3, line 32, by striking <shall> and
1 22 inserting <may>
1 23 #6. Page 3, lines 32 and 33, by striking <and
1 24 cooperate> and inserting <its activities>
1 25 #7. By renumbering as necessary.
H8464.2773.H (2) 83
mb



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Senate Amendment 5329

PAG LIN

1 1 Amend the House amendment, S=5309, to Senate File
1 2 2376, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 4, after line 43 by inserting:
1 5 <___. Page 22, after line 29 by inserting:
1 6 <Sec. ___. Section 261.25, Code Supplement 2009, is
1 7 amended by adding the following new subsection:
1 8 NEW SUBSECTION. 6. In the case of a qualified
1 9 student who was enrolled in an accredited private
1 10 institution that was exempt from taxation under section
1 11 501(c) of the Internal Revenue Code and that was
1 12 purchased by a for-profit institution effective January
1 13 8, 2010, and such qualified student continues to be
1 14 enrolled in the eligible institution in succeeding
1 15 years, the student shall continue to be eligible to
1 16 receive funds under subsection 1 without a change in
1 17 the student's qualification status. >>
1 18 #2. Page 5, before line 5 by inserting:
1 19 <___. Page 31, after line 21 by inserting:
1 20 <___. The section of this Act enacting section
1 21 261.25, subsection 6, being deemed of immediate
1 22 importance, takes effect upon enactment. >>
1 23 #3. By renumbering as necessary.

AMANDA RAGAN

MERLIN BARTZ
SF2376.2798 (3) 83
kh/sc



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Senate Amendment 5330

PAG LIN

1 1 Amend House amendment, S=5309, to Senate File 2376,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:

1 4 #1. By striking page 2, line 29, through page 4,
1 5 line 16.

1 6 #2. Page 4, by striking lines 17 through 21.

1 7 #3. Page 4, after line 43 by inserting:

1 8 <___. Page 20, after line 15 by inserting:

1 9 <Sec. ___. Section 256I.7, subsection 1, paragraph
1 10 a, as enacted by 2010 Iowa Acts, Senate File 2088,
1 11 section 284, is amended to read as follows:

1 12 a. The early childhood Iowa functions for an area
1 13 shall be performed under the authority of an early
1 14 childhood Iowa area board. The members of an area
1 15 board shall be elected officials or members of the
1 16 public who are not employed by a provider of services
1 17 to or for the area board. In addition, the membership
1 18 of an area board shall include representation from
1 19 early care, education, health, human services,
1 20 business, and faith interests, and at least one parent,
1 21 grandparent, or guardian of a child from zero through
1 22 age five. ~~The education, health, and human services~~
~~1 23 agencies represented on an area board may receive~~
~~1 24 funding from the area board.~~

1 25 Sec. ___. Section 256I.11, subsection 4, paragraph
1 26 d, as enacted by 2010 Iowa Acts, Senate File 2088,
1 27 section 288, is amended to read as follows:

1 28 d. The moneys distributed from the early childhood
1 29 programs grant account shall be used by early childhood
1 30 Iowa areas for the purposes of enhancing quality
1 31 child care capacity in support of parent capability
1 32 to obtain or retain employment. The moneys shall be
1 33 used with a primary emphasis on low-income families
1 34 and children from zero to age five. Moneys shall be
1 35 provided in a flexible manner and shall be used to
1 36 implement strategies identified by the early childhood
1 37 Iowa area to achieve such purposes. The department
1 38 of ~~management~~ human services may use a portion of the
1 39 funding appropriated to the department under this
1 40 subsection for provision of technical assistance
1 41 and other support to the early childhood Iowa areas
1 42 developing and implementing strategies with grant
1 43 moneys distributed from the account. >>

1 44 #4. Page 4, after line 43 by inserting:

1 45 <___. Page 29, after line 12 by inserting:

1 46 <Sec. ___. Section 284A.2, subsection 2, Code
1 47 Supplement 2009, is amended to read as follows:

1 48 2. "Beginning administrator" means an individual
1 49 serving under an ~~initial~~ administrator license, issued
1 50 by the board of educational examiners under chapter



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Senate Amendment 5330 continued

2 1 272, who is assuming a position as a school district
2 2 ~~administrator~~ principal or superintendent for the first
2 3 time.
2 4 Sec. _____. Section 284A.5, subsections 3 and 5, Code
2 5 2009, are amended to read as follows:
2 6 3. Each school board shall establish an
2 7 administrator mentoring program for all beginning
2 8 administrators. The school board may adopt the
2 9 model program developed by the department pursuant
2 10 to subsection 2. Each school board's beginning
2 11 administrator mentoring and induction program shall,
2 12 at a minimum, provide for one year of programming to
2 13 support the Iowa standards for school administrators
2 14 adopted pursuant to section 256.7, subsection 27, and
2 15 beginning administrators' professional and personal
2 16 needs. Each school board shall develop ~~an initial~~ and
2 17 implement a beginning administrator mentoring and
2 18 induction plan. The plan shall describe the mentor
2 19 selection process, describe supports for beginning
2 20 administrators, describe program organizational and
2 21 collaborative structures, provide a budget, provide
2 22 for sustainability of the program, and provide for
2 23 program evaluation. The school board employing an
2 24 administrator shall determine the conditions and
2 25 requirements of an administrator participating in a
2 26 program established pursuant to this section. A school
2 27 board shall include its plan in the school district's
2 28 comprehensive school improvement plan submitted
2 29 pursuant to section 256.7, subsection 21.
2 30 5. By the end of a beginning administrator's
2 31 first year of employment, the beginning administrator
2 32 may be comprehensively evaluated to determine if
2 33 the administrator meets expectations to move to a
2 34 ~~standard~~ professional administrator license, where
2 35 appropriate. The school district or area education
2 36 agency that employs a beginning administrator
2 37 shall recommend the beginning administrator for a
2 38 ~~standard~~ professional administrator license, where
2 39 appropriate, if the beginning administrator is
2 40 determined through a comprehensive evaluation to
2 41 demonstrate competence in the Iowa standards for school
2 42 administrators adopted pursuant to section 256.7,
2 43 subsection 27. A school district or area education
2 44 agency may allow a beginning administrator a second
2 45 year to demonstrate competence in the Iowa standards
2 46 for school administrators if, after conducting a
2 47 comprehensive evaluation, the school district or area
2 48 education agency determines that the administrator
2 49 is likely to successfully demonstrate competence in
2 50 the Iowa standards for school administrators by the



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Senate Amendment 5330 continued

3 1 end of the second year. Upon notification by the
3 2 school district or area education agency, the board
3 3 of educational examiners shall grant a beginning
3 4 administrator who has been allowed a second year
3 5 to demonstrate competence a one-year extension of
3 6 the beginning administrator's initial license. An
3 7 administrator granted a second year to demonstrate
3 8 competence shall undergo a comprehensive evaluation at
3 9 the end of the second year.

3 10 Sec. _____. Section 284A.6, subsection 2, Code 2009,
3 11 is amended to read as follows:

3 12 2. In cooperation with the administrator's
3 13 evaluator, the administrator who has a ~~standard~~
~~3 14 administrator's professional administrator license~~
3 15 issued by the board of educational examiners pursuant
3 16 to chapter 272 and is employed by a school district
3 17 or area education agency in a school district
3 18 administrative position, shall develop an individual
3 19 administrator professional development plan. The
3 20 purpose of the plan is to promote individual and group
3 21 professional development. The individual plan shall be
3 22 based, at a minimum, on the needs of the administrator,
3 23 the Iowa standards for school administrators adopted
3 24 pursuant to section 256.7, subsection 27, and the
3 25 student achievement goals of the attendance center and
3 26 the school district as outlined in the comprehensive
3 27 school improvement plan.

3 28 Sec. _____. Section 284A.7, Code 2009, is amended to
3 29 read as follows:

3 30 284A.7 Evaluation requirements for administrators.

3 31 A school district shall conduct an evaluation of
3 32 an administrator who holds a ~~standard~~ professional
~~3 33 administrator license~~ issued under chapter 272 at
3 34 least once every three years for purposes of assisting
3 35 the administrator in making continuous improvement,
3 36 documenting continued competence in the Iowa standards
3 37 for school administrators adopted pursuant to section
3 38 256.7, subsection 27, or to determine whether the
3 39 administrator's practice meets school district
3 40 expectations. The review shall include, at a minimum,
3 41 an assessment of the administrator's competence in
3 42 meeting the Iowa standards for school administrators
3 43 and the goals of the administrator's individual
3 44 professional development plan, including supporting
3 45 documentation or artifacts aligned to the Iowa
3 46 standards for school administrators and the individual
3 47 administrator's professional development plan.

3 48 Sec. _____. Section 284A.8, Code Supplement 2009, is
3 49 amended to read as follows:

3 50 284A.8 Beginning administrator mentoring and



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Senate Amendment 5330 continued

4 1 induction program == program funds.
4 2 1. To the extent moneys are available, a school
4 3 district shall receive one thousand five hundred
4 4 dollars per beginning administrator participating in
4 5 the program. ~~If the funds appropriated for the program~~
~~4 6 are insufficient to pay mentors and school districts as~~
~~4 7 provided in this section, the department shall prorate~~
~~4 8 the amount distributed to school districts based upon~~
~~4 9 the amount appropriated.~~ Moneys received by a school
4 10 district pursuant to this section shall be expended
4 11 to provide each mentor with an award of five hundred
4 12 dollars per semester, at a minimum, for participation
4 13 in the school district's beginning administrator
4 14 mentoring and induction program; to implement the plan;
4 15 and to pay any applicable costs of the employer's share
4 16 of contributions to federal social security and the
4 17 Iowa public employees' retirement system or a pension
4 18 and annuity retirement system established under chapter
4 19 294, for such amounts paid by the district.
4 20 2. If the funds appropriated for the program are
4 21 insufficient to pay mentors and school districts as
4 22 provided in this section, the department shall prorate
4 23 the amount distributed to school districts based upon
4 24 the amount appropriated. A school district shall give
4 25 priority to fully funding the obligation to principal
4 26 mentors. Remaining moneys, if any, shall first be
4 27 used to fund superintendent mentors and then to fund
4 28 other program costs and applicable costs described in
4 29 subsection 1. >>
4 30 #5. Page 4, after line 50 by inserting:
4 31 <__. Page 31, after line 8 by inserting:
4 32 <Sec. __. NONPROFIT ORGANIZATIONS == OPEN
4 33 MEETINGS AND OPEN RECORDS INTERIM STUDY COMMITTEE. The
4 34 legislative council is requested to establish an
4 35 interim study committee to study the inclusion under
4 36 the open meetings and open records laws of nonprofit
4 37 organizations that are supported in whole or in part
4 38 with public funds or revenues derived from public fees,
4 39 that were established by, or are operated by, governing
4 40 boards whose memberships were or are substantially
4 41 comprised of state or local elected officials or
4 42 appointees of governmental bodies. The interim study
4 43 committee shall report its findings and recommendations
4 44 to the general assembly not later than December 15,
4 45 2010. >>
4 46 #6. Page 5, by striking lines 1 through 4.
4 47 #7. Page 5, line 6, by striking <changes to> and
4 48 inserting <a study of>
4 49 #8. By renumbering as necessary.



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Senate Amendment 5331

PAG LIN

1 1 Amend Senate File 2385 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4 <DIVISION I
1 5 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING == FY
1 6 2011=2012
1 7 Section 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH
1 8 FUNDING ==
1 9 FY 2011=2012. Notwithstanding section 331.439,
1 10 subsection 3, the allowed growth factor adjustment
1 11 for county mental health, mental retardation, and
1 12 developmental disabilities service expenditures
1 13 for the fiscal year beginning July 1, 2011, shall
1 14 be established by statute which shall be enacted
1 15 within thirty calendar days of the convening of the
1 16 Eighty-fourth General Assembly, 2011 Session, on
1 17 January 10, 2011. The governor shall submit to the
1 18 general assembly a recommendation for such allowed
1 19 growth factor adjustment and the amounts of related
1 20 appropriations to the general assembly on or before
1 21 January 11, 2011.
1 22 DIVISION II
1 23 STANDING APPROPRIATIONS
1 24 AND RELATED MATTERS
1 25 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2011=2012.
1 26 1. For the budget process applicable to the fiscal
1 27 year beginning July 1, 2011, on or before October 1,
1 28 2010, in lieu of the information specified in section
1 29 8.23, subsection 1, unnumbered paragraph 1, and
1 30 paragraph "a", all departments and establishments of
1 31 the government shall transmit to the director of the
1 32 department of management, on blanks to be furnished
1 33 by the director, estimates of their expenditure
1 34 requirements, including every proposed expenditure, for
1 35 the ensuing fiscal year, together with supporting data
1 36 and explanations as called for by the director of the
1 37 department of management after consultation with the
1 38 legislative services agency.
1 39 2. The estimates of expenditure requirements
1 40 shall be in a form specified by the director of
1 41 the department of management, and the expenditure
1 42 requirements shall include all proposed expenditures
1 43 and shall be prioritized by program or the results to
1 44 be achieved. The estimates shall be accompanied by
1 45 performance measures for evaluating the effectiveness
1 46 of the programs or results.
1 47 Sec. 3. GENERAL ASSEMBLY.
1 48 1. The appropriations made pursuant to section
1 49 2.12 for the expenses of the general assembly and
1 50 legislative agencies for the fiscal year beginning July



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Senate Amendment 5331 continued

2 1 1, 2010, and ending June 30, 2011, are reduced by the
 2 2 following amount:
 2 3 \$ 5,939,790
 2 4 2. The budgeted amounts for the general assembly
 2 5 for the fiscal year beginning July 1, 2010, may be
 2 6 adjusted to reflect unexpended budgeted amounts from
 2 7 the previous fiscal year.
 2 8 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.
 2 9 Notwithstanding the standing appropriations in the
 2 10 following designated sections for the fiscal year
 2 11 beginning July 1, 2010, and ending June 30, 2011, the
 2 12 amounts appropriated from the general fund of the state
 2 13 pursuant to these sections for the following designated
 2 14 purposes shall not exceed the following amounts:
 2 15 1. For operational support grants and community
 2 16 cultural grants under section 99F.11, subsection 3,
 2 17 paragraph "d", subparagraph (1):
 2 18 \$ 443,300
 2 19 2. For regional tourism marketing under section
 2 20 99F.11, subsection 3, paragraph "d", subparagraph (2):
 2 21 \$ 862,028
 2 22 3. For the center for congenital and inherited
 2 23 disorders central registry under section 144.13A,
 2 24 subsection 4, paragraph "a":
 2 25 \$ 182,044
 2 26 4. For primary and secondary child abuse prevention
 2 27 programs under section 144.13A, subsection 4, paragraph
 2 28 "a":
 2 29 \$ 217,772
 2 30 5. For programs for at-risk children under section
 2 31 279.51:
 2 32 \$ 11,493,891
 2 33 The amount of any reduction in this subsection shall
 2 34 be prorated among the programs specified in section
 2 35 279.51, subsection 1, paragraphs "a", "b", and "c".
 2 36 6. For payment for nonpublic school transportation
 2 37 under section 285.2:
 2 38 \$ 7,060,931
 2 39 If total approved claims for reimbursement for
 2 40 nonpublic school pupil transportation exceed the amount
 2 41 appropriated in accordance with this subsection, the
 2 42 department of education shall prorate the amount of
 2 43 each approved claim.
 2 44 7. For mental health, mental retardation, and
 2 45 developmental disabilities services property tax relief
 2 46 under section 426B.1, subsection 2, as amended in this
 2 47 division of this Act:
 2 48 \$ 81,199,911
 2 49 8. For the enforcement of chapter 453D relating to
 2 50 tobacco product manufacturers under section 453D.8:



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Senate Amendment 5331 continued

3 1 \$ 19,591

3 2 9. For the Iowa power fund under section 469.10,

3 3 subsection 1:

3 4 \$ 19,600,000

3 5 Sec. 5. STATE FOUNDATION AID FOR SCHOOLS == FY

3 6 2010=2011.

3 7 Notwithstanding the standing appropriation in section

3 8 257.16, subsection 1, for state foundation aid for the

3 9 fiscal year beginning July 1, 2010, and ending June 30,

3 10 2011, the amount appropriated from the general fund of

3 11 the state pursuant to that section for the following

3 12 designated purpose shall not exceed the following

3 13 amount:

3 14 For state foundation aid under section 257.16,

3 15 subsection 1:

3 16 \$2,494,057,875

3 17 1. Of the amount designated in this section for

3 18 state foundation aid, \$314,894,787 is allocated for

3 19 the teacher salary supplements, the professional

3 20 development supplements, and the early intervention

3 21 supplement in accordance with section 257.10,

3 22 subsections 9 through 11, and section 257.37A.

3 23 The department of management may adjust the amount

3 24 allocated pursuant to this subsection in order to

3 25 reflect any differences resulting from the budget

3 26 certification process.

3 27 2. If the remaining balance of the moneys

3 28 designated in this section, after the allocation made

3 29 in subsection 1, is less than the amount required to

3 30 pay the remainder of state foundation aid pursuant to

3 31 section 257.16, subsection 1, the difference shall be

3 32 deducted from the payments to each school district and

3 33 area education agency in the manner provided in section

3 34 257.16, subsection 4.

3 35 Sec. 6. INSTRUCTIONAL SUPPORT STATE

3 36 AID. Notwithstanding the standing appropriation

3 37 provided under section 257.20, an appropriation from

3 38 the general fund of the state to the department of

3 39 education for the fiscal year beginning July 1, 2010,

3 40 and ending June 30, 2011, shall not be made for

3 41 purposes of paying instructional support state aid.

3 42 Sec. 7. VETERANS HOME MEDICAL CLINIC. Of moneys

3 43 received on or after July 1, 2009, by the Iowa veterans

3 44 home from the federal government relating to the costs

3 45 to improve and renovate a medical clinic at the home

3 46 in a previous fiscal year, the first \$727,000 shall be

3 47 credited to the general fund of the state on or after

3 48 July 1, 2010.

3 49 Sec. 8. PROPERTY TAX CREDIT FUND == PAYMENTS IN

3 50 LIEU OF GENERAL FUND REIMBURSEMENT.



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4 1 1. a. A property tax credit fund shall be created
 4 2 in the office of the treasurer of state to be used for
 4 3 the purposes of this section.
 4 4 b. There is appropriated from the general fund of
 4 5 the state to the property tax credit fund created in
 4 6 paragraph "a" for the fiscal year beginning July 1,
 4 7 2010, and ending June 30, 2011, the sum of \$91,256,037.
 4 8 c. Notwithstanding the requirements in section
 4 9 8.56, subsections 3 and 4, there is appropriated from
 4 10 the cash reserve fund to the property tax credit fund
 4 11 created in paragraph "a" for the fiscal year beginning
 4 12 July 1, 2010, and ending June 30, 2011, the sum of
 4 13 \$54,684,481.
 4 14 d. Notwithstanding section 8.33, the surplus
 4 15 existing in the property tax credit fund created
 4 16 pursuant to 2009 Iowa Acts, chapter 179, section 9, at
 4 17 the conclusion of the fiscal year beginning July 1,
 4 18 2009, and ending June 30, 2010, is transferred to the
 4 19 property tax credit fund created in paragraph "a".
 4 20 2. In lieu of the appropriations in the following
 4 21 designated sections, for the fiscal year beginning
 4 22 July 1, 2010, and ending June 30, 2011, there is
 4 23 appropriated from the property tax credit fund the
 4 24 following amounts for the following designated
 4 25 purposes:
 4 26 a. For reimbursement for the homestead property tax
 4 27 credit under section 425.1:
 4 28 \$ 87,757,913
 4 29 b. For reimbursement for the family farm and
 4 30 agricultural land tax credits under sections 425A.1 and
 4 31 426.1:
 4 32 \$ 32,395,131
 4 33 c. For reimbursement for the military service tax
 4 34 credit under section 426A.1A:
 4 35 \$ 2,400,000
 4 36 d. For implementing the elderly and disabled tax
 4 37 credit and reimbursement pursuant to sections 425.16
 4 38 through 425.39:
 4 39 \$ 23,400,000
 4 40 If the director of revenue determines that the
 4 41 amount of claims for credit for property taxes due
 4 42 pursuant to paragraphs "a", "b", "c", and "d", plus
 4 43 the amount of claims for reimbursement for rent
 4 44 constituting property taxes paid which are to be
 4 45 paid during the fiscal year may exceed the total
 4 46 amount appropriated, the director shall estimate the
 4 47 percentage of the credits and reimbursements which will
 4 48 be funded by the appropriation. The county treasurer
 4 49 shall notify the director of the amount of property tax
 4 50 credits claimed by June 8, 2010. The director shall



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5 1 estimate the percentage of the property tax credits and
 5 2 rent reimbursement claims that will be funded by the
 5 3 appropriation and notify the county treasurer of the
 5 4 percentage estimate by June 15, 2010. The estimated
 5 5 percentage shall be used in computing for each claim
 5 6 the amount of property tax credit and reimbursement for
 5 7 rent constituting property taxes paid for that fiscal
 5 8 year. If the director overestimates the percentage of
 5 9 funding, claims for reimbursement for rent constituting
 5 10 property taxes paid shall be paid until they can no
 5 11 longer be paid at the estimated percentage of funding.
 5 12 Rent reimbursement claims filed after that point in
 5 13 time shall receive priority and shall be paid in the
 5 14 following fiscal year.

5 15 Sec. 9. PERFORMANCE OF DUTY. There is appropriated
 5 16 from the cash reserve fund created in section 8.56 to
 5 17 the executive council for the fiscal year beginning
 5 18 July 1, 2010, and ending June 30, 2011, the following
 5 19 amount, or so much thereof as is necessary, to be used
 5 20 for the purposes designated:

5 21 For performance of duty by the executive council in
 5 22 sections 7D.29 and 29C.20:

5 23 \$ 10,583,628

5 24 The funding from the appropriation made in this
 5 25 section shall be utilized before any funding from the
 5 26 general fund of the state.

5 27 Sec. 10. CASH RESERVE FUND APPROPRIATION
 5 28 REQUIREMENTS. Section 8.56, subsections 3 and 4, shall
 5 29 not apply to any appropriation made in this division or
 5 30 any other division of this Act from the cash reserve
 5 31 fund created in section 8.56.

5 32 Sec. 11. CASH RESERVE FUND APPROPRIATION FOR FISCAL
 5 33 YEAR 2010=2011. For the fiscal year beginning July
 5 34 1, 2010, and ending June 30, 2011, the appropriation
 5 35 to the cash reserve fund provided in section 8.57,
 5 36 subsection 1, paragraph "a", shall not be made.

5 37 Sec. 12. Section 426B.1, subsections 2 and 3, Code
 5 38 2009, are amended to read as follows:

5 39 2. There is appropriated on July 1 of each fiscal
 5 40 year to the property tax relief fund from the general
 5 41 fund of the state, ~~ninety-five~~ eighty-eight million
 5 42 four hundred thousand dollars.

~~5 43 3. There is annually appropriated from the property
 5 44 tax relief fund to the department of human services to
 5 45 supplement the medical assistance appropriation for the
 5 46 fiscal year beginning July 1, 1997, and for succeeding
 5 47 fiscal years, six million six hundred thousand dollars
 5 48 to be used for the nonfederal share of the costs of
 5 49 services provided to minors with mental retardation
 5 50 under the medical assistance program to meet the~~



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~~6 1 requirements of section 249A.12, subsection 4. The
6 2 appropriation in this subsection shall be charged to
6 3 the property tax relief fund prior to the distribution
6 4 of moneys from the fund under section 426B.2 and the
6 5 amount of moneys available for distribution shall be
6 6 reduced accordingly. However, the appropriation in
6 7 this subsection shall be considered to be a property
6 8 tax relief payment for purposes of the combined amount
6 9 of payments required to achieve fifty percent of the
6 10 counties' base year expenditures as provided in section
6 11 426B.2, subsection 2.~~

6 12 CASH RESERVE FUND == PERFORMANCE OF DUTY
6 13 Sec. 13. 2009 Iowa Acts, chapter 179, section
6 14 10, is amended by adding the following new unnumbered
6 15 paragraph:
6 16 NEW UNNUMBERED PARAGRAPH Notwithstanding section
6 17 8.33, moneys appropriated in this section that remain
6 18 unencumbered or unobligated at the close of the fiscal
6 19 year shall not revert but shall remain available for
6 20 expenditure for the purposes designated until the close
6 21 of the succeeding fiscal year.

6 22 Sec. 14. EFFECTIVE DATES AND RETROACTIVE
6 23 APPLICABILITY.
6 24 1. The section of this division of this Act
6 25 providing for crediting of certain moneys received
6 26 by the Iowa veterans home to the general fund of the
6 27 state, being deemed of immediate importance, takes
6 28 effect upon enactment and is retroactively applicable
6 29 to July 1, 2009, and is applicable on and after that
6 30 date.
6 31 2. The section of this division of this Act
6 32 creating the property tax credit fund, being deemed of
6 33 immediate importance, takes effect upon enactment.
6 34 3. The section of this division of this Act
6 35 amending 2009 Iowa Acts, chapter 179, section 10, being
6 36 deemed of immediate importance, takes effect upon
6 37 enactment.

6 38 DIVISION III
6 39 SALARIES, COMPENSATION, AND RELATED MATTERS
6 40 Sec. 15. APPOINTED STATE OFFICERS.
6 41 1. The governor shall establish a salary for
6 42 appointed nonelected persons in the executive branch
6 43 of state government holding a position enumerated in
6 44 and within the salary ranges provided in 2008 Iowa
6 45 Acts, chapter 1191, section 14, by considering, among
6 46 other items, the experience of the individual in
6 47 the position, changes in the duties of the position,
6 48 the incumbent's performance of assigned duties, and
6 49 subordinates' salaries. However, the attorney general
6 50 shall establish the salary for the consumer advocate,



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7 1 the chief justice of the supreme court shall establish
7 2 the salary for the state court administrator, the
7 3 ethics and campaign disclosure board shall establish
7 4 the salary of the executive director, and the Iowa
7 5 public broadcasting board shall establish the salary of
7 6 the administrator of the public broadcasting division
7 7 of the department of education, each within the salary
7 8 range provided in 2008 Iowa Acts, chapter 1191, section
7 9 14.

7 10 2. The governor, in establishing salaries as
7 11 provided in this section, shall take into consideration
7 12 other employee benefits which may be provided for an
7 13 individual including but not limited to housing.

7 14 3. A person whose salary is established pursuant
7 15 to this section and who is a full-time, year-round
7 16 employee of the state shall not receive any other
7 17 remuneration from the state or from any other source
7 18 for the performance of that person's duties unless
7 19 the additional remuneration is first approved by the
7 20 governor or authorized by law. However, this provision
7 21 does not exclude the reimbursement for necessary travel
7 22 and expenses incurred in the performance of duties or
7 23 fringe benefits normally provided to employees of the
7 24 state.

7 25 Sec. 16. COLLECTIVE BARGAINING AGREEMENTS
7 26 FUNDED. The various state departments, boards,
7 27 commissions, councils, and agencies, including the
7 28 state board of regents, for the fiscal year beginning
7 29 July 1, 2010, and ending June 30, 2011, shall provide
7 30 from available sources pay adjustments, expense
7 31 reimbursements, and related benefits to fully fund the
7 32 following:

7 33 1. The collective bargaining agreement negotiated
7 34 pursuant to chapter 20 for employees in the blue collar
7 35 bargaining unit.

7 36 2. The collective bargaining agreement negotiated
7 37 pursuant to chapter 20 for employees in the public
7 38 safety bargaining unit.

7 39 3. The collective bargaining agreement negotiated
7 40 pursuant to chapter 20 for employees in the security
7 41 bargaining unit.

7 42 4. The collective bargaining agreement negotiated
7 43 pursuant to chapter 20 for employees in the technical
7 44 bargaining unit.

7 45 5. The collective bargaining agreement negotiated
7 46 pursuant to chapter 20 for employees in the
7 47 professional fiscal and staff bargaining unit.

7 48 6. The collective bargaining agreement negotiated
7 49 pursuant to chapter 20 for employees in the clerical
7 50 bargaining unit.



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8 1 7. The collective bargaining agreement negotiated
8 2 pursuant to chapter 20 for employees in the
8 3 professional social services bargaining unit.
8 4 8. The collective bargaining agreement negotiated
8 5 pursuant to chapter 20 for employees in the
8 6 community-based corrections bargaining unit.
8 7 9. The collective bargaining agreements negotiated
8 8 pursuant to chapter 20 for employees in the judicial
8 9 branch of government bargaining units.
8 10 10. The collective bargaining agreement negotiated
8 11 pursuant to chapter 20 for employees in the patient
8 12 care bargaining unit.
8 13 11. The collective bargaining agreement negotiated
8 14 pursuant to chapter 20 for employees in the science
8 15 bargaining unit.
8 16 12. The collective bargaining agreement negotiated
8 17 pursuant to chapter 20 for employees in the university
8 18 of northern Iowa faculty bargaining unit.
8 19 13. The collective bargaining agreement negotiated
8 20 pursuant to chapter 20 for employees in the state
8 21 university of Iowa graduate student bargaining unit.
8 22 14. The collective bargaining agreement negotiated
8 23 pursuant to chapter 20 for employees in the state
8 24 university of Iowa hospital and clinics tertiary health
8 25 care bargaining unit.
8 26 15. The annual pay adjustments, related benefits,
8 27 and expense reimbursements referred to in the sections
8 28 of this division of this Act addressing noncontract
8 29 state and state board of regents employees who are not
8 30 covered by a collective bargaining agreement.
8 31 Sec. 17. NONCONTRACT STATE EMPLOYEES == GENERAL.
8 32 1. For the fiscal year beginning July 1, 2010:
8 33 a. The maximum and minimum salary levels of all pay
8 34 plans provided for in section 8A.413, subsection 3, as
8 35 they exist for the fiscal year ending June 30, 2010,
8 36 shall not increase.
8 37 b. Employees may receive a step increase or the
8 38 equivalent of a step increase.
8 39 c. The pay plan for noncontract judicial branch
8 40 employees shall not be increased.
8 41 d. The pay plans for state employees who are
8 42 exempt from chapter 8A, subchapter IV, and who are
8 43 included in the department of administrative services'
8 44 centralized payroll system shall not be increased, and
8 45 any additional changes in any executive branch pay
8 46 plans shall be approved by the governor.
8 47 2. This section does not apply to members of the
8 48 general assembly, board members, commission members,
8 49 persons whose salaries are set by the general assembly
8 50 pursuant to this Act or are set by the governor,



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9 1 or other persons designated in the section of this
9 2 division of this Act addressing appointed state
9 3 officers, employees designated under section 8A.412,
9 4 subsection 5, and employees covered by 11 IAC 53.6(3).

9 5 3. The pay plans for the bargaining eligible
9 6 employees of the state shall not be increased, and
9 7 any additional changes in such executive branch pay
9 8 plans shall be approved by the governor. As used in
9 9 this section, "bargaining eligible employee" means an
9 10 employee who is eligible to organize under chapter 20,
9 11 but has not done so.

9 12 4. The policies for implementation of this section
9 13 shall be approved by the governor.

9 14 Sec. 18. STATE EMPLOYEES == STATE BOARD OF
9 15 REGENTS. For the fiscal year beginning July 1, 2010,
9 16 and ending June 30, 2011, funds shall be provided from
9 17 available sources of the state board of regents for
9 18 funding of collective bargaining agreements for state
9 19 board of regents employees covered by such agreements
9 20 and for the following state board of regents employees
9 21 not covered by a collective bargaining agreement:

9 22 1. Regents merit system employees and merit
9 23 supervisory employees.

9 24 2. Faculty members and professional and scientific
9 25 employees.

9 26 Sec. 19. BONUS PAY. For the fiscal year beginning
9 27 July 1, 2010, and ending June 30, 2011, employees of
9 28 the executive branch, judicial branch, and legislative
9 29 branch shall not receive bonus pay unless otherwise
9 30 authorized by law, required pursuant to a contract
9 31 of employment entered into before July 1, 2010,
9 32 or required pursuant to a collective bargaining
9 33 agreement. This section does not apply to employees
9 34 of the state board of regents. For purposes of this
9 35 section, "bonus pay" means any additional remuneration
9 36 provided an employee in the form of a bonus, including
9 37 but not limited to a retention bonus, recruitment
9 38 bonus, exceptional job performance pay, extraordinary
9 39 job performance pay, exceptional performance pay,
9 40 extraordinary duty pay, or extraordinary or special
9 41 duty pay, and any extra benefit not otherwise provided
9 42 to other similarly situated employees.

9 43 Sec. 20. SPECIAL FUNDS. For the fiscal year
9 44 beginning July 1, 2010, and ending June 30, 2011,
9 45 salary adjustments otherwise provided for in this Act
9 46 may be funded using departmental revolving, trust,
9 47 or special funds for which the general assembly has
9 48 established an operating budget, provided doing so does
9 49 not exceed the operating budget established by the
9 50 general assembly.



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10 1 Sec. 21. FEDERAL FUNDS APPROPRIATED. For the
10 2 fiscal year beginning July 1, 2010, all federal grants
10 3 to and the federal receipts of the agencies affected by
10 4 this division of this Act which are received and may be
10 5 expended for purposes of this division of this Act are
10 6 appropriated for those purposes and as set forth in the
10 7 federal grants or receipts.

10 8 Sec. 22. STATE TROOPER MEAL ALLOWANCE. For the
10 9 fiscal year beginning July 1, 2010, the sworn peace
10 10 officers in the department of public safety who are not
10 11 covered by a collective bargaining agreement negotiated
10 12 pursuant to chapter 20 shall receive the same per
10 13 diem meal allowance as the sworn peace officers in
10 14 the department of public safety who are covered by a
10 15 collective bargaining agreement negotiated pursuant to
10 16 chapter 20.

10 17 Sec. 23. SALARY MODEL ADMINISTRATOR. The salary
10 18 model administrator shall work in conjunction with
10 19 the legislative services agency to maintain the
10 20 state's salary model used for analyzing, comparing,
10 21 and projecting state employee salary and benefit
10 22 information, including information relating to
10 23 employees of the state board of regents. The
10 24 department of revenue, the department of administrative
10 25 services, the five institutions under the jurisdiction
10 26 of the state board of regents, the judicial district
10 27 departments of correctional services, and the state
10 28 department of transportation shall provide salary data
10 29 to the department of management and the legislative
10 30 services agency to operate the state's salary
10 31 model. The format and frequency of provision of the
10 32 salary data shall be determined by the department of
10 33 management and the legislative services agency. The
10 34 information shall be used in collective bargaining
10 35 processes under chapter 20 and in calculating the
10 36 funding needs contained within the annual salary
10 37 adjustment legislation. A state employee organization
10 38 as defined in section 20.3, subsection 4, may request
10 39 information produced by the model, but the information
10 40 provided shall not contain information attributable to
10 41 individual employees.

10 42 Sec. 24. 2008 Iowa Acts, chapter 1191, section 14,
10 43 subsection 7, is amended to read as follows:

10 44 7. The following are range 7 positions:
10 45 administrator of the public broadcasting division
10 46 of the department of education, director of the
10 47 department of corrections, director of the department
10 48 of education, director of human services, director
10 49 of the department of economic development, executive
10 50 director of the Iowa telecommunications and technology



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11 1 commission, executive director of the state board
11 2 of regents, director of transportation, director of
11 3 the department of workforce development, director
11 4 of revenue, director of public health, state court
11 5 administrator, director of the department of
11 6 management, chief information officer, and director of
11 7 the department of administrative services.

11 8
11 9 DIVISION IV
11 10 APPROPRIATION REDUCTIONS

11 10 Sec. 25. APPROPRIATION REDUCTIONS == REPORT.
11 11 1. The amounts appropriated from the general fund
11 12 of the state to the departments and establishments
11 13 of the executive branch, as defined in section 8.2,
11 14 but not including appropriations to the state board
11 15 of regents, for operational purposes in enactments
11 16 made for the fiscal year beginning July 1, 2010, and
11 17 ending June 30, 2011, are reduced by \$83,760,500.
11 18 For purposes of this section, "operational purposes"
11 19 means salary, support, administrative expenses, or
11 20 other personnel-related costs. The reductions in
11 21 appropriations required pursuant to this subsection
11 22 shall be realized through the implementation of 2010
11 23 Iowa Acts, Senate File 2062, 2010 Iowa Acts, Senate
11 24 File 2088, executive order number 20 issued December
11 25 16, 2009, and any other efficiency measure. The
11 26 reductions to operational appropriations required by
11 27 this subsection shall be applied by the department of
11 28 management.

11 29 2. On or before December 1, 2010, the department
11 30 of management shall submit a report to the general
11 31 assembly and the legislative services agency
11 32 regarding anticipated reductions in appropriations
11 33 for operational purposes and anticipated reductions
11 34 in full-time equivalent positions for the fiscal
11 35 year beginning July 1, 2010, and ending June 30,
11 36 2011, as required by this section. In the report,
11 37 all reductions shall be categorized in one of
11 38 four categories. The categories shall include the
11 39 implementation of 2010 Iowa Acts, Senate File 2062;
11 40 the implementation of 2010 Iowa Acts, Senate File
11 41 2088, section 65; the implementation of 2010 Iowa
11 42 Acts, Senate File 2088, sections 67 and 68; and the
11 43 implementation of both executive order number 20 issued
11 44 December 16, 2009, and any remaining provisions of 2010
11 45 Iowa Acts, Senate File 2088.

11 46 Sec. 26. CASH RESERVE TRANSFER. For the fiscal
11 47 year beginning July 1, 2010, and ending June 30, 2011,
11 48 the department of management may transfer up to five
11 49 million dollars from the cash reserve fund created
11 50 in section 8.56 to appropriations addressed by this



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12 1 division for purposes of offsetting the appropriation
12 2 reductions required in this division. A transfer made
12 3 pursuant to the authority granted in this section shall
12 4 be subject to the reporting requirements in section
12 5 8.39, subsections 3 and 4.

12 6 Sec. 27. DEPARTMENT OF ADMINISTRATIVE SERVICES ==
12 7 INFORMATION TECHNOLOGY. There is appropriated from
12 8 the general fund of the state to the department of
12 9 administrative services for the fiscal year beginning
12 10 July 1, 2010, and ending June 30, 2011, the following
12 11 amount, or so much thereof as is necessary, to be used
12 12 for the purposes designated:

12 13 For implementing 2010 Iowa Acts, Senate File 2088,
12 14 division I, including salaries, support, maintenance,
12 15 and miscellaneous purposes:
12 16 \$ 2,300,000

DIVISION V

STATE FINANCIAL MANAGEMENT DUTIES

12 19 Sec. 28. Section 8A.502, subsection 1, Code 2009,
12 20 is amended to read as follows:

12 21 1. Centralized accounting and payroll system. To
12 22 assume the responsibilities related to a centralized
12 23 accounting system for state government and to establish
12 24 a centralized payroll system for all state agencies.
12 25 However, the state board of regents and institutions
12 26 under the control of the state board of regents shall
12 27 not be required to utilize the centralized payroll
12 28 system.

12 29 Sec. 29. Section 8A.502, Code 2009, is amended by
12 30 adding the following new subsection:

12 31 NEW SUBSECTION. 8A. Budget database. To develop
12 32 and make available to the public a searchable budget
12 33 database.

12 34 Sec. 30. Section 11.5B, subsection 16, if enacted
12 35 by 2010 Iowa Acts, Senate File 2367, is amended by
12 36 striking the subsection.

12 37 Sec. 31. 2010 Iowa Acts, Senate File 2088, section
12 38 233, is amended to read as follows:

12 39 SEC. 233. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE
12 40 SERVICES == CENTRALIZED PAYROLL SYSTEM. The department
12 41 of ~~management~~ administrative services shall examine
12 42 the possibility of merging all state payroll systems
12 43 into the centralized payroll system operated by
12 44 the department. The department shall consult with
12 45 those entities of state government not utilizing the
12 46 centralized payroll system, including but not limited
12 47 to the state department of transportation, about
12 48 strategies for encouraging utilization of the state's
12 49 centralized payroll system and by identifying those
12 50 barriers preventing merging of the payroll systems.



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13 1 The department shall provide information to the joint
13 2 appropriations subcommittee on administration and
13 3 regulation concerning efforts by the department to
13 4 merge payroll systems and any recommendations for
13 5 legislative action to encourage, or eliminate barriers
13 6 to, the provision of payroll services by the department
13 7 to other state agencies.

13 8 Sec. 32. 2010 Iowa Acts, Senate File 2088, section
13 9 234, is amended to read as follows:

13 10 SEC. 234. DEPARTMENT OF ~~MANAGEMENT~~ ADMINISTRATIVE
13 11 SERVICES == PAYROLL FREQUENCY. The department of

13 12 ~~management~~ administrative services shall implement
13 13 to the greatest extent possible a reduction in the
13 14 frequency of paying state employees by paying employees
13 15 through the payroll system on a semimonthly instead of
13 16 a biweekly basis.

13 17 Sec. 33. REPEALS. 2010 Iowa Acts, Senate File
13 18 2088, sections 175 through 232, are repealed.

DIVISION VI

CORRECTIVE PROVISIONS

13 21 Sec. 34. Section 2.69, subsection 3, as enacted
13 22 by 2010 Iowa Acts, Senate File 2088, section 420, is
13 23 amended to read as follows:

13 24 3. The members of the committee shall be reimbursed
13 25 for actual and necessary expenses incurred in the
13 26 performance of their duties and shall be paid a per
13 27 diem as specified in section ~~7E-6~~ 2.10 for each day in
13 28 which they engaged in the performance of their duties.
13 29 However, per diem compensation and expenses shall
13 30 not be paid when the general assembly is actually in
13 31 session at the seat of government. Expenses and per
13 32 diem shall be paid from funds appropriated pursuant to
13 33 section 2.12.

13 34 Sec. 35. Section 46.3, subsection 3, Code 2009, as
13 35 amended by 2010 Iowa Acts, Senate File 2343, section 1,
13 36 if enacted, is amended to read as follows:

13 37 3. A No more than a simple majority of the
13 38 commissioners appointed shall be of the same gender.

13 39 Sec. 36. Section 97D.4, subsection 2, Code 2009, is
13 40 amended to read as follows:

13 41 2. The members of the committee shall be reimbursed
13 42 for actual and necessary expenses incurred in the
13 43 performance of their duties and shall be paid a per
13 44 diem as specified in section ~~7E-6~~ 2.10 for each day in
13 45 which they engaged in the performance of their duties.
13 46 However, per diem compensation and expenses shall
13 47 not be paid when the general assembly is actually in
13 48 session at the seat of government. Expenses and per
13 49 diem shall be paid from funds appropriated pursuant to
13 50 section 2.12.



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14 1 Sec. 37. Section 123.43A, subsection 1, unnumbered
14 2 paragraph 1, as enacted by 2010 Iowa Acts, Senate File
14 3 2088, section 84, is amended to read as follows:
14 4 For the purposes of this section, unless the context
14 5 ~~either~~ otherwise requires:
14 6 Sec. 38. Section 162.10D, subsection 2, as enacted
14 7 by 2010 Iowa Acts, House File 2280, section 18, is
14 8 amended to read as follows:
14 9 2. The department may require ~~that~~ an owner,
14 10 operator, or employee of a commercial establishment
14 11 subject to disciplinary action under subsection 1 to
14 12 complete a continuing education program as a condition
14 13 for retaining an authorization. This section does not
14 14 prevent a person from voluntarily participating in a
14 15 continuing education program.
14 16 Sec. 39. Section 216A.113, subsection 1, as enacted
14 17 by 2010 Iowa Acts, Senate File 2088, section 139, is
14 18 amended to read as follows:
14 19 1. The commission ~~on the deaf~~ of deaf services is
14 20 established, and shall consist of seven voting members
14 21 appointed by the governor, subject to confirmation by
14 22 the senate pursuant to section 2.32. Membership of the
14 23 commission shall include at least four members who are
14 24 deaf and who cannot hear human speech with or without
14 25 use of amplification and at least one member who is
14 26 hard of hearing. All members shall reside in Iowa.
14 27 Sec. 40. Section 216C.9, subsection 1, Code 2009,
14 28 as amended by 2010 Iowa Acts, Senate File 2202, section
14 29 7, if enacted, is amended to read as follows:
14 30 1. If a street, road, or highway in this state
14 31 is newly built or reconstructed, a curb ramp or
14 32 sloped area shall be constructed or installed at each
14 33 intersection of the street, road, or highway with a
14 34 sidewalk or path. If a sidewalk or path in this state
14 35 is newly built or ~~altered~~ reconstructed, a curb ramp or
14 36 sloped area shall be constructed or installed at each
14 37 intersection of the sidewalk or path with a street,
14 38 highway, or road.
14 39 Sec. 41. Section 256.51, subsection 1, paragraph a,
14 40 Code 2009, as amended by 2010 Iowa Acts, Senate File
14 41 2088, section 316, is amended to read as follows:
14 42 a. Determine policy for providing information
14 43 service to the three branches of state government and
14 44 to the legal ~~and medical~~ community in this state.
14 45 Sec. 42. Section 256F.3, subsection 1, Code 2009,
14 46 as amended by 2010 Iowa Acts, Senate File 2033, section
14 47 10, is amended to read as follows:
14 48 1. The state board of education shall apply for
14 49 a federal grant under Pub. L. No. 107=110, cited as
14 50 the federal No Child Left Behind Act of 2001, Tit. V,



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15 1 Pt. B, Subpt. 1, for purposes of providing financial
15 2 assistance for the planning, program design, and
15 3 initial implementation of public charter schools. The
15 4 department shall monitor the effectiveness of charter
15 5 schools and innovation zone schools and shall implement
15 6 the applicable provisions of this chapter.

15 7 Sec. 43. Section 256F.6, subsection 3, Code 2009,
15 8 is amended to read as follows:

15 9 3. The state board of education shall provide by
15 10 rule for the ongoing review of ~~a school board's~~ each
15 11 party's compliance with a contract entered into in
15 12 accordance with this chapter.

15 13 Sec. 44. Section 260C.44, Code 2009, as amended
15 14 by 2010 Iowa Acts, Senate File 2340, section 35, if
15 15 enacted, is amended to read as follows:

15 16 260C.44 Apprenticeship programs.

15 17 1. Each community college is authorized to
15 18 establish or contract for the establishment of
15 19 apprenticeship programs for apprenticeable occupations.
15 20 Any apprenticeship program established under this
15 21 section shall comply with requirements established by
15 22 the United States department of labor, ~~bureau~~ office of
15 23 apprenticeship ~~and training~~. Participation in an
15 24 apprenticeship program or apprenticeship agreement
15 25 by an apprenticeship sponsor shall be on a voluntary
15 26 basis.

15 27 2. For purposes of this section:

15 28 a. "Apprentice" means a person who is at least
15 29 sixteen years of age, except where a higher minimum
15 30 age is required by law, who is employed in an
15 31 apprenticeable occupation, and is registered with
15 32 the United States department of labor, office of
15 33 apprenticeship.

15 34 b. "Apprenticeable occupation" means an occupation
15 35 approved for apprenticeship by the United States
15 36 department of labor, office of apprenticeship ~~and~~
15 37 ~~training~~.

15 38 c. "Apprenticeship program" means a plan, registered
15 39 with the United States office of apprenticeship
15 40 which contains the terms and conditions for the
15 41 qualification, recruitment, selection, employment, and
15 42 training of apprentices, including the requirement for
15 43 a written apprenticeship agreement.

15 44 d. "Apprenticeship sponsor" means a person
15 45 operating an apprenticeship program or in whose name an
15 46 apprenticeship program is being operated, registered,
15 47 or approved.

15 48 Sec. 45. Section 298.4, subsection 2, if enacted
15 49 by 2010 Iowa Acts, Senate File 2237, section 103, is
15 50 amended to read as follows:



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16 1 2. Unencumbered funds collected from the levies
16 2 authorized in sections 96.31, 279.46, and 296.7 prior
16 3 to July 1, 1991, may be expended for the purposes
16 4 listed in ~~subsections~~ subsection 1, paragraphs "a",
16 5 "c", and "e".

16 6 Sec. 46. Section 317.1, Code 2009, as amended
16 7 by 2010 Iowa Acts, Senate File 2340, section 86, if
16 8 enacted, is amended to read as follows:

16 9 317.1 Definitions.

16 10 As used in this chapter, unless the context
16 11 otherwise requires:

16 12 ~~a.~~ 1. "Book", "list", "record", or "schedule" kept
16 13 by a county auditor, assessor, treasurer, recorder,
16 14 sheriff, or other county officer means the county
16 15 system as defined in section 445.1.

16 16 ~~b.~~ 2. "Commissioner" means the county weed
16 17 commissioner or the commissioner's deputy within each
16 18 county.

16 19 Sec. 47. Section 321J.2, subsection 3, paragraph
16 20 d, subparagraphs (1) and (2), if enacted by 2010 Iowa
16 21 Acts, Senate File 431, section 1, are amended to read
16 22 as follows:

16 23 (1) A defendant whose alcohol concentration is .08
16 24 or more but not more than .10 shall not be eligible for
16 25 any temporary restricted license for at least thirty
16 26 days if a test was obtained and an accident resulting
16 27 in personal injury or property damage occurred. The
16 28 department shall require the defendant ~~shall be~~
~~16 29 ordered~~ to install an ignition interlock device of a
16 30 type approved by the commissioner of public safety on
16 31 all vehicles owned or operated by the defendant if
16 32 the defendant seeks a temporary restricted license.
16 33 There shall be no such period of ineligibility if no
16 34 such accident occurred, and the defendant shall not
16 35 be ~~ordered~~ required to install an ignition interlock
16 36 device.

16 37 (2) A defendant whose alcohol concentration is
16 38 more than .10 shall not be eligible for any temporary
16 39 restricted license for at least thirty days if a test
16 40 was obtained, and an accident resulting in personal
16 41 injury or property damage occurred or the defendant's
16 42 alcohol concentration exceeded .15. There shall be
16 43 no such period of ineligibility if no such accident
16 44 occurred and the defendant's alcohol concentration did
16 45 not exceed .15. In either case, where a defendant's
16 46 alcohol concentration is more than .10, the department
~~16 47 shall require the defendant~~ ~~shall be ordered~~ to install
16 48 an ignition interlock device of a type approved by the
16 49 commissioner of public safety on all vehicles owned
16 50 or operated by the defendant if the defendant seeks a



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17 1 temporary restricted license.
17 2 Sec. 48. Section 336.4, Code 2009, as amended
17 3 by 2010 Iowa Acts, Senate File 2088, section 323, is
17 4 amended to read as follows:
17 5 336.4 Library trustees.
17 6 In any area in which a library district has been
17 7 established in accordance with this chapter, a board
17 8 of library trustees, consisting of five, seven, or
17 9 nine members who ~~resident~~ reside within the library
17 10 district, shall be appointed by the governing bodies of
17 11 the jurisdictions comprising the library district.
17 12 Sec. 49. Section 435.26B, subsection 1, paragraph
17 13 c, if enacted by 2010 Iowa Acts, Senate File 2199,
17 14 section 13, is amended to read as follows:
17 15 c. A statement of the affiant's title or ownership
17 16 interest and a statement of all liens, encumbrances, or
17 17 security ~~interest~~ interests upon the manufactured or
17 18 mobile home, including the names and mailing addresses
17 19 of all persons having any such liens, encumbrances, or
17 20 security interests.
17 21 Sec. 50. Section 455B.104, subsection 4, as enacted
17 22 by 2010 Iowa Acts, Senate File 2088, section 258, is
17 23 amended to read as follows:
17 24 4. By ~~September 1~~ December 31 of each year, the
17 25 department shall submit a report to the governor and
17 26 the general assembly regarding the greenhouse gas
17 27 emissions in the state during the previous calendar
17 28 year and forecasting trends in such emissions. The
17 29 first submission by the department shall be filed by
17 30 ~~September 1~~ December 31, 2011, for the calendar year
17 31 beginning January 1, 2010.
17 32 Sec. 51. Section 476.53, subsection 2, paragraph
17 33 a, Code 2009, as amended by 2010 Iowa Acts, House File
17 34 2399, section 2, if enacted, is amended to read as
17 35 follows:
17 36 a. The general assembly's intent with regard to
17 37 the development of electric power generating and
17 38 transmission facilities, or the significant alteration
17 39 of an existing generating facility, as provided in
17 40 subsection 1, shall be implemented in a manner that is
17 41 cost-effective and compatible with the environmental
17 42 policies of the state, as expressed in Title XI.
17 43 Sec. 52. Section 489.116, subsection 4, as amended
17 44 by 2010 Iowa Acts, House File 2478, section 5, if
17 45 enacted, is amended to read as follows:
17 46 ~~4.~~ 3. A limited liability company or foreign
17 47 limited liability company may be served pursuant to
17 48 this section, as provided in another provision of this
17 49 chapter, or as provided in sections 617.3 through
17 50 617.6, unless the manner of service is otherwise



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18 1 specifically provided for by another provision of law.
18 2 Sec. 53. Section 489.1005, subsection 2, Code 2009,
18 3 is amended to read as follows:
18 4 2. A surviving organization that is a foreign
18 5 organization consents to the jurisdiction of the courts
18 6 of this state to enforce any debt, obligation, or
18 7 other liability owed by a constituent organization,
18 8 if before the merger the constituent organization was
18 9 subject to suit in this state on the debt, obligation,
18 10 or other liability. A surviving organization that is
18 11 a foreign organization and not authorized to transact
18 12 business in this state appoints the secretary of
18 13 state as its registered agent for service of process
18 14 for the purposes of enforcing a debt, obligation, or
18 15 other liability under this subsection. Service on the
18 16 secretary of state under this subsection must be made
18 17 in the same manner and has the same consequences as in
18 18 section 489.116, subsections ~~3~~ 2 and 4 3.
18 19 Sec. 54. Section 489.1009, subsection 3, Code 2009,
18 20 is amended to read as follows:
18 21 3. A converted organization that is a foreign
18 22 organization consents to the jurisdiction of the
18 23 courts of this state to enforce any debt, obligation,
18 24 or other liability for which the converting limited
18 25 liability company is liable if, before the conversion,
18 26 the converting limited liability company was subject to
18 27 suit in this state on the debt, obligation, or other
18 28 liability. A converted organization that is a foreign
18 29 organization and not authorized to transact business
18 30 in this state appoints the secretary of state as its
18 31 registered agent for service of process for purposes of
18 32 enforcing a debt, obligation, or other liability under
18 33 this subsection. Service on the secretary of state
18 34 under this subsection must be made in the same manner
18 35 and has the same consequences as in section 489.116,
18 36 subsections ~~3~~ 2 and 4 3.
18 37 Sec. 55. Section 489.1013, subsection 2, Code 2009,
18 38 is amended to read as follows:
18 39 2. A domesticated company that is a foreign limited
18 40 liability company consents to the jurisdiction of the
18 41 courts of this state to enforce any debt, obligation,
18 42 or other liability owed by the domesticating company,
18 43 if, before the domestication, the domesticating
18 44 company was subject to suit in this state on the debt,
18 45 obligation, or other liability. A domesticated company
18 46 that is a foreign limited liability company and not
18 47 authorized to transact business in this state appoints
18 48 the secretary of state as its registered agent for
18 49 service of process for purposes of enforcing a debt,
18 50 obligation, or other liability under this subsection.



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19 1 Service on the secretary of state under this subsection
19 2 must be made in the same manner and has the same
19 3 consequences as in section 489.116, subsections ~~3~~ 2 and
19 4 3.

19 5 Sec. 56. Section 508C.3, subsection 1, paragraph b,
19 6 subparagraph (2), subparagraph division (b), Code 2009,
19 7 as amended by 2010 Iowa Acts, Senate File 2272, section
19 8 1, if enacted, is amended to read as follows:

19 9 (b) The person is not eligible for coverage by an
19 10 association described in subparagraph ~~part~~ division (a)
19 11 in any other state due to the fact that the insurer was
19 12 not licensed in the state at the time specified in that
19 13 state's guaranty association law.

19 14 Sec. 57. Section 514C.26, subsection 1, paragraph
19 15 c, subparagraph (2), subparagraph division (j), as
19 16 enacted by 2010 Iowa Acts, House File 2075, section 1,
19 17 is amended to read as follows:

19 18 (j) Costs of extra treatments, services,
19 19 procedures, tests, or drugs that would not be performed
19 20 or administered except for participation in the
19 21 cancer clinical trial. Nothing in this subparagraph
19 22 ~~subdivision~~ division shall limit payment for
19 23 treatments, services, procedures, tests, or drugs that
19 24 are otherwise a covered benefit under subparagraph (1).

19 25 Sec. 58. Section 543B.29, subsection 1, paragraph
19 26 e, subparagraph (2), if enacted by 2010 Iowa Acts,
19 27 Senate File 2326, section 5, is amended to read as
19 28 follows:

19 29 (2) The commission, when considering the revocation
19 30 or suspension of a license pursuant to this paragraph
19 31 "e", shall consider the nature of the offense; any
19 32 aggravating or extenuating circumstances which
19 33 are documented; the time lapsed since the conduct
19 34 or conviction; the rehabilitation, treatment, or
19 35 restitution performed by the licensee; and any other
19 36 factors the commission deems relevant. Character
19 37 references may be required but shall not be obtained
19 38 from licensed real estate brokers or salespersons.

19 39 Sec. 59. Section 562A.29A, subsection 1, paragraph
19 40 b, as enacted by 2010 Iowa Acts, Senate File 2300,
19 41 section 3, is amended to read as follows:

19 42 b. Personal service pursuant to ~~rules~~ rule of civil
19 43 procedure 1.305, Iowa court rules, for the personal
19 44 service of original notice.

19 45 Sec. 60. Section 685.6, subsection 9, paragraph d,
19 46 as enacted by 2010 Iowa Acts, Senate File 2088, section
19 47 343, is amended to read as follows:

19 48 d. At any time during which any custodian is in
19 49 custody or control of any documentary material or
19 50 answers to interrogatories produced, or transcripts of



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20 1 oral testimony given, by any person in compliance with
20 2 any civil investigative demand issued under subsection
20 3 1, such person, and in the case of an express demand
20 4 for any product of discovery, the person from whom such
20 5 discovery was obtained, may file, in the district court
20 6 of the state for the judicial district within which the
20 7 office of such custodian is located, and serve upon
20 8 such custodian, a petition for an order of such court
20 9 to require the performance by the custodian of any duty
20 10 imposed upon the custodian by this section.

20 11 Sec. 61. Section 692A.102, subsection 1, paragraph
20 12 c, subparagraph (30), Code Supplement 2009, is amended
20 13 to read as follows:

20 14 (30) Enticing ~~away~~ a minor in violation of section
20 15 710.10, if the violation includes an intent to commit
20 16 sexual abuse, sexual exploitation, sexual contact, or
20 17 sexual conduct directed towards a minor.

20 18 Sec. 62. Section 805.6, subsection 3, paragraph a,
20 19 if enacted by 2010 Iowa Acts, Senate File 2340, section
20 20 63, is amended to read as follows:

20 21 a. The uniform citation and complaint shall
20 22 contain spaces for the parties' names; the address
20 23 of the alleged offender; the registration number of
20 24 the offender's vehicle; the information required by
20 25 section 805.2, a warning which states: I hereby
20 26 swear and affirm that the information provided by me
20 27 on this citation is true under penalty of providing
20 28 false information; and a statement that providing false
20 29 information is a violation of section 719.3; a list
20 30 of the scheduled fines prescribed by sections 805.8A,
20 31 805.8B, and 805.8C, either separately or by group, and
20 32 a statement of the court costs payable in scheduled
20 33 violation cases, whether or not a court appearance
20 34 is required or is demanded; a brief explanation of
20 35 sections 805.9 and 805.10; and a space where the
20 36 defendant may sign an admission of the violation when
20 37 permitted by section 805.9; and the uniform citation
20 38 and complaint shall require that the defendant appear
20 39 before a court at a specified time and place. The
20 40 uniform citation and complaint also may contain a space
20 41 for the imprint of a credit card, and may contain any
20 42 other information which the commissioner of public
20 43 safety, the director of transportation, and the
20 44 director of the department of natural resources may
20 45 determine.

20 46 Sec. 63. Section 805.6, subsection 7, Code
20 47 Supplement 2009, as amended by 2010 Iowa Acts, Senate
20 48 File 2340, section 63, if enacted, is amended to read
20 49 as follows:

20 50 9. Supplies of uniform citation and complaint forms



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21 1 existing or on order on July 1, 2010, may be used until
21 2 exhausted.

21 3 Sec. 64. Section 901A.1, subsection 1, paragraph c,
21 4 Code 2009, is amended to read as follows:

21 5 c. Enticing a minor ~~away~~ in violation of section
21 6 710.10, subsection 1.

21 7 Sec. 65. The portion of 2010 Iowa Acts, House
21 8 File 2399, section 2, if enacted, that enacts section
21 9 476.53, subsection 3, paragraph a, subparagraph (1),
21 10 unnumbered paragraph 1, is amended by striking the
21 11 unnumbered paragraph and inserting in lieu thereof the
21 12 following:

21 13 Files an application pursuant to section 476A.3 to
21 14 construct in Iowa a baseload electric power generating
21 15 facility with a nameplate generating capacity equal
21 16 to or greater than three hundred megawatts or a
21 17 combined-cycle electric power generating facility, or
21 18 an alternate energy production facility as defined
21 19 in section 476.42, or to significantly alter an
21 20 existing generating facility. For purposes of this
21 21 subparagraph, a significant alteration of an existing
21 22 generating facility must, in order to qualify for
21 23 establishment of ratemaking principles, fall into one
21 24 of the following categories:

21 25 Sec. 66. 2010 Iowa Acts, Senate File 431, section
21 26 5, if enacted, is amended by striking the section and
21 27 inserting in lieu thereof the following:

21 28 SEC. 5. Section 907.3, subsection 3, paragraph
21 29 c, unnumbered paragraph 1, Code Supplement 2009, is
21 30 amended to read as follows:

21 31 A mandatory minimum sentence of incarceration
21 32 imposed pursuant to a violation of section 321J.2,
21 33 subsection 1; furthermore, the court shall not suspend
21 34 any part of a sentence not involving incarceration
21 35 imposed pursuant to section 321J.2, subsection ~~2~~ 3,
21 36 4, or 5, beyond the mandatory minimum if any of the
21 37 following apply:

21 38 Sec. 67. 2010 Iowa Acts, Senate File 2237, section
21 39 180, subsection 4, paragraph a, as enacted, is amended
21 40 to read as follows:

21 41 a. The Code editor is directed to strike the words
21 42 "title" or "Title" and insert "Tit." within federal
21 43 Act references in sections 13.31, subsections 1 and
21 44 6; 15E.192, subsection 2; 15E.195, subsections 1 and
21 45 2; 30.1, subsection 3; 47.1, subsection 5; 96.11,
21 46 subsection 10, paragraph "c"; 97C.1; 97C.2, subsections
21 47 2, 5, and 7; 97C.3, unnumbered paragraph 1, and
21 48 subsections 1 and 2; 135C.9, subsection 1, paragraph
21 49 "b"; 142A.8, subsection 2; 203C.1, subsection 26;
21 50 207.21, subsections 1, 4, and 5; 207.22, subsection



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22 1 3, paragraph "b"; 217.38; 228.1, subsection 7;
22 2 230.20, subsection 6; 232.1A; 234.6, subsection 1;
22 3 249.1, subsection 3; 249A.2, subsections 1, 4, 6, 7,
22 4 and 8; 249A.20A, subsection 5; 249A.24, subsection
22 5 2, paragraph "b"; 249B.1, subsections 6 and 7;
22 6 249F.1, subsection 1; 249F.8; 249J.3, subsection 8;
22 7 249J.10, subsection 3; 249J.22, subsection 3; 252B.6,
22 8 subsection 3; 252B.9, subsection 2, paragraph "b",
22 9 subparagraph (1), subsection 3, paragraphs "c", "d",
22 10 "e", subparagraph (1), and "f"; 252B.14, subsection
22 11 5; 252D.20; 252E.15; 259.2, unnumbered paragraph 2;
22 12 259.9; 260C.18A, subsection 2, paragraph "c"; 306B.1,
22 13 subsections 3 and 4; 307.10, subsection 13; 321.105,
22 14 subsection 5; 321.450, subsections 1 and 3; 403.6,
22 15 subsection 7; 455B.133, subsection 3 and subsection
22 16 8, paragraph "a"; 459A.102, subsection 19; 483A.4,
22 17 subsection 1; 486A.101, subsection 2, paragraph "a";
22 18 488.102, subsection 3, paragraph "a"; 490A.102,
22 19 subsection 2; 514.7, subsections 2 through 4; 514B.1,
22 20 subsection 5, paragraphs "b" ~~though~~ through "d";
22 21 514C.8, subsection 1; 514F.4, subsection 2, paragraph
22 22 "a"; 514I.9, subsection 1; 523A.401, subsection 5,
22 23 paragraph "a"; 523A.402, subsection 5, paragraph "a";
22 24 523A.602, subsection 3; 534.205, subsection 1; 541A.1,
22 25 subsection 8, paragraph "b", subparagraph (2); and
22 26 541A.6, Code 2009.
22 27 Sec. 68. 2010 Iowa Acts, Senate File 2366, section
22 28 23, subsection 2, if enacted, is amended to read as
22 29 follows:
22 30 2. The costs associated with implementation of
22 31 this division of this Act shall be funded exclusively
22 32 through moneys appropriated from the quality assurance
22 33 trust fund, and shall result in budget neutrality to
22 34 the general fund of the state for the fiscal year
22 35 beginning July 1, 2009, and ending June 30, 2010.
22 36 Sec. 69. REPEAL. 2010 Iowa Acts, House File 2280,
22 37 section 25, is repealed.
22 38 Sec. 70. REPEAL. 2010 Iowa Acts, House File 2452,
22 39 section 3, is repealed.
22 40 Sec. 71. REPEAL. 2010 Iowa Acts, Senate File 2340,
22 41 section 117, is repealed.
22 42 Sec. 72. CONDITIONAL EFFECTIVE DATE. The sections
22 43 of this division of this Act amending sections
22 44 489.1005, 489.1009, and 489.1013, take effect only if
22 45 2010 Iowa Acts, House File 2478, is enacted.
22 46 Sec. 73. CONDITIONAL EFFECTIVE DATE. The sections
22 47 of this division of this Act amending section 692A.102,
22 48 subsection 1, paragraph "c", subparagraph (30), and
22 49 section 901A.1, subsection 1, paragraph "c", take
22 50 effect only if 2010 Iowa Acts, House File 2438, is



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23 1 enacted.

23 2 Sec. 74. CONTINGENT EFFECTIVE DATE. The section
23 3 of this division of this Act amending section 805.6,
23 4 subsection 7, takes effect only if 2010 Iowa Acts,
23 5 Senate File 2197, is enacted.

23 6 Sec. 75. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
23 7 APPLICABILITY. The following sections of this division
23 8 of this Act, being deemed of immediate importance,
23 9 take effect upon enactment and apply retroactively as
23 10 follows:

23 11 1. The section of this division of this Act
23 12 amending section 162.10D, subsection 2, as enacted by
23 13 2010 Iowa Acts, House File 2280, section 18, applies
23 14 retroactively to March 9, 2010.

23 15 2. The section of this division of this Act
23 16 amending section 216A.113, subsection 1, as enacted by
23 17 2010 Iowa Acts, Senate File 2088, section 139, applies
23 18 retroactively to March 10, 2010.

23 19 3. The section of this division of this Act
23 20 amending section 256.51, subsection 1, paragraph "a",
23 21 Code 2009, as amended by 2010 Iowa Acts, Senate File
23 22 2088, section 316, applies retroactively to March 10,
23 23 2010.

23 24 4. The section of this division of this Act
23 25 amending section 435.26B, subsection 1, paragraph "c",
23 26 if enacted by 2010 Iowa Acts, Senate File 2199, section
23 27 13, applies retroactively to the effective date of 2010
23 28 Iowa Acts, Senate File 2199.

23 29 5. The section of this division of this Act
23 30 amending section 562A.29A, subsection 1, paragraph "b",
23 31 as enacted by 2010 Iowa Acts, Senate File 2300, section
23 32 3, applies retroactively to March 2, 2010.

23 33 6. The section of this division of this Act
23 34 amending the portion of 2010 Iowa Acts, House File
23 35 2399, section 2, that enacts section 476.53, subsection
23 36 3, paragraph "a", subparagraph (1), unnumbered
23 37 paragraph 1, applies retroactively to March 9, 2010.

23 38 7. The section of this division of this Act
23 39 repealing 2010 Iowa Acts, House File 2280, section 25,
23 40 applies retroactively to March 9, 2010.

23 41 Sec. 76. EFFECTIVE DATE. The following sections of
23 42 this division of this Act take effect December 1, 2010:

23 43 1. The section of this division of this Act
23 44 amending section 321J.2, subsection 3, paragraph "d",
23 45 subparagraphs (1) and (2), if enacted by 2010 Iowa
23 46 Acts, Senate File 431, section 1.

23 47 2. The section of this division of this Act
23 48 repealing 2010 Iowa Acts, House File 2452, section 3,
23 49 if 2010 Iowa Acts, Senate File 431, is enacted.

23 50 3. The section of this division of this Act



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24 1 amending 2010 Iowa Acts, Senate File 431, section 5, if
 24 2 2010 Iowa Acts, Senate File 431, is enacted.

24 3 DIVISION VII

24 4 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

24 5 Sec. 77. SAC AND FOX INDIAN SETTLEMENT ==
 24 6 EDUCATIONAL EXPENSES. There is appropriated from the
 24 7 Iowa comprehensive petroleum underground storage tank
 24 8 fund to the department of education for the fiscal year
 24 9 beginning July 1, 2010, and ending June 30, 2011, the
 24 10 following amount, or so much thereof as is necessary,
 24 11 to be used for the purposes designated:

24 12 Notwithstanding section 455G.3, subsection 1, for
 24 13 distribution to the tribal council of the Sac and Fox
 24 14 Indian settlement located on land held in trust by the
 24 15 secretary of the interior of the United States. Moneys
 24 16 appropriated under this section shall be used for the
 24 17 purposes specified in section 256.30:

24 18 \$ 90,000

24 19 Sec. 78. CASH RESERVE FUND APPROPRIATIONS. There
 24 20 is appropriated from the cash reserve fund created in
 24 21 section 8.56 to the following departments and agencies
 24 22 for the fiscal year beginning July 1, 2010, and ending
 24 23 June 30, 2011, the following amounts to be used for the
 24 24 purposes designated:

24 25 1. DEPARTMENT OF HUMAN SERVICES

24 26 For the medical assistance program:

24 27 \$187,800,000

24 28 2. DEPARTMENT OF MANAGEMENT

24 29 For salaries, support, maintenance, and
 24 30 miscellaneous purposes:

24 31 \$ 260,000

24 32 Sec. 79. APPROPRIATION ADJUSTMENTS == DEPARTMENT
 24 33 OF ADMINISTRATIVE SERVICES. The appropriations to the
 24 34 department of administrative services for the fiscal
 24 35 year beginning July 1, 2010, in 2010 Iowa Acts, Senate
 24 36 File 2367, from the general fund of the state shall
 24 37 be increased by \$2,761,100. The number of full-time
 24 38 equivalent positions authorized for the department of
 24 39 administrative services for the fiscal year beginning
 24 40 July 1, 2010, in 2010 Iowa Acts, Senate File 2367,
 24 41 shall be increased by 34.40.

24 42 Sec. 80. APPROPRIATION ADJUSTMENTS == DEPARTMENT OF
 24 43 MANAGEMENT. The appropriations to the department of
 24 44 management for the fiscal year beginning July 1, 2010,
 24 45 in 2010 Iowa Acts, Senate File 2367, from the general
 24 46 fund of the state shall be decreased by \$2,761,100.
 24 47 The number of full-time equivalent positions authorized
 24 48 for the department of management for the fiscal year
 24 49 beginning July 1, 2010, in 2010 Iowa Acts, Senate File
 24 50 2367, shall be decreased by 34.40.



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25 1 Sec. 81. RAILROAD COMPANY == LIMITED LIABILITY. A
25 2 railroad company which alters facilities described in
25 3 section 327F.2 pursuant to a written agreement with
25 4 a political subdivision with a population of more
25 5 than 15,100, but less than 15,150, according to the
25 6 2000 certified federal census, to construct a flood
25 7 mitigation project shall receive the limitation on
25 8 liability contained in section 670.4, subsection 8, for
25 9 any damages caused by the alteration due to a flood.
25 10 Sec. 82. BRAILLE AND SIGHT SAVING SCHOOL STUDY.
25 11 1. The state board of regents shall conduct
25 12 a study to examine possible changes to and make
25 13 recommendations regarding the current structure for
25 14 providing residential services on the campus of the
25 15 Iowa braille and sight saving school and to make
25 16 recommendations regarding appropriate facilities and
25 17 facility utilization. The study shall also examine
25 18 potential partnerships with other state agencies as
25 19 well as private providers of residential services.
25 20 2. For purposes of conducting the study, the
25 21 state board of regents shall form a committee with
25 22 representatives of all of the following:
25 23 a. Parents of students who are blind or visually
25 24 impaired.
25 25 b. Constituent organizations for the blind or
25 26 visually impaired.
25 27 c. The department of education.
25 28 d. The department for the blind.
25 29 e. The department of human services.
25 30 f. Area education agencies.
25 31 g. School boards and school board administrators.
25 32 h. The governor's developmental disabilities
25 33 council.
25 34 i. Administration of the statewide system for
25 35 vision services.
25 36 j. Administration of the Iowa school for the deaf.
25 37 3. By August 31, 2010, the state board of regents
25 38 shall submit a report of the study to the legislative
25 39 council.
25 40 Sec. 83. PLUMBERS, MECHANICAL PROFESSIONALS, AND
25 41 CONTRACTORS == EFFECTIVE UPON ENACTMENT.
25 42 1. Notwithstanding the provisions of section
25 43 105.18, subsection 2, paragraph "c", subparagraph (3),
25 44 to the contrary, the plumbing and mechanical systems
25 45 board shall, through September 30, 2010, allow a person
25 46 who has not previously held a license issued under
25 47 section 105.18 to sit for the state master licensing
25 48 examination for the applicable discipline if that
25 49 person submits evidence of work experience which the
25 50 board deems to be equivalent to forty-eight months



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26 1 experience as a licensed master in the applicable
26 2 discipline.

26 3 2. This section, being deemed of immediate
26 4 importance, takes effect upon enactment.

26 5 Sec. 84. Section 8D.13, subsection 5, Code 2009, is
26 6 amended to read as follows:

26 7 5.a. The state shall lease all fiberoptic cable
26 8 facilities or facilities with ~~DS-3~~ sufficient capacity
26 9 as determined by the commission for Part III

~~26 10 connections, for which state funding is provided. The~~
~~26 11 state shall lease all fiberoptic cable facilities or~~
~~26 12 facilities with DS-3 or DS-1 capacity for the judicial~~
26 13 branch, judicial district ~~department~~ departments of
26 14 correctional services, and state agency connections for
26 15 which state funding is provided. In determining the
26 16 capacity to be provided, the commission shall consult
26 17 with the authorized users associated with the Part
26 18 III connections, the judicial branch, the judicial
26 19 district departments of correctional services, and
26 20 state agencies associated with connections for which
26 21 state funding is provided. Such facilities shall be
26 22 leased from qualified providers. The state shall not
26 23 own such facilities, except for those facilities owned
26 24 by the state as of January 1, 1994.

26 25 b. The lease provisions of this subsection do not
26 26 apply to a school district which elects to provide one
26 27 hundred percent of the financing for the district's
26 28 connection.

26 29 Sec. 85. Section 16.100A, subsection 6, paragraph
26 30 d, Code Supplement 2009, is amended to read as follows:

26 31 d. General public members shall be reimbursed by
26 32 the Iowa finance authority for actual and necessary
26 33 expenses incurred while engaged in their official
26 34 duties. ~~Expense payments shall be made from~~
~~26 35 appropriations made for purposes of this section.~~

26 36 Sec. 86. Section 16.181, subsection 1, paragraph a,
26 37 Code Supplement 2009, is amended to read as follows:

26 38 a. A housing trust fund is created within the
26 39 authority. The moneys in the housing trust fund are
26 40 annually appropriated to the authority to be used
26 41 for the development and preservation of affordable
26 42 housing for low-income people in the state and for the
26 43 Iowa mortgage help initiative. Payment of interest,
26 44 recaptures of awards, or other repayments to the
26 45 housing trust fund shall be deposited in the fund.
26 46 Notwithstanding section 12C.7, interest or earnings on
26 47 moneys in the housing trust fund or appropriated to the
26 48 fund shall be credited to the fund. Notwithstanding
26 49 section 8.33, unencumbered and unobligated moneys
26 50 remaining in the fund at the close of each fiscal



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27 1 year shall not revert but shall remain available for
27 2 expenditure for the same purposes in the succeeding
27 3 fiscal year.
27 4 Sec. 87. NEW SECTION. 16.188 Workforce housing
27 5 assistance grant fund.
27 6 1. A workforce housing assistance grant fund
27 7 is created under the authority of the Iowa finance
27 8 authority. The fund shall consist of appropriations
27 9 made to the fund. The fund shall be separate from the
27 10 general fund of the state and the balance in the fund
27 11 shall not be considered part of the balance of the
27 12 general fund of the state. However, the fund shall
27 13 be considered a special account for the purposes of
27 14 section 8.53, relating to generally accepted accounting
27 15 principles.
27 16 2. Notwithstanding section 12C.7, subsection 2,
27 17 interest or earnings on moneys in the fund shall be
27 18 credited to the fund.
27 19 3. a. Moneys in the fund in a fiscal year are
27 20 appropriated to the Iowa finance authority to be
27 21 used for grants for projects that create workforce
27 22 housing or for projects that include adaptive reuse
27 23 of buildings for workforce housing. For purposes of
27 24 this section, "workforce housing" means housing that is
27 25 affordable for a household whose income does not exceed
27 26 one hundred twenty percent of the median income for the
27 27 area.
27 28 b. Priority shall be given to the following types
27 29 of projects:
27 30 (1) Projects that are eligible for historic
27 31 preservation and cultural and entertainment district
27 32 tax credits under section 404A.1.
27 33 (2) Projects for the construction of new
27 34 single-family dwellings that incorporate one or more
27 35 energy-efficient measures. The authority shall by
27 36 rule identify the types of energy-efficient measures
27 37 that will qualify a project for priority under this
27 38 subparagraph.
27 39 (3) Projects that utilize new markets tax credits,
27 40 established under the federal Community Renewal
27 41 Tax Relief Act of 2000, Pub. L. No. 106-554, 114
27 42 Stat. 2763A, and undertaken by a qualified community
27 43 development entity, as defined in the federal Act.
27 44 (4) Projects that are located in an area where
27 45 other state funding has been used to support the
27 46 creation of new jobs.
27 47 c. In any fiscal year, an area shall not receive
27 48 grants totaling more than twenty-five percent of the
27 49 moneys expended from the fund in that fiscal year. For
27 50 purposes of this paragraph, "area" means the same area



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28 1 used to determine the median income under paragraph
28 2 "a".
28 3 4. Annually, on or before January 15 of each year,
28 4 the authority shall report to the legislative services
28 5 agency and the department of management the status of
28 6 all projects that received moneys from the workforce
28 7 housing assistance grant fund. The report shall
28 8 include a description of each project, the progress
28 9 of work completed, the total estimated cost of each
28 10 project, a list of all revenue sources being used to
28 11 fund each project, the amount of funds expended, the
28 12 amount of funds obligated, and the date each project
28 13 was completed or an estimated completion date of each
28 14 project, where applicable.
28 15 5. Payment of moneys from appropriations from the
28 16 fund shall be made in a manner that does not adversely
28 17 affect the tax exempt status of any outstanding bonds
28 18 issued by the treasurer of state pursuant to section
28 19 12.87.
28 20 6. The authority shall adopt rules pursuant to
28 21 chapter 17A to administer this section.
28 22 Sec. 88. Section 20.19, Code 2009, is amended to
28 23 read as follows:
28 24 20.19 Impasse procedures == agreement of parties.
28 25 As the first step in the performance of their duty
28 26 to bargain, the public employer and the employee
28 27 organization shall endeavor to agree upon impasse
28 28 procedures. Such agreement shall provide for
28 29 implementation of these impasse procedures not later
28 30 than one hundred twenty days prior to the certified
28 31 budget submission date of the public employer.
28 32 However, if public employees represented by the
28 33 employee organization are teachers licensed under
28 34 chapter 272, and the public employer is a school
28 35 district or area education agency, the agreement shall
28 36 provide for implementation of impasse procedures not
28 37 later than one hundred twenty days prior to May 31
28 38 of the year when the collective bargaining agreement
28 39 is to become effective. If the public employer is a
28 40 community college, the agreement shall provide for
28 41 implementation of impasse procedures not later than
28 42 one hundred twenty days prior to May 31 of the year
28 43 when the collective bargaining agreement is to become
28 44 effective. If the public employer is not subject to
28 45 the budget certification requirements of section 24.17
28 46 and other applicable sections, the agreement shall
28 47 provide for implementation of impasse procedures not
28 48 later than one hundred twenty days prior to the date
28 49 the next fiscal or budget year of the public employer
28 50 commences. If the parties fail to agree upon impasse



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29 1 procedures under the provisions of this section, the
29 2 impasse procedures provided in sections 20.20 to 20.22
29 3 shall apply.

29 4 Sec. 89. Section 20.20, Code 2009, is amended to
29 5 read as follows:

29 6 20.20 Mediation.

29 7 In the absence of an impasse agreement negotiated
29 8 pursuant to section 20.19 or the failure of either
29 9 party to utilize its procedures, one hundred twenty
29 10 days prior to the certified budget submission date,
29 11 or one hundred twenty days prior to May 31 of the
29 12 year when the collective bargaining agreement is to
29 13 become effective if public employees represented
29 14 by the employee organization are teachers licensed
29 15 under chapter 272 and the public employer is a school
29 16 district or area education agency, the board shall,
29 17 upon the request of either party, appoint an impartial
29 18 and disinterested person to act as mediator. If the
29 19 public employer is a community college, and in the
29 20 absence of an impasse agreement negotiated pursuant
29 21 to section 20.19 or the failure of either party to
29 22 utilize its procedures, one hundred twenty days prior
29 23 to May 31 of the year when the collective bargaining
29 24 agreement is to become effective, the board, upon the
29 25 request of either party, shall appoint an impartial and
29 26 disinterested person to act as mediator. If the public
29 27 employer is not subject to the budget certification
29 28 requirements of section 24.17 or other applicable
29 29 sections and in the absence of an impasse agreement
29 30 negotiated pursuant to section 20.19, or the failure
29 31 of either party to utilize its procedures, one hundred
29 32 twenty days prior to the date the next fiscal or budget
29 33 year of the public employer commences, the board, upon
29 34 the request of either party, shall appoint an impartial
29 35 and disinterested person to act as a mediator. It
29 36 shall be the function of the mediator to bring the
29 37 parties together to effectuate a settlement of the
29 38 dispute, but the mediator may not compel the parties
29 39 to agree.

29 40 Sec. 90. Section 99B.12A, unnumbered paragraph 1,
29 41 Code 2009, is amended to read as follows:

29 42 ~~An organization that is exempt from federal income~~

~~29 43 taxes under section 501(c)(3), 501(c)(4), 501(c)(5),~~

~~29 44 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or~~

~~29 45 501(c)(19) of the Internal Revenue Code as defined~~

~~29 46 in section 422.3, A person shall be authorized to~~

29 47 conduct a bingo occasion without a license as otherwise
29 48 required by this chapter if all of the following

29 49 requirements are met:

29 50 Sec. 91. Section 99B.17, Code 2009, is amended to



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30 1 read as follows:

30 2 99B.17 Gambling on credit unlawful == exception.

30 3 1. A person who tenders and a person who receives
30 4 any promise, agreement, note, bill, bond, contract,
30 5 mortgage or other security, or any negotiable
30 6 instrument, as consideration for any wager or bet,
30 7 whether or not lawfully conducted or engaged in
30 8 pursuant to this chapter, commits a misdemeanor.
30 9 However, a participant in a bingo occasion or in a
30 10 contest lawful under section 99B.11 may make payment
30 11 by personal check for any entry or participation
30 12 fee assessed by the sponsor of the bingo occasion or
30 13 contest.

30 14 2. A participant in a raffle conducted by an
30 15 eligible qualified organization may purchase raffle
30 16 tickets by personal check, money order, bank check,
30 17 cashier's check, electronic check, or debit card
30 18 for one raffle conducted by the eligible qualified
30 19 organization during a calendar year. The department
30 20 shall adopt rules setting minimum standards concerning
30 21 the purchase of raffle tickets as authorized by
30 22 this subsection which shall ensure compliance with
30 23 applicable federal law and for the protection of
30 24 personal information consistent with payment card
30 25 industry compliance regulations. For purposes of this
30 26 subsection, an "eligible qualified organization" is
30 27 a qualified organization that has conducted a raffle
30 28 pursuant to section 99B.7 during the previous eight
30 29 consecutive calendar years in which the net proceeds
30 30 are distributed to a museum.

30 31 Sec. 92. Section 155A.6A, subsection 3, Code 2009,
30 32 is amended to read as follows:

30 33 3. a. Beginning July 1, 2009, a person who is in
30 34 the process of acquiring national certification as a
30 35 pharmacy technician and who is in training to become a
30 36 pharmacy technician shall register with the board as a
30 37 pharmacy technician. The registration shall be issued
30 38 for a period not to exceed one year and shall not be
30 39 renewable.

30 40 b. A person who is registered as a pharmacy
30 41 technician or a pharmacy technician trainee prior
30 42 to January 1, 2010, who has worked as a pharmacy
30 43 technician or pharmacy technician trainee for a minimum
30 44 of two thousand hours in the previous eighteen months
30 45 under the direction of a licensed pharmacist or who has
30 46 received certification as a pharmacy technician through
30 47 a certification program accredited by the national
30 48 commission for certifying agencies, is exempt from
30 49 meeting any examination requirement for registration
30 50 pursuant to subsection 2.



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31 1 Sec. 93. Section 174.1, subsection 2, paragraphs b
31 2 and c, Code 2009, are amended to read as follows:
31 3 b. The organization owns buildings and other
31 4 improvements situated on the fairgrounds which have
31 5 been specially constructed for purposes of conducting a
31 6 fair event.
31 7 c. The market value of the fairgrounds and
31 8 buildings and other improvements located on the
31 9 fairgrounds is at least ~~eighty~~ twenty-five thousand
31 10 dollars.
31 11 Sec. 94. Section 174.1, subsection 3, Code 2009, is
31 12 amended to read as follows:
31 13 3. "Fair event" means an annual gathering of the
31 14 public on fairgrounds that incorporates agricultural
31 15 exhibits, demonstrations, shows, or competitions ~~and~~
~~31 16 which includes all of the following:~~
31 17 ~~a. Programs that include programs~~ or projects
31 18 sponsored by 4-H clubs, future farmers of America, or
31 19 the Iowa cooperative extension service in agriculture
31 20 and home economics of Iowa state university. Other
31 21 activities may include any of the following:
31 22 ~~b. a.~~ a. Commercial exhibits sponsored by
31 23 manufacturers or other businesses.
31 24 ~~e. b.~~ b. Educational programs or exhibits sponsored
31 25 by governmental entities or nonprofit organizations.
31 26 ~~d. c.~~ c. Competition in culinary arts, fine arts, or
31 27 home craft arts.
31 28 Sec. 95. 2010 Iowa Acts, Senate File 2378, section
31 29 20, subsection 1, if enacted, is amended to read as
31 30 follows:
31 31 1. A public safety enforcement fund is created in
31 32 the state treasury under the control of the treasurer
31 33 of state. Notwithstanding section 602.8108, after
31 34 the necessary amount is remitted for deposit in the
31 35 Iowa prison infrastructure fund as provided in section
31 36 602.8108A, the state court administrator shall allocate
31 37 to the treasurer of state for deposit in the public
31 38 safety enforcement fund the ~~first~~ next nine million
31 39 one hundred thousand dollars of the moneys received
31 40 under section 602.8108, subsection 2, during the fiscal
31 41 year beginning July 1, 2010, and ending June 30, 2011.
31 42 Moneys deposited into the fund are appropriated to
31 43 the treasurer of state for allocation as provided in
31 44 subsection 2.
31 45 Sec. 96. Section 232.188, subsection 5, paragraph
31 46 b, unnumbered paragraph 1, Code 2009, is amended to
31 47 read as follows:
31 48 Notwithstanding section 8.33, moneys designated for
31 49 a project's decategorization services funding pool that
31 50 remain unencumbered or unobligated at the close of the



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32 1 fiscal year shall not revert but shall remain available
32 2 for expenditure as directed by the project's governance
32 3 board for child welfare and juvenile justice systems
32 4 enhancements and other purposes of the project ~~until~~
~~32 5 the close of the succeeding fiscal year and for the~~
32 6 next two succeeding fiscal years. Such moneys shall
32 7 be known as "carryover funding". Moneys may be made
32 8 available to a funding pool from one or more of the
32 9 following sources:

32 10 Sec. 97. Section 256.7, subsection 29, Code
32 11 Supplement 2009, is amended to read as follows:

32 12 29. Adopt rules establishing nutritional content
32 13 standards for foods and beverages sold or provided on
32 14 the school grounds of any school district or accredited
32 15 nonpublic school during the school day exclusive of the
32 16 food provided by any federal school food program or
32 17 pursuant to an agreement with any agency of the federal
32 18 government in accordance with the provisions of chapter
32 19 283A, and exclusive of foods sold for fundraising
32 20 purposes and foods and beverages sold at concession
32 21 stands. The standards shall be consistent with the
32 22 dietary guidelines for Americans issued by the United
32 23 States department of agriculture food and nutrition
32 24 service. Nothing in this subsection shall prohibit a
32 25 local school district from adopting their own standards
32 26 for food and beverages sold or provided on the school
32 27 grounds during the school day, provided such standards
32 28 are not more restrictive than those implemented by the
32 29 department.

32 30 Sec. 98. Section 455A.13, Code 2009, is amended to
32 31 read as follows:

32 32 455A.13 State nurseries.

32 33 1. Notwithstanding section 17A.2, subsection 11,
32 34 paragraph "g", the department of natural resources
32 35 shall adopt administrative rules establishing a range
32 36 of prices of plant material grown at the state forest
32 37 nurseries to cover all expenses related to the growing
32 38 of the plants. The department is authorized to sell
32 39 plant material in other states.

32 40 ~~1.~~ 2. The department shall develop programs to
32 41 encourage the wise management and preservation of
32 42 existing woodlands and shall continue its efforts to
32 43 encourage forestation and reforestation on private and
32 44 public lands in the state.

32 45 ~~2.~~ 3. The department shall encourage a cooperative
32 46 relationship between the state forest nurseries and
32 47 private nurseries in the state in order to achieve
32 48 these goals.

32 49 Sec. 99. Section 466B.4, subsection 2, Code
32 50 Supplement 2009, is amended to read as follows:



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33 1 2. Marketing campaign. The water resources
33 2 coordinating council shall develop a marketing campaign
33 3 to educate Iowans about the need to take personal
33 4 responsibility for the quality and quantity of water in
33 5 their local watersheds. The emphasis of the campaign
33 6 shall be that not only is everyone responsible for
33 7 clean water, but that everyone benefits from it as
33 8 well, and that everyone is responsible for and benefits
33 9 from reducing the risk for flooding and mitigating
33 10 possible future flood damage. The goals of the
33 11 campaign shall be to convince Iowans to take personal
33 12 responsibility for clean water and reducing the risk of
33 13 flooding and to equip them with the tools necessary to
33 14 effect change through local water quality improvement
33 15 projects and better flood plain management and flood
33 16 risk programs.

33 17 Sec. 100. NEW SECTION. 466B.12 Flood plain
33 18 managers.

33 19 The council shall encourage and support the
33 20 formation of a chapter of the association of state
33 21 flood plain managers in Iowa that would provide a
33 22 vehicle for local flood plain managers and flood plain
33 23 planners to further pursue professional educational
33 24 opportunities.

33 25 Sec. 101. NEW SECTION. 466B.13 Flood education.
33 26 The Iowa state university agricultural extension
33 27 service, the council, and agency members of the council
33 28 shall, to the extent feasible, work with flood plain
33 29 and hydrology experts to educate the general public
33 30 about flood plains, flood risks, and basic flood plain
33 31 management principles. This educational effort shall
33 32 include developing educational materials and programs
33 33 in consultation with flood plain experts.

33 34 Sec. 102. Section 729.6, subsection 1, Code 2009,
33 35 is amended by adding the following new paragraph:

33 36 NEW PARAGRAPH. OOb. "Genetic services" means the
33 37 same as defined in 29 U.S.C. { 1191b(d)(8).

33 38 Sec. 103. Section 729.6, subsection 1, paragraph c,
33 39 Code 2009, as amended by 2010 Iowa Acts, Senate File
33 40 2215, if enacted, is amended to read as follows:

33 41 c. "Genetic testing" means the same as genetic
33 42 test as defined in 29 U.S.C. { 1191b(d)(7). "Genetic
33 43 testing" does not mean routine physical measurement, a
33 44 routine chemical, blood, or urine analysis, a biopsy,
33 45 an autopsy, or clinical specimen obtained solely for
33 46 the purpose of conducting an immediate clinical or
33 47 diagnostic test to detect an existing disease, illness,
33 48 impairment, or disorder, or a test for drugs or for
33 49 human immunodeficiency virus infections.

33 50 Sec. 104. EFFECTIVE UPON ENACTMENT AND RETROACTIVE



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34 1 APPLICABILITY. The provision of this division of this
34 2 Act amending section 155A.6A, subsection 3, being
34 3 deemed of immediate importance, takes effect upon
34 4 enactment and applies retroactively to January 1, 2010.

34 5 DIVISION VIII

34 6 BICYCLES

34 7 Sec. 105. NEW SECTION. 321.281 Actions against
34 8 bicyclists.

34 9 1. A person operating a motor vehicle shall not
34 10 steer the motor vehicle unreasonably close to or toward
34 11 a person riding a bicycle on a highway, including the
34 12 roadway or the shoulder adjacent to the roadway.

34 13 2. A person shall not knowingly project any object
34 14 or substance at or against a person riding a bicycle
34 15 on a highway.

34 16 3. A person who violates this section commits a
34 17 simple misdemeanor punishable as a scheduled violation
34 18 under section 805.8A, subsection 14, paragraph "k".

34 19 Sec. 106. Section 805.8A, subsection 14, Code
34 20 Supplement 2009, is amended by adding the following new
34 21 paragraph:

34 22 NEW PARAGRAPH. k. Actions against a person on
34 23 a bicycle. For violations under section 321.281 the
34 24 scheduled fine is two hundred fifty dollars.

34 25 DIVISION IX

34 26 FIRE SUPPRESSION SYSTEMS

34 27 Sec. 107. Section 100.35, Code 2009, is amended to
34 28 read as follows:

34 29 100.35 Rules of marshal.

34 30 1. The fire marshal shall adopt, and may amend
34 31 rules under chapter 17A, which include standards
34 32 relating to exits and exit lights, fire escapes,
34 33 fire protection, fire safety and the elimination of
34 34 fire hazards, in and for churches, schools, hotels,
34 35 theaters, amphitheaters, hospitals, health care
34 36 facilities as defined in section 135C.1, boarding homes
34 37 or housing, rest homes, dormitories, college buildings,
34 38 lodge halls, club rooms, public meeting places, places
34 39 of amusement, apartment buildings, food establishments
34 40 as defined in section 137F.1, and all other buildings
34 41 or structures in which persons congregate from time to
34 42 time, whether publicly or privately owned. Violation
34 43 of a rule adopted by the fire marshal is a simple
34 44 misdemeanor. However, upon proof that the fire marshal
34 45 gave written notice to the defendant of the violation,
34 46 and proof that the violation constituted a clear and
34 47 present danger to life, and proof that the defendant
34 48 failed to eliminate the condition giving rise to the
34 49 violation within thirty days after receipt of notice
34 50 from the fire marshal, the penalty is that provided



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35 1 by law for a serious misdemeanor. Each day of the
35 2 continuing violation of a rule after conviction of
35 3 a violation of the rule is a separate offense. A
35 4 conviction is subject to appeal as in other criminal
35 5 cases.

35 6 2. Rules by the fire marshal affecting the
35 7 construction of new buildings, additions to buildings
35 8 or rehabilitation of existing buildings and related to
35 9 fire protection, shall be substantially in accord with
35 10 the provisions of the nationally recognized building
35 11 and related codes adopted as the state building code
35 12 pursuant to section 103A.7 or with codes adopted by
35 13 a local subdivision which are in substantial accord
35 14 with the codes comprising the state building code. The
35 15 rules adopted by the fire marshal shall not require
35 16 the installation of fire sprinklers or a related
35 17 fire suppression system in a one-family or two-family
35 18 residential dwelling or a residential building that
35 19 contains no more than four dwelling units.

35 20 3. The rules adopted by the state fire marshal
35 21 under this section shall provide standards for fire
35 22 resistance of cellulose insulation sold or used in this
35 23 state, whether for public or private use. The rules
35 24 shall provide for approval of the cellulose insulation
35 25 by at least one nationally recognized independent
35 26 testing laboratory.

35 27 Sec. 108. Section 103A.7, subsection 2, paragraph
35 28 d, Code Supplement 2009, is amended to read as follows:

35 29 d. Protection of the health, safety, and welfare
35 30 of occupants and users. The rules adopted by the
35 31 state building code commissioner shall not require
35 32 the installation of fire sprinklers or a related
35 33 fire suppression system in a one-family or two-family
35 34 residential dwelling or a residential building that
35 35 contains no more than four dwelling units.

35 36 Sec. 109. EFFECTIVE UPON ENACTMENT. This division
35 37 of this Act, being deemed of immediate importance,
35 38 takes effect upon enactment.

DIVISION X

RENEWABLE FUELS AND COPRODUCTS

35 41 Sec. 110. Section 159A.6, subsection 1, Code
35 42 Supplement 2009, is amended to read as follows:

35 43 1. The office shall support education regarding,
35 44 and promotion and advertising of, renewable fuels
35 45 and coproducts. The office shall consult with the
35 46 petroleum marketers and convenience stores of Iowa,
35 47 the Iowa corn growers association, and the Iowa soybean
35 48 association.

DIVISION XI

IDENTIFICATION OF WORKER MISCLASSIFICATION

35 49
35 50



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36 1 Sec. 111. Section 421.17, Code 2009, is amended by
36 2 adding the following new subsection:
36 3 NEW SUBSECTION. 31. If the director has reason
36 4 to believe, as a result of an investigation or audit,
36 5 that a taxpayer may have misclassified workers, then
36 6 to assist the department of workforce development, the
36 7 director is authorized to provide to the department
36 8 of workforce development the following confidential
36 9 information with respect to such a taxpayer:
36 10 a. Withholding and payroll tax information.
36 11 b. The taxpayer's identity, including taxpayer
36 12 identification number and date of birth.
36 13 c. The results or most recent status of the audit
36 14 or investigation.
36 15 Sec. 112. Section 422.20, subsection 3, paragraph
36 16 a, Code 2009, is amended to read as follows:
36 17 a. Unless otherwise expressly permitted by section
36 18 8A.504, section 96.11, subsection 6, section 421.17,
36 19 subsections 22, 23, ~~and~~ 26, and 31, sections 252B.9,
36 20 321.120, 421.19, 421.28, 422.72, and 452A.63, and
36 21 this section, a tax return, return information,
36 22 or investigative or audit information shall not be
36 23 divulged to any person or entity, other than the
36 24 taxpayer, the department, or internal revenue service
36 25 for use in a matter unrelated to tax administration.
36 26 Sec. 113. Section 422.72, subsection 3, paragraph
36 27 a, Code 2009, is amended to read as follows:
36 28 a. Unless otherwise expressly permitted by section
36 29 8A.504, section 96.11, subsection 6, section 421.17,
36 30 subsections 22, 23, ~~and~~ 26, and 31, sections 252B.9,
36 31 321.120, 421.19, 421.28, 422.20, and 452A.63, and
36 32 this section, a tax return, return information,
36 33 or investigative or audit information shall not be
36 34 divulged to any person or entity, other than the
36 35 taxpayer, the department, or internal revenue service
36 36 for use in a matter unrelated to tax administration.
36 37 Sec. 114. EFFECTIVE UPON ENACTMENT. This division
36 38 of this Act, being deemed of immediate importance,
36 39 takes effect upon enactment.>

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Senate Amendment 5332

PAG LIN

1 1 Amend House File 2531, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 40, after line 29 by inserting:
1 4 <Sec. ____ Section 321.18, Code Supplement 2009, is
1 5 amended by adding the following new subsection:
1 6 NEW SUBSECTION. 10. Any trailer that is used
1 7 exclusively for the transportation, display, and
1 8 distribution of flags honoring deceased veterans in
1 9 parades or ceremonies held on Memorial Day, Veterans
1 10 Day, or other patriotic occasions as authorized by
1 11 resolution of the local government of the community
1 12 where the parade or ceremony takes place. A trailer
1 13 exempt from registration under this subsection shall
1 14 only be used on city streets or secondary roads on the
1 15 day of a parade or ceremony specified in the local
1 16 government's resolution, and a copy of the resolution
1 17 shall be carried at all times in the vehicle pulling
1 18 the trailer.>
1 19 #2. By renumbering as necessary.

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