



Iowa General Assembly
Daily Bills, Amendments & Study Bills
January 19, 2011

House Amendment 1026

PAG LIN

1 1 Amend the amendment, H=1021, to House File 45 as
1 2 follows:
1 3 #1. Page 1, after line 1 by inserting:
1 4 <____. Page 19, by striking lines 10 through 21.>
1 5 #2. By renumbering as necessary.

WILLEMS of Linn
H1021.91 (1) 84
jp/tm



Iowa General Assembly
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House Amendment 1027

PAG LIN

1 1 Amend the amendment, H=1009, to House File 45 as
1 2 follows:
1 3 #1. Page 1, after line 1 by inserting:
1 4 <___. Page 46, line 19, after <costs.> by inserting
1 5 <The distribution allocations shall be completed on or
1 6 before July 1, 2011.>>
1 7 #2. By renumbering as necessary.

HEDDENS of Story
H1009.87 (2) 84
jp/tm



Iowa General Assembly
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House Amendment 1028

PAG LIN

1 1 Amend the amendment, H=1010, to House File 45 as
1 2 follows:
1 3 #1. Page 1, by striking lines 3 through 16 and
1 4 inserting <<The legislation shall require the
1 5 legislative services agency to report to the general
1 6 assembly within 90 days of the close of each fiscal
1 7 year providing an analysis as to how the cost for
1 8 that fiscal year of outsourcing state vehicle leasing
1 9 through a private entity compared to the previous
1 10 fiscal year and how the cost of the outsourcing
1 11 approach compared to state ownership and management of
1 12 the passenger vehicle pool. If at any time the cost of
1 13 the outsourcing approach is determined to be in excess
1 14 of the cost of state owned approach, the outsourcing
1 15 approach shall be terminated and replaced with the most
1 16 cost-effective approach identified by the department
1 17 of administrative services for providing the passenger
1 18 vehicle pool.>>

GASKILL of Wapello
H1010.92 (1) 84
jp/tm



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House Amendment 1029

PAG LIN

1 1 Amend the amendment, H=1015, to House File 45 as
1 2 follows:
1 3 #1. By striking page 1, line 45, through page 2,
1 4 line 6.
1 5 #2. Page 2, by striking lines 15 through 27.
1 6 #3. By renumbering as necessary.

WAGNER of Linn
H1015.95 (1) 84
jp/tm



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House Amendment 1030

PAG LIN

1 1 Amend the amendment, H=1017, to House File 45 as
1 2 follows:
1 3 #1. Page 1, by striking lines 12 through 18 and
1 4 inserting:
1 5 <The department of administrative services shall
1 6 implement a request for proposal process for the
1 7 purposes of entering into a contract, by March 15,
1 8 2011, with a private company to provide grass cutting
1 9 and hedge trimming at the terrace hill quarters. The
1 10 amount of cost savings resulting from such contract or
1 11 from any reduction in full-time equivalent positions
1 12 shall revert to the general fund of the state. >>

WAGNER of Linn
H1017.94 (1) 84
jp/tm



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House Amendment 1031

PAG LIN

1 1 Amend the amendment, H=1023, to House File 45 as
 1 2 follows:
 1 3 #1. Page 1, by striking lines 2 through 24 and
 1 4 inserting:
 1 5 <___. Page 19, after line 21 by inserting:
 1 6 <Sec. ___. Section 262.9, subsection 19, Code 2011,
 1 7 is amended by adding the following new paragraph:
 1 8 NEW PARAGRAPH. c. Limit any increase in tuition,
 1 9 fees, and other charges at the institutions of higher
 1 10 education under its control during a school year to not
 1 11 more than an amount equivalent to the increase in the
 1 12 most recently issued higher education price index.>
 1 13 ___. Page 20, after line 15 by inserting:
 1 14 <Sec. ___. APPLICABILITY ==== LEGISLATIVE INTENT.
 1 15 1. The section of this division of this Act
 1 16 amending section 262.9 applies to an increase in
 1 17 tuition, fees, and other charges on or after January 1,
 1 18 2011, and applies retroactively to that date.
 1 19 2. It is the intent of the general assembly that if
 1 20 staff reductions are necessary to implement the section
 1 21 of this division of this Act amending section 262.9,
 1 22 such reductions shall be applied to administrative
 1 23 staff before being applied to instructional, health
 1 24 care, or other staff that provide instruction or
 1 25 services directly to students, patients, or consumers.>
 1 26 ___. By renumbering as necessary.>
 1 27 #2. By renumbering as necessary.

KAUFMANN of Cedar

GRASSLEY of Butler
 H1023.96 (2) 84
 jp/tm



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House Amendment 1032

PAG LIN

1 1 Amend the amendment, H=1023, to House File 45 as
 1 2 follows:
 1 3 #1. Page 1, by striking lines 1 through 24 and
 1 4 inserting:
 1 5 <Amend House File 45 as follows:
 1 6 _____. Page 19, after line 21 by inserting:
 1 7 <Sec. _____. Section 262.9, subsection 19, Code 2011,
 1 8 is amended by adding the following new paragraph:
 1 9 NEW PARAGRAPH. c. Limit any increase in tuition,
 1 10 fees, and other charges at the institutions of higher
 1 11 education under its control during a school year to not
 1 12 more than an amount equivalent to the increase in the
 1 13 most recently issued higher education price index.>
 1 14 _____. Page 20, after line 15 by inserting:
 1 15 <Sec. _____. APPLICABILITY ==== LEGISLATIVE INTENT.
 1 16 1. The section of this division of this Act
 1 17 amending section 262.9 applies to an increase in
 1 18 tuition, fees, and other charges on or after January 1,
 1 19 2011, and applies retroactively to that date.
 1 20 2. It is the intent of the general assembly that if
 1 21 staff reductions are necessary to implement the section
 1 22 of this division of this Act amending section 262.9,
 1 23 such reductions shall be applied to administrative
 1 24 staff before being applied to instructional, health
 1 25 care, or other staff that provide instruction or
 1 26 services directly to students, patients, or consumers.>
 1 27 _____. By renumbering as necessary.>
 1 28 #2. By renumbering as necessary.

KAUFMANN of Cedar

GRASSLEY of Butler
 H1023.100 (2) 84
 jp/tm



Iowa General Assembly
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House Concurrent Resolution 7 - Introduced

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY CHAMBERS and KEARNS

1 1 A Concurrent Resolution supporting the establishment of
1 2 a veterans national recovery center at the former
1 3 Veterans Affairs Hospital campus in Knoxville, Iowa.

1 4 WHEREAS, Iowa has a proud tradition of supporting
1 5 veterans who have fought to protect us all; and

1 6 WHEREAS, the history of war is such that veterans
1 7 do not need to bleed to be injured, evidenced by
1 8 "soldier's heart" in the Civil War, "shell shock" in
1 9 World War II, and post-traumatic stress disorder (PTSD)
1 10 and traumatic brain injury (TBI) today, demonstrating
1 11 that what veterans see and experience can change them
1 12 in profound ways; and

1 13 WHEREAS, society is only beginning to understand
1 14 how these potentially lifelong conditions affect the
1 15 ability of the returning veteran to adapt to society,
1 16 often resulting in homelessness, drug addiction, and
1 17 suicide, even though these emotional and physiological
1 18 wounds remain unseen unlike physical injuries from
1 19 combat; and

1 20 WHEREAS, nationwide there are an estimated 126,000
1 21 homeless veterans today, and recovery facilities are
1 22 scarce, especially in small urban and rural areas, with
1 23 an estimated 30,000=recovery=bed shortage, including
1 24 a shortage of 8,000 beds for the two-year Department
1 25 of Veterans Affairs=funded transitional program for
1 26 homeless veterans; and

1 27 WHEREAS, homelessness among veterans has for years
1 28 been considered a local and regional problem, as local



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House Concurrent Resolution 7 - Introduced continued

2 1 citizens can best reintegrate the local soldier into
2 2 the fabric of local society; and
2 3 WHEREAS, this local problem creates a need for a
2 4 veterans national recovery center because nothing
2 5 similar exists today for homeless veterans; and
2 6 WHEREAS, a vision exists in which homeless veterans
2 7 from around the region and nation can access an
2 8 integrated services center that provides training,
2 9 counseling, personal connectivity from outside
2 10 providers to create an environment that can lift the
2 11 spirits and aspirations of even the most discouraged
2 12 homeless veteran, to give veterans from underserved
2 13 areas, both rural and suburban, priority services,
2 14 and to conduct needed research into the solutions for
2 15 homelessness among veterans; and
2 16 WHEREAS, the integrated services center could
2 17 network with national corporations at the highest level
2 18 to provide job and living opportunities across the
2 19 country to homeless veterans that have progressed to
2 20 psychological stability and self=sufficiency; and
2 21 WHEREAS, base funding is available for operations
2 22 through programs promoted by the United States
2 23 Department of Veterans Affairs, including a capitals
2 24 program, a transportation program, and a two=year
2 25 program intended to transition the homeless veteran
2 26 from the street to a working, stable home; and
2 27 WHEREAS, the former Veterans Affairs Hospital
2 28 campus at Knoxville, Iowa, is available and has the
2 29 capacity to support the veterans national recovery
2 30 center for veterans who are homeless or have suffered



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House Concurrent Resolution 7 - Introduced continued

3 1 from post=traumatic stress disorders or traumatic
3 2 brain injuries, and can provide jobs for veterans and
3 3 nonveterans alike and economic development to the
3 4 area; NOW THEREFORE,
3 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
3 6 SENATE CONCURRING, That the General Assembly of the
3 7 State of Iowa views the establishment of a veterans
3 8 national recovery center at the former Veterans Affairs
3 9 Hospital campus in Knoxville, Iowa, favorably and urges
3 10 the United States Department of Veterans Affairs to
3 11 take those actions necessary to implement the center's
3 12 establishment.
3 13 BE IT FURTHER RESOLVED, That upon passage, the Chief
3 14 Clerk of the House of Representatives immediately
3 15 transmit a copy of this resolution to the Honorable
3 16 Eric Shinseki, Secretary of the United States
3 17 Department of Veterans Affairs.
LSB 1868HH (8) 84
aw/rj



Iowa General Assembly
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House File 67 - Introduced

HOUSE FILE
BY HUNTER

A BILL FOR

1 An Act relating to the provision of certain information for
2 insureds regarding external review of health care coverage
3 decisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1737HH (1) 84
av/rj



**Iowa General Assembly
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House File 67 - Introduced continued

PAG LIN

1 1 Section 1. Section 514J.3A, Code 2011, is amended to read
 1 2 as follows:
 1 3 514J.3A ~~Notice~~ External review ==== notice.
 1 4 1. An insurance card issued by a carrier or organized
 1 5 delivery system for a policy or contract providing for third=
 1 6 party payment or prepayment of health or medical expenses
 1 7 subject to this section shall contain a telephone number
 1 8 or internet site information for an insured to obtain more
 1 9 information regarding initiation of the external review process
 1 10 for coverage decisions under this chapter.
 1 11 2. The telephone number or internet site information for an
 1 12 insured to obtain more information regarding initiation of the
 1 13 external review process in this chapter shall also be posted in
 1 14 a prominent place in the office of a private practitioner or
 1 15 group of practitioners who are health care providers as defined
 1 16 in section 135.61, or an institutional health care facility as
 1 17 defined in section 135.61.
 1 18 3. When a claim is denied in whole or in part based on
 1 19 medical necessity, the carrier or organized delivery system
 1 20 shall provide a notice in writing to the enrollee of the
 1 21 internal appeal mechanism provided under the carrier or
 1 22 organized delivery system's plan or policy.
 1 23 4. At the time of a coverage decision, the carrier or
 1 24 organized delivery system shall notify the enrollee in writing
 1 25 of the right to have the coverage decision reviewed under the
 1 26 external review process.

EXPLANATION

1 27 This bill amends Code section 514J.3A, relating to notice
 1 28 provisions for the external review process for health care
 1 29 coverage decisions under Code chapter 514J. The bill adds
 1 30 a requirement that a telephone number or internet site
 1 31 information allowing for an insured to obtain more information
 1 32 about the external review process be printed on the insured's
 1 33 insurance card, and be posted in a prominent place in health
 1 34 care facilities and health care provider offices.

LSB 1737HH (1) 84

av/rj



Iowa General Assembly
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House File 68 - Introduced

HOUSE FILE
BY ISENHART and GASKILL

A BILL FOR

1 An Act relating to access to residential buildings or
2 communities for campaign purposes, and making penalties
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1140YH (8) 84
jr/rj



**Iowa General Assembly
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House File 68 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 68A.407 Campaign access to
 1 2 residential properties.
 1 3 1. A candidate, a representative of a candidate, an
 1 4 individual expressly advocating the passage or defeat on a
 1 5 ballot issue, or an individual encouraging people to vote, to
 1 6 register to vote, or to sign a petition addressing a matter of
 1 7 government, shall not be denied access to the general common
 1 8 elements, as defined in section 499B.2, of a residential
 1 9 building with two or more dwelling units, or any of the
 1 10 following types of residential communities:
 1 11 a. A residential community where access is restricted
 1 12 by means of a door, gate, or other type of barrier which is
 1 13 monitored and controlled by a specific individual.
 1 14 b. A residential community where access is not restricted
 1 15 but the streets and walkways are privately owned.
 1 16 2. The granting of this right shall not be construed to
 1 17 require any individual to facilitate or aid in such access
 1 18 where access otherwise may be controlled for security reasons.

EXPLANATION

1 19
 1 20 This bill prohibits denying access to the general common
 1 21 elements of an unsecured residential building with two or more
 1 22 dwelling units, to any other type of residential community
 1 23 where access is restricted by means of a door, gate, or other
 1 24 type of barrier which is monitored and controlled by a specific
 1 25 individual, or to a residential community where the streets and
 1 26 walkways are privately owned, to persons who wish to contact
 1 27 the residents for campaign or other election-related purposes.
 1 28 As provided in Code section 68A.701, a willful violation of
 1 29 any provision of the campaign finance law, Code chapter 68A,
 1 30 is a serious misdemeanor punishable by confinement for up to
 1 31 one year and a fine of at least \$315 but not more than \$1,875.
 1 32 A variety of civil remedies are also available in Code section
 1 33 68B.32D for a violation of Code chapter 68A or rules of the
 1 34 ethics and campaign disclosure board, ranging from a reprimand
 1 35 to a civil penalty of not more than \$2,000.

LSB 1140YH (8) 84

jr/rj



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House File 69 - Introduced

PAG LIN



Iowa General Assembly
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House Joint Resolution 1 - Introduced

HOUSE JOINT RESOLUTION
BY PAULSEN, RAECKER,
WAGNER, PETTENGILL,
BRANDENBURG, WATTS,
FRY, ROGERS, CHAMBERS,
DEYOE, HANUSA,
HUSEMAN, DRAKE,
GARRETT, HELLAND,
FORRISTALL, BALTIMORE,
GRASSLEY, DOLECHECK,
HAGENOW, KLEIN, J.
TAYLOR, WINDSCHITL,
SCHULTZ, SANDS,
SCHULTE, VANDER
LINDEN, HEIN,
RASMUSSEN, WORTHAN,
BYRNES, J. SMITH,
TJEPKES, HORBACH,
ANDERSON, UPMEYER,
COWNIE, SODERBERG,
LOFGREN, and KAUFMANN

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to state budgeting by creating
3 a state general fund expenditure limitation and requiring
4 authorization for certain bonds.
5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1385YH (7) 84
jp/sc



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House Joint Resolution 1 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:
1 3 The Constitution of the State of Iowa is amended by adding
1 4 the following new section to new Article XIII:
1 5 ARTICLE XIII.
1 6 EXPENDITURE LIMITATION.
1 7 General fund expenditure limitation.SECTION 1.
1 8 1. For the purposes of this section:
1 9 a. "Adjusted revenue estimate" means the most recent revenue
1 10 estimate determined before January 1, or a later and lesser
1 11 revenue estimate determined before adjournment of the regular
1 12 session of the general assembly, for the general fund for the
1 13 following fiscal year as determined by a revenue estimating
1 14 conference which shall be established by the general assembly
1 15 by law, adjusted by subtracting estimated refunds payable from
1 16 that estimated revenue and adding any available surplus in
1 17 accordance with subsection 6. However, if the general assembly
1 18 holds an extraordinary session prior to the commencement of the
1 19 fiscal year to which the revenue estimate applies and before
1 20 or during the extraordinary session the revenue estimating
1 21 conference determines a lesser revenue estimate, the lesser
1 22 estimate shall be used for the adjusted revenue estimate.
1 23 b. "General fund" means the principal operating fund of the
1 24 state which shall be established by the general assembly by
1 25 law.
1 26 c. "New revenues" means moneys which are received by the
1 27 state due to increased tax rates or fees or newly created
1 28 taxes or fees over and above those moneys which are received
1 29 due to state taxes or fees which are in effect as of January
1 30 1 following the most recent meeting of the state revenue
1 31 estimating conference. "New revenues" also includes moneys
1 32 received by the general fund due to new transfers over
1 33 and above those moneys received by the general fund due to
1 34 transfers which are in effect as of January 1 following the
1 35 most recent meeting of the state revenue estimating conference.



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House Joint Resolution 1 - Introduced continued

2 1 The state revenue estimating conference shall determine the
2 2 eligibility of transfers to the general fund which are to be
2 3 considered as new revenue in determining the state general fund
2 4 expenditure limitation.
2 5 d. "Surplus" means the cumulative excess of revenues and
2 6 other financing sources over expenditures and other financing
2 7 uses for the general fund at the end of a fiscal year.
2 8 2. A state general fund expenditure limitation is created
2 9 and calculated in subsection 3, for each fiscal year beginning
2 10 on or after July 1 following the effective date of this
2 11 section.
2 12 3. Except as otherwise provided in this section, the state
2 13 general fund expenditure limitation for a fiscal year shall be
2 14 ninety=nine percent of the adjusted revenue estimate.
2 15 4. The state general fund expenditure limitation shall be
2 16 used by the governor in the preparation and approval of the
2 17 budget and by the general assembly in the budget process.
2 18 5. If a new revenue source is proposed, the budget revenue
2 19 projection used for that new revenue source for the period
2 20 beginning on the effective date of the new revenue source and
2 21 ending in the fiscal year in which the source is included in
2 22 the adjusted revenue estimate shall be ninety=five percent
2 23 of the amount remaining after subtracting estimated refunds
2 24 payable from the projected revenue from that source. If a new
2 25 revenue source is established and implemented, the original
2 26 state general fund expenditure limitation amount provided for
2 27 in subsection 3 shall be readjusted to include ninety=five
2 28 percent of the estimated revenue from that source.
2 29 6. Any surplus existing at the end of a fiscal year which
2 30 exceeds ten percent of the adjusted revenue estimate of
2 31 that fiscal year shall be included in the adjusted revenue
2 32 estimate for the following fiscal year. Any surplus equal to
2 33 ten percent or less of the adjusted revenue estimate of the
2 34 fiscal year may be included in the adjusted revenue estimate
2 35 for the following fiscal year if approved in a bill receiving



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House Joint Resolution 1 - Introduced continued

3 1 the affirmative votes of at least three=fifths of the members
3 2 elected to each house of the general assembly.
3 3 7. If a bill or joint resolution provides for new revenue or
3 4 appropriations bonding authority, or an expansion of existing
3 5 revenue or appropriations bonding authority, which bonds are
3 6 funded in whole or in part from revenues from the general
3 7 fund or from another portion of the state treasury, the bill
3 8 or joint resolution shall not become law unless approved by
3 9 the affirmative votes of at least two=thirds of the members
3 10 elected to each house of the general assembly. In addition,
3 11 the state general fund expenditure limitation for the initial
3 12 or subsequent fiscal year to which the bill or joint resolution
3 13 applies shall include any appropriations of such revenues for
3 14 the fiscal year.
3 15 8. The scope of the state general fund expenditure
3 16 limitation under subsection 3 shall not include federal funds,
3 17 donations, constitutionally dedicated moneys, and moneys
3 18 expended from a state retirement system.
3 19 9. The governor shall submit and the general assembly shall
3 20 pass a budget which does not exceed the state general fund
3 21 expenditure limitation. The governor shall not approve or
3 22 disapprove appropriation bills or items of appropriation bills
3 23 passed by the general assembly in a manner that would cause
3 24 the final budget approved by the governor to exceed the state
3 25 general fund expenditure limitation.
3 26 10. The governor shall not submit and the general assembly
3 27 shall not pass a budget which in order to balance assumes
3 28 reversion of any part of the total of the appropriations
3 29 included in the budget.
3 30 11. The state shall use consistent standards, in accordance
3 31 with generally accepted accounting principles, for all state
3 32 budgeting and accounting purposes.
3 33 12. The general assembly shall enact laws to implement this
3 34 section.
3 35 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed



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House Joint Resolution 1 - Introduced continued

4 1 amendment to the Constitution of the State of Iowa is referred
4 2 to the general assembly to be chosen at the next general
4 3 election for members of the general assembly, and the secretary
4 4 of state is directed to cause it to be published for three
4 5 consecutive months previous to the date of that election as
4 6 provided by law.

4 7 EXPLANATION

4 8 This joint resolution proposes an amendment to the
4 9 Constitution of the State of Iowa relating to state budgets and
4 10 authorization for certain bonds.

4 11 The amendment creates a state general fund expenditure
4 12 limitation. The amount of the limitation is 99 percent of the
4 13 adjusted revenue estimate. The amendment defines adjusted
4 14 revenue estimate and requires that that estimate be determined
4 15 by a revenue estimating conference which is to be created by
4 16 the general assembly by law. The amendment requires that the
4 17 expenditure limitation be used by the governor in preparation
4 18 of the governor's budget and by the general assembly in the
4 19 budget process. The governor is prohibited from approving or
4 20 disapproving of appropriations in a manner that would cause the
4 21 final budget approved by the governor to exceed the expenditure
4 22 limitation.

4 23 The amendment also provides that if a new revenue source is
4 24 established and implemented, 95 percent of the estimate of that
4 25 new revenue shall be included in the expenditure limitation.

4 26 The amendment also requires that the amount of any surplus
4 27 which exceeds an amount equal to 10 percent of the adjusted
4 28 revenue estimate be included in the adjusted revenue estimate
4 29 for the following fiscal year. Any surplus which is equal
4 30 to 10 percent or less of the amount of the adjusted revenue
4 31 estimate may be included in the following year's adjusted
4 32 revenue estimate if inclusion is approved in a bill by at
4 33 least three-fifths of the members elected to each house of the
4 34 general assembly.

4 35 The amendment requires that enactment of a bill or joint



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House Joint Resolution 1 - Introduced continued

5 1 resolution providing for new or expanded authority to issue
5 2 revenue or appropriations bonds funded in whole or in part
5 3 from revenues from the general fund or from another portion of
5 4 the state treasury requires a vote of at least two-thirds of
5 5 the members elected to each house of the general assembly. In
5 6 addition, the appropriations of such revenues are required to
5 7 be included in the state general fund expenditure limitation
5 8 for each applicable fiscal year.

5 9 The amendment also requires the state to use generally
5 10 accepted accounting principles for state budgeting and
5 11 accounting purposes. The amendment provides that the general
5 12 assembly shall enact laws to implement the amendment.

5 13 The resolution, if adopted, will be referred to the next
5 14 general assembly. If the next general assembly adopts the
5 15 resolution, the amendment will be submitted to the voters for
5 16 ratification.

LSB 1385YH (7) 84

jp/sc



Iowa General Assembly
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House Joint Resolution 2 - Introduced

HOUSE JOINT RESOLUTION
BY PAUSTIAN, ALONS,
ANDERSON, BALTIMORE,
BRANDENBURG, CHAMBERS,
COWNIE, DE BOEF,
DEYOE, FORRISTALL,
FRY, GARRETT, HAGENOW,
HELLAND, HUSEMAN,
IVERSON, JORGENSEN,
LOFGREN, L. MILLER, S.
OLSON, PEARSON,
PETTENGILL, RAECKER,
RASMUSSEN, ROGERS,
SANDS, SCHULTE, J.
SMITH, SWEENEY, T.
TAYLOR, TJEPKES,
UPMEYER, VANDER
LINDEN, WATTS,
WINDSCHITL, and
WORTHAN

HOUSE JOINT RESOLUTION

1 A Joint Resolution nullifying an administrative rule of the
2 Iowa finance authority relating to the Iowa jobs program,
3 and including an effective date provision.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TL5B 1504YH (11) 84

jr/rj



Iowa General Assembly
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House Joint Resolution 2 - Introduced continued

PAG LIN

1 1 Section 1. 265 Iowa administrative code, rule 32.6, subrule
1 2 3, is nullified.

1 3 Sec. 2. EFFECTIVE UPON ENACTMENT. This joint resolution,
1 4 being deemed of immediate importance, takes effect upon
1 5 enactment.

1 6 EXPLANATION

1 7 This joint resolution nullifies 265 IAC, rule 32.6(3)
1 8 requiring signage at each Iowa jobs program project site
1 9 stating that the project was made possible, in part, through
1 10 a grant from the Iowa jobs program, and featuring a permanent
1 11 acknowledgment, such as a plaque or a similar commemoration on
1 12 the completed project.

1 13 The joint resolution takes effect upon enactment.

LSB 1504YH (11) 84

jr/rj



Iowa General Assembly
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House Joint Resolution 3 - Introduced

HOUSE JOINT RESOLUTION
BY ALONS, CHAMBERS,
SODERBERG, PEARSON, DE
BOEF, SWEENEY, SHAW,
WINDSCHITL, KOESTER,
HAGENOW, SCHULTZ,
HAGER, HUSEMAN,
BRANDENBURG, HANUSA,
WATTS, RAYHONS,
ROGERS, BAUDLER,
LOFGREN, FRY,
RASMUSSEN, L. MILLER,
SANDS, PETTENGILL,
DRAKE, LUKAN, GARRETT,
WORTHAN, BYRNES,
JORGENSEN, DOLECHECK,
VAN ENGELENHOVEN,
MASSIE, and J. TAYLOR

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa to specify that the right to life is
3 the paramount and most fundamental right of every person,
4 and that personhood applies to all human beings from the
5 beginning of their biological development.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TL5B 1485YH (7) 84

pf/rj



Iowa General Assembly
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House Joint Resolution 3 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:

1 3 Section 1 of Article I of the Constitution of the State of
1 4 Iowa, as amended by amendment number 1 of the Amendments of
1 5 1998, is amended to read as follows:
1 6 Rights of persons.SECTION 1.

1 7 1. All men and women are, by nature, free and equal, and
1 8 have certain inalienable rights == among which are those of
1 9 enjoying and defending life and liberty, acquiring, possessing
1 10 and protecting property, and pursuing and obtaining safety and
1 11 happiness.

1 12 2. The right to life is the paramount and most fundamental
1 13 right of every person.

1 14 3. With respect to the fundamental and inalienable rights
1 15 of all persons guaranteed in this constitution, the word
1 16 "person" applies to all human beings, irrespective of age,
1 17 health, function, physical or mental dependency, or method of
1 18 reproduction, whether in vivo or in vitro, from the beginning
1 19 of their biological development, including the single=cell
1 20 human embryo.

1 21 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
1 22 amendment to the Constitution of the State of Iowa is referred
1 23 to the general assembly to be chosen at the next general
1 24 election for members of the general assembly, and the secretary
1 25 of state is directed to cause the proposed amendment to be
1 26 published for three consecutive months previous to the date of
1 27 that election as provided by law.

1 28 EXPLANATION

1 29 This joint resolution proposes an amendment to the
1 30 Constitution of the State of Iowa specifying that the
1 31 right to life is the paramount and most fundamental right
1 32 of every person, and that with respect to the fundamental
1 33 and inalienable rights of all persons guaranteed in the
1 34 constitution, the word "person" applies to all human beings,
1 35 irrespective of age, health, function, physical or mental



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House Joint Resolution 3 - Introduced continued

2 1 dependency, or method of reproduction, whether in vivo or in
2 2 vitro, from the beginning of their biological development,
2 3 including the single-cell human embryo.
2 4 The resolution, if adopted, would be referred to the next
2 5 general assembly for adoption, before being submitted to the
2 6 electorate for ratification.

LSB 1485YH (7) 84

pf/rj



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House Joint Resolution 4 - Introduced

HOUSE JOINT RESOLUTION
BY PETTENGILL, DE BOEF,
ALONS, SODERBERG,
WINDSCHITL, WATTS,
SCHULTE, SWEENEY,
SANDS, KOESTER,
KAUFMANN, SCHULTZ, and
HELLAND

HOUSE JOINT RESOLUTION

1 A Joint Resolution requesting the Congress of the United States
2 to call a constitutional convention pursuant to Article V of
3 the Constitution of the United States in order to propose
4 an amendment to the Constitution of the United States
5 permitting the repeal of any federal law or regulation by a
6 vote of two-thirds of state legislatures.
7 WHEREAS, Article I of the Constitution of the United States
8 begins "All legislative powers herein granted shall be vested
9 in a Congress of the United States"; and
10 WHEREAS, the Congress has exceeded the legislative powers
11 granted in the Constitution of the United States as described
12 in this Resolution, thereby encroaching on the powers that are
13 "reserved to the states respectively, or to the people" as the
14 Tenth Amendment affirms and the rights "retained by the people"
15 to which the Ninth Amendment refers; and
16 WHEREAS, this encroachment includes the accumulation of
17 federal debt, which combined with interest represents a future
18 tax, and is of such great proportion that responsibility for
19 its payments will be passed to future, unborn generations of
20 Americans to assume without their consent, thereby disparaging
21 their rights; and
22 WHEREAS, this encroachment also includes compelling
23 state and local governments to comply with federal laws and
24 regulations without accompanying funding for such mandates; and
25 WHEREAS, in Federalist No. 85, Alexander Hamilton wrote in
26 reference to Article V of the Constitution of the United States
27 and the calling of a convention for the purpose of proposing
28 amendments that, "We may safely rely on the disposition of the
29 State legislatures to erect barriers against the encroachments
30 of national authority"; and
31 WHEREAS, the Constitution of the United States should be
32 amended in order to halt federal encroachment and restore a
33 proper balance between the powers of Congress and those of the
34 several states, and to prevent the denial or disparagement of
35 the rights retained by the people; NOW THEREFORE,
36 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1606YH (4) 84
aw/rj



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House Joint Resolution 4 - Introduced continued

PAG LIN

1 1 That the State of Iowa hereby applies and makes application
1 2 to the Congress of the United States to call a constitutional
1 3 convention pursuant to Article V of the Constitution of
1 4 the United States for the limited purpose of proposing a
1 5 constitutional amendment that permits the repeal of any
1 6 federal law or regulation by vote of two-thirds of the state
1 7 legislatures, and the Iowa delegation to such convention, when
1 8 called, shall propose the following amendment: "Any provision
1 9 of law or regulation of the United States may be repealed by
1 10 the several states, and such repeal shall be effective when
1 11 the legislatures of two-thirds of the several states approve
1 12 resolutions for this purpose that particularly describe
1 13 the same provision or provisions of law or regulation to be
1 14 repealed"; and

1 15 BE IT FURTHER RESOLVED, that this Resolution is revoked
1 16 and withdrawn, nullified, and superseded to the same effect
1 17 as if it had never been passed, and retroactive to the
1 18 date of passage, if it is used for the purpose of calling a
1 19 constitutional convention or used in support of conducting a
1 20 constitutional convention to amend the Constitution of the
1 21 United States for any purpose other than consideration of the
1 22 amendment proposed in this Resolution; and

1 23 BE IT FURTHER RESOLVED, that the State of Iowa reserves
1 24 the right to add future amendments as the legislature deems
1 25 warranted to this application; and

1 26 BE IT FURTHER RESOLVED, that delegates to such convention,
1 27 when called, be selected according to procedures established by
1 28 the legislatures of the several states; and

1 29 BE IT FURTHER RESOLVED, that the Secretary of State
1 30 shall transmit certified copies of this Joint Resolution
1 31 to the Speaker and Clerk of the United States House of
1 32 Representatives, the President and Secretary of the United
1 33 States Senate, and each member of the Iowa delegation to the
1 34 Congress so that they may be apprised of the sense of the Iowa
1 35 General Assembly in this matter.



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House Joint Resolution 5 - Introduced

HOUSE JOINT RESOLUTION
BY UPMEYER, SCHULTE,
WATTS, TJEPKES,
SCHULTZ, DE BOEF,
HUSEMAN, LUKAN, MOORE,
FORRISTALL, L. MILLER,
RAYHONS, DRAKE,
WAGNER, HELLAND,
PAULSEN, KAUFMANN,
PEARSON, ROGERS, J.
SMITH, BALTIMORE,
KOESTER, DOLECHECK,
JORGENSEN, PAUSTIAN,
ALONS, KLEIN,
CHAMBERS, SODERBERG,
SANDS, WORTHAN,
HAGENOW, BYRNES, and
WINDSCHITL

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa preserving the freedom of Iowans to
3 provide for their own health care.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1880YH (4) 84
av/rj



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House Joint Resolution 5 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:
1 3 Article I of the Constitution of the State of Iowa is amended
1 4 by adding the following new section:
1 5 Health care ==== freedom to provide. SEC. 24A. In order to
1 6 preserve the freedom of citizens of this state to provide for
1 7 their own health care, a law or rule shall not compel, directly
1 8 or indirectly, or through penalties or fines, any person,
1 9 employer, or health care provider to participate in any health
1 10 care system. A person or employer may pay directly for lawful
1 11 health care services and shall not be required to pay penalties
1 12 or fines for paying directly for lawful health care services.
1 13 A health care provider may accept direct payment for lawful
1 14 health care services and shall not be required to pay penalties
1 15 or fines for accepting direct payment from a person or employer
1 16 for lawful health care services. Subject to reasonable and
1 17 necessary rules that do not substantially limit a person's
1 18 options, the purchase or sale of health insurance in private
1 19 health care systems shall not be prohibited by law or rule.
1 20 This section shall not be construed to affect which health
1 21 care services a health care provider or hospital is required
1 22 to perform or provide; affect which health care services are
1 23 permitted by law; prohibit care provided pursuant to any
1 24 provision of this Constitution or valid law of this state
1 25 relating to workers' compensation; affect laws or rules in
1 26 effect as of January 1, 2011; or affect the terms or conditions
1 27 of any health care system to the extent that those terms and
1 28 conditions do not have the effect of punishing a person or
1 29 employer for paying directly for lawful health care services
1 30 or a health care provider for accepting direct payment from
1 31 a person or employer for lawful health care services. The
1 32 general assembly may provide by law for the implementation of
1 33 this section.
1 34 As used in this section:
1 35 1. "Direct payment" or "pay directly" means payment for



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House Joint Resolution 5 - Introduced continued

2 1 lawful health care services without a public or private third
2 2 party, not including an employer, paying for any portion of the
2 3 services.

2 4 2. "Health care system" means any public or private entity
2 5 whose function is the management of, processing of, enrollment
2 6 of individuals for, or payment for, in full or in part, health
2 7 care services or health care information for its participants.

2 8 3. "Lawful health care services" means any health-related
2 9 service or treatment to the extent that the service or
2 10 treatment is permitted or not prohibited by law or rules, that
2 11 may be provided by persons or businesses offering such service
2 12 or treatment.

2 13 4. "Penalties or fines" means any civil or criminal penalty
2 14 or fine, tax, salary or wage withholding or surcharge, or any
2 15 named fee with a similar effect established by law or rule by
2 16 an agency established, created, or controlled by the federal
2 17 or state government, that is used to punish or discourage the
2 18 exercise of rights protected under this section.

2 19 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
2 20 amendment to the Constitution of the State of Iowa is referred
2 21 to the general assembly to be chosen at the next general
2 22 election for members of the general assembly, and the secretary
2 23 of state is directed to cause it to be published for three
2 24 consecutive months before the date of the election as provided
2 25 by law.

2 26 EXPLANATION

2 27 This joint resolution proposes an amendment to the
2 28 Constitution of the State of Iowa to preserve the freedom of
2 29 Iowans to provide for their own health care by not requiring
2 30 any person, employer, or health care provider to participate
2 31 in any health care system and allowing any person or employer
2 32 to pay directly for lawful health care services, without
2 33 penalties or fines for failure to do so. The general assembly
2 34 is authorized to implement the amendment by law.

2 35 The proposed amendment to the Constitution of the State of



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House Joint Resolution 5 - Introduced continued

3 1 Iowa, if adopted, would be referred to the Eighty=fifth General
3 2 Assembly for adoption a second time, before being submitted to
3 3 the electorate for ratification.

LSB 1880YH (4) 84

av/rj



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House Joint Resolution 6 - Introduced

HOUSE JOINT RESOLUTION
BY ALONS, ANDERSON,
ARNOLD, BALTIMORE,
BAUDLER, BRANDENBURG,
BYRNES, CHAMBERS, DE
BOEF, FRY, DEYOE,
DOLECHECK, DRAKE,
FORRISTALL, GARRETT,
GRASSLEY, HAGENOW,
HAGER, HANUSA, HEATON,
HEIN, HELLAND,
HORBACH, HUSEMAN,
IVERSON, JORGENSEN,
SHAW, KAUFMANN, KLEIN,
KOESTER, LOFGREN,
MASSIE, MOORE,
PAULSEN, PAUSTIAN,
PEARSON, PETTENGILL,
SANDS, RASMUSSEN,
RAYHONS, ROGERS,
SCHULTE, SCHULTZ,
SODERBERG, SWEENEY,
WATTS, UPMEYER, VAN
ENGELENHOVEN, VANDER
LINDEN, WAGNER,
WINDSCHITL, L. MILLER,
J. SMITH, S. OLSON, J.
TAYLOR, and WORTHAN

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa specifying marriage between one man
3 and one woman as the only legal union that is valid or
4 recognized in the state.
5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1109YH (7) 84
pf/rj



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House Joint Resolution 6 - Introduced continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:

1 3 Article I of the Constitution of the State of Iowa is
1 4 amended by adding the following new section:

1 5 Marriage.SEC. 26. Marriage between one man and one woman
1 6 shall be the only legal union valid or recognized in this
1 7 state.

1 8 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
1 9 to the Constitution of the State of Iowa is referred to the
1 10 general assembly to be chosen at the next general election
1 11 for members of the general assembly, and the secretary of
1 12 state is directed to cause the same to be published for three
1 13 consecutive months previous to the date of that election as
1 14 provided by law.

1 15 EXPLANATION

1 16 This joint resolution proposes an amendment to the
1 17 Constitution of the State of Iowa specifying that marriage
1 18 between one man and one woman shall be the only legal union
1 19 valid or recognized in this state.

1 20 The joint resolution, if adopted, would be referred to the
1 21 next general assembly for adoption a second time before being
1 22 submitted to the electorate for ratification.

LSB 1109YH (7) 84

pf/rj



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House Study Bill 16

HOUSE FILE
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

A BILL FOR

1 An Act relating to eliminating the requirement of an annual
2 permit to acquire a pistol or revolver and providing a
3 penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1170YC (4) 84
rh/rj



**Iowa General Assembly
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House Study Bill 16 continued

PAG LIN

1 1 Section 1. Section 724.11A, Code 2011, is amended to read
 1 2 as follows:
 1 3 724.11A Recognition.
 1 4 A valid permit or license issued by another state to any
 1 5 nonresident of this state shall be considered to be a valid
 1 6 permit or license to carry weapons issued pursuant to this
 1 7 chapter, ~~except that such permit or license shall not be~~
~~1 8 considered to be a substitute for an annual permit to acquire~~
~~1 9 pistols or revolvers issued pursuant to section 724.15.~~
 1 10 Sec. 2. Section 724.16, Code 2011, is amended to read as
 1 11 follows:
 1 12 724.16 ~~Annual permit to acquire required~~ Pistol or revolver
 1 13 ==== transfer prohibited.
 1 14 1. ~~Except as otherwise provided in section 724.15,~~
~~1 15 subsection 2, a person who acquires ownership of a pistol or~~
~~1 16 revolver without a valid annual permit to acquire pistols or~~
~~1 17 revolvers or a person who transfers ownership of a pistol~~
~~1 18 or revolver to a person who does not have in the person's~~
~~1 19 possession a valid annual permit to acquire pistols or~~
~~1 20 revolvers is guilty of an aggravated misdemeanor.~~
 1 21 2. A person who transfers ownership of a pistol or revolver
 1 22 to a person that the transferor knows is prohibited by
 1 23 section ~~724.15~~ 724.26 from acquiring ownership of possessing,
 1 24 receiving, or transporting a pistol or revolver commits a class
 1 25 "D" felony.
 1 26 Sec. 3. Section 724.21A, Code 2011, is amended to read as
 1 27 follows:
 1 28 724.21A Denial, suspension, or revocation of permit to carry
 1 29 weapons ~~or permit to acquire pistols or revolvers.~~
 1 30 1. In any case where the sheriff or the commissioner of
 1 31 public safety denies an application for or suspends or revokes
 1 32 a permit to carry weapons, ~~or an annual permit to acquire~~
~~1 33 pistols or revolvers,~~ the sheriff or commissioner shall provide
 1 34 a written statement of the reasons for the denial, suspension,
 1 35 or revocation and the applicant or permit holder shall have the



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House Study Bill 16 continued

2 1 right to appeal the denial, suspension, or revocation to an
2 2 administrative law judge in the department of inspections and
2 3 appeals within thirty days of receiving written notice of the
2 4 denial, suspension, or revocation.

2 5 2. The applicant or permit holder may file an appeal with
2 6 an administrative law judge by filing a copy of the denial,
2 7 suspension, or revocation notice with a written statement that
2 8 clearly states the applicant's reasons rebutting the denial,
2 9 suspension, or revocation along with a fee of ten dollars.
2 10 Additional supporting information relevant to the proceedings
2 11 may also be included.

2 12 3. The administrative law judge shall, within forty-five
2 13 days of receipt of the request for an appeal, set a hearing
2 14 date. The hearing may be held by telephone or video conference
2 15 at the discretion of the administrative law judge. The
2 16 administrative law judge shall receive witness testimony and
2 17 other evidence relevant to the proceedings at the hearing. The
2 18 hearing shall be conducted pursuant to chapter 17A.

2 19 4. Upon conclusion of the hearing, the administrative law
2 20 judge shall order that the denial, suspension, or revocation
2 21 of the permit be either rescinded or sustained. An applicant,
2 22 permit holder, or issuing officer aggrieved by the final
2 23 judgment of the administrative law judge shall have the right
2 24 to judicial review in accordance with the terms of the Iowa
2 25 administrative procedure Act, chapter 17A.

2 26 5. The standard of review under this section shall be
2 27 clear and convincing evidence that the issuing officer's
2 28 written statement of the reasons for the denial, suspension, or
2 29 revocation constituted probable cause to deny an application or
2 30 to suspend or revoke a permit.

2 31 6. The department of inspections and appeals shall adopt
2 32 rules pursuant to chapter 17A as necessary to carry out the
2 33 provisions of this section.

2 34 7. In any case where the issuing officer denies an
2 35 application for, or suspends or revokes a permit to carry



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House Study Bill 16 continued

3 1 weapons, ~~or an annual permit to acquire pistols or revolvers~~
3 2 solely because of an adverse determination by the national
3 3 instant criminal background check system, the applicant or
3 4 permit holder shall not seek relief under this section but
3 5 may pursue relief of the national instant criminal background
3 6 check system determination pursuant to Pub. L. No. 103=159,
3 7 sections 103(f) and (g) and 104 and 28 C.F.R. { 25.10, or other
3 8 applicable law. The outcome of such proceedings shall be
3 9 binding on the issuing officer.

3 10 Sec. 4. Section 724.27, subsection 1, unnumbered paragraph
3 11 1, Code 2011, is amended to read as follows:

3 12 The provisions of ~~section sections 724.8, section 724.15,~~
~~3 13 subsection 1, and section 724.26~~ shall not apply to a person
3 14 who is eligible to have the person's civil rights regarding
3 15 firearms restored under section 914.7 if any of the following
3 16 occur:

3 17 Sec. 5. REPEAL. Sections 724.15, 724.17, 724.18, 724.19,
3 18 724.20, and 724.21, Code 2011, are repealed.

3 19 EXPLANATION

3 20 This bill eliminates the requirement, pursuant to Code
3 21 section 724.15, that a person who acquires ownership of a
3 22 pistol or revolver must apply for and be issued an annual
3 23 permit to acquire a pistol or revolver unless certain
3 24 exceptions apply.

3 25 The bill amends Code section 724.16 relating to penalties
3 26 for acquiring or transferring ownership of a pistol or revolver
3 27 without a valid permit and provides that a person who transfers
3 28 ownership of a pistol or revolver to a person the transferor
3 29 knows is prohibited from possessing, receiving, or transporting
3 30 a pistol or revolver under Code section 724.26 is guilty of a
3 31 class "D" felony punishable by confinement for no more than
3 32 five years and a fine of between \$750 and \$7,500.

3 33 The bill repeals related Code sections relating to
3 34 permit=to=acquire applications (Code sections 724.17 and
3 35 724.18) and issuance requirements and procedures (Code sections



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House Study Bill 16 continued

4 1 724.19, 724.20, and 724.21). The bill makes conforming changes
4 2 to Code sections 724.11A (recognition of out-of-state permits),
4 3 724.21A (provisions relating to the denial, suspension, or
4 4 revocation of permits to acquire), and 724.27 (restoration of
4 5 citizenship rights to a person convicted of a felony).
4 6 Current law provides that a person who acquires ownership of
4 7 a pistol or revolver without a valid annual permit to acquire
4 8 pistols or revolvers or a person who transfers ownership of
4 9 a pistol or revolver to a person who does not have in the
4 10 person's possession a valid annual permit to acquire pistols
4 11 or revolvers is guilty of an aggravated misdemeanor, and a
4 12 person who transfers ownership of a pistol or revolver to a
4 13 person that the transferor knows is prohibited from acquiring
4 14 ownership of a pistol or revolver commits a class "D" felony.
4 15 In addition, current law provides that a person who gives a
4 16 false name or presents false identification, or otherwise
4 17 knowingly gives false material information to one from whom the
4 18 person seeks to acquire a pistol or revolver commits a class
4 19 "D" felony.

LSB 1170YC (4) 84

rh/rj



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House Study Bill 17

HOUSE JOINT RESOLUTION
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY
RESOLUTION BY
CHAIRPERSON BAUDLER)

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the right of an individual
3 to acquire, keep, possess, transport, carry, and use arms.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1173YC (7) 84
rh/rj



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House Study Bill 17 continued

PAG LIN

1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:
1 3 Article I of the Constitution of the State of Iowa is amended
1 4 by adding the following new section:
1 5 Right to acquire, keep, possess, transport, carry, and use
1 6 arms. SEC. 1A. The right of an individual to acquire, keep,
1 7 possess, transport, carry, and use arms to defend life and
1 8 liberty and for all other legitimate purposes is fundamental
1 9 and inviolable. Licensure, registration, special taxation,
1 10 or any other measure that suppresses or discourages the free
1 11 exercise of this right is forbidden.
1 12 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
1 13 amendment to the Constitution of the State of Iowa is referred
1 14 to the general assembly to be chosen at the next general
1 15 election for members of the general assembly and the secretary
1 16 of state is directed to cause the same to be published for
1 17 three consecutive months previous to the date of that election
1 18 as provided by law.

1 19 EXPLANATION

1 20 This joint resolution proposes an amendment to the
1 21 Constitution of the State of Iowa providing that the right of
1 22 an individual to acquire, keep, possess, transport, carry,
1 23 and use arms to defend life and liberty and for all other
1 24 legitimate purposes is fundamental and inviolable. Licensure,
1 25 registration, special taxation, or any other measure that
1 26 suppresses or discourages the free exercise of this right is
1 27 forbidden.
1 28 The joint resolution, if adopted, would be referred to the
1 29 next general assembly for adoption a second time before being
1 30 submitted to the electorate for ratification.

LSB 1173YC (7) 84
rh/rj



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House Study Bill 18

HOUSE FILE
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

A BILL FOR

1 An Act relating to the regulation of firearms and ammunition in
2 a state of public emergency and providing a remedy.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1869HC (2) 84
rh/rj



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House Study Bill 18 continued

PAG LIN

1 1 Section 1. Section 29C.3, subsection 4, paragraph e, Code
1 2 2011, is amended by striking the paragraph.
1 3 Sec. 2. Section 29C.6, subsection 16, Code 2011, is amended
1 4 to read as follows:
1 5 16. Suspend or limit the sale, dispensing, or
1 6 transportation of alcoholic beverages, ~~firearms~~, explosives,
1 7 and combustibles.
1 8 Sec. 3. NEW SECTION. 29C.23 Firearms and ammunition ====
1 9 limitations ==== exceptions ==== remedies.
1 10 1. This chapter shall not be construed to authorize the
1 11 governor or any other official of this state or any of its
1 12 political subdivisions or any agent or person acting at the
1 13 direction of the governor or any such official to do any of the
1 14 following:
1 15 a. Prohibit, regulate, or curtail the otherwise lawful
1 16 possession, carrying, transportation, transfer, or defensive
1 17 use of firearms or ammunition.
1 18 b. Suspend or revoke, except in accordance with section
1 19 724.13, a permit issued pursuant to section 724.6, 724.7, or
1 20 724.15.
1 21 c. Seize or confiscate firearms and ammunition possessed in
1 22 accordance with the laws of this state.
1 23 2. This section shall not prohibit any of the following:
1 24 a. The temporary closure or limitations on the operating
1 25 hours of businesses that sell firearms or ammunition if the
1 26 same operating restrictions apply to all businesses in the
1 27 affected area.
1 28 b. Regulations pertaining to firearms and ammunition used
1 29 or carried for official purposes by law enforcement officers
1 30 or persons acting under the authority of emergency management
1 31 agencies or officials.
1 32 3. a. A person aggrieved by a violation of this section
1 33 may seek relief in an action at law or in equity or in any
1 34 other proper proceeding for actual damages, injunctive relief,
1 35 or other appropriate redress against a person who commits or



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2 1 causes the commission of such violation.

2 2 b. In addition to any other remedy available at law or in
2 3 equity, a person aggrieved by the seizure or confiscation of
2 4 a firearm or ammunition in violation of this section may make
2 5 application for its return in the office of the clerk of court
2 6 for the county in which the property was seized pursuant to
2 7 section 809.3.

2 8 c. In an action or proceeding to enforce this section, the
2 9 court shall award the prevailing plaintiff reasonable court
2 10 costs and attorney fees.

2 11 EXPLANATION

2 12 This bill relates to the regulation of firearms and
2 13 ammunition in a state of public emergency.

2 14 The bill provides that Code chapter 29C, relating to a
2 15 public disorder or disaster emergency proclamation by the
2 16 governor, shall not be construed to authorize the governor
2 17 or any other official of this state or any of its political
2 18 subdivisions acting at the direction of the governor or other
2 19 official to prohibit, regulate, or curtail the otherwise lawful
2 20 possession, carrying, transportation, transfer, or defensive
2 21 use of firearms or ammunition, to suspend or revoke, except
2 22 in as otherwise authorized, a permit to carry weapons issued
2 23 pursuant to Code section 724.6 or 724.7 or a permit to acquire
2 24 pistols or revolvers issued pursuant to Code section 724.15,
2 25 or to seize or confiscate firearms or ammunition possessed in
2 26 accordance with state law.

2 27 The bill does not prohibit the temporary closure or
2 28 limitations on the operating hours of businesses that sell
2 29 firearms or ammunition if the same operating restrictions
2 30 apply to all businesses in the affected area or regulations
2 31 pertaining to firearms used or carried for official purposes by
2 32 law enforcement officers or persons acting under the authority
2 33 of emergency management agencies or officials.

2 34 The bill allows a person aggrieved by a violation under
2 35 the bill to seek relief in an action at law or in equity or



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3 1 in any other proper proceeding for actual damages, injunctive
3 2 relief, or other appropriate redress, including court costs
3 3 and attorney fees, against a person who commits or causes
3 4 the commission of such violation. In addition to any other
3 5 remedy available at law or in equity, a person aggrieved by
3 6 the seizure or confiscation of a firearm or ammunition in
3 7 violation of the bill may file an application for its return
3 8 in the office of the clerk of court for the county in which the
3 9 property was seized pursuant to Code section 809.3.

3 10 The bill makes conforming changes to Code sections 29C.3 and
3 11 29C.6 relating to the governor's authority under current law to
3 12 prohibit the possession of firearms or any other deadly weapon
3 13 by a person other than at that person's place of residence
3 14 or business and to suspend or limit the sale, dispensing, or
3 15 transportation of firearms.

LSB 1869HC (2) 84

rh/rj



Iowa General Assembly
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Senate File 47 - Introduced

SENATE FILE
BY KETTERING

A BILL FOR

1 An Act increasing the amount and extending the availability of
2 the child and dependent care and early childhood development
3 tax credits and including retroactive applicability
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1444XS (2) 84
tw/sc



Iowa General Assembly
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Senate File 47 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.12C, subsection 1, Code 2011, is
1 2 amended to read as follows:

1 3 1. The taxes imposed under this division, less the amounts
1 4 of nonrefundable credits allowed under this division, shall
1 5 be reduced by a child and dependent care credit equal to the
1 6 following percentages of the federal child and dependent care
1 7 credit provided in section 21 of the Internal Revenue Code:

1 8 a. For a taxpayer with net income of less than ten thousand
1 9 dollars, ~~seventy-five~~ one hundred percent.

1 10 b. For a taxpayer with net income of ten thousand dollars
1 11 or more but less than twenty thousand dollars, ~~sixty-five~~
1 12 seventy-five percent.

1 13 c. For a taxpayer with net income of twenty thousand dollars
1 14 or more but less than ~~twenty-five~~ thirty thousand dollars,
1 15 ~~fifty-five~~ sixty-five percent.

1 16 d. For a taxpayer with net income of ~~twenty-five~~ thirty
1 17 thousand dollars or more but less than ~~thirty-five~~ forty
1 18 thousand dollars, ~~fifty~~ fifty-five percent.

1 19 e. For a taxpayer with net income of ~~thirty-five~~ forty
1 20 thousand dollars or more but less than ~~forty~~ fifty thousand
1 21 dollars, ~~forty~~ fifty percent.

1 22 f. For a taxpayer with net income of ~~forty~~ fifty thousand
1 23 dollars or more but less than ~~forty-five~~ sixty thousand
1 24 dollars, ~~thirty~~ forty percent.

1 25 g. For a taxpayer with net income of ~~forty-five~~ sixty
1 26 thousand dollars or more, ~~zero~~ but less than eighty thousand
1 27 dollars, thirty percent.

1 28 h. For a taxpayer with net income of eighty thousand dollars
1 29 or more, zero percent.

1 30 Sec. 2. Section 422.12C, subsection 2, unnumbered paragraph
1 31 1, Code 2011, is amended to read as follows:

1 32 The taxes imposed under this division, less the amounts
1 33 of nonrefundable credits allowed under this division, may be
1 34 reduced by an early childhood development tax credit equal to
1 35 twenty-five percent of the first one thousand dollars which



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Senate File 47 - Introduced continued

2 1 the taxpayer has paid to others for each dependent, as defined
 2 2 in the Internal Revenue Code, ages three through five for
 2 3 early childhood development expenses. In determining the
 2 4 amount of early childhood development expenses for the tax year
 2 5 beginning in the 2006 calendar year only, such expenses paid
 2 6 during November and December of the previous tax year shall
 2 7 be considered paid in the tax year for which the tax credit
 2 8 is claimed. This credit is available to a taxpayer whose net
 2 9 income is less than ~~forty-five~~ eighty thousand dollars. If the
 2 10 early childhood development tax credit is claimed for a tax
 2 11 year, the taxpayer and the taxpayer's spouse shall not claim
 2 12 the child and dependent care credit under subsection 1. As
 2 13 used in this subsection, "early childhood development expenses"
 2 14 means services provided to the dependent by a preschool, as
 2 15 defined in section 237A.1, materials, and other activities as
 2 16 follows:

2 17 Sec. 3. RETROACTIVE APPLICABILITY DATE. This Act applies
 2 18 retroactively to January 1, 2011, for tax years beginning on
 2 19 or after that date.

EXPLANATION

2 21 This bill extends the availability of the child and
 2 22 dependent care tax credit and the early childhood development
 2 23 tax credit to taxpayers with net incomes of less than \$80,000.
 2 24 Currently, the credits are available to taxpayers with net
 2 25 incomes of less than \$45,000.

2 26 The bill also changes the schedule for determining the
 2 27 amount of the child and dependent care tax credit. The credit
 2 28 is equal to a percent of the federal child and dependent care
 2 29 tax credit as follows:

<u>Net Income Between</u>	<u>Percentage</u>
2 31 0 == \$10,000	75
2 32 \$10,000 == \$20,000	65
2 33 \$20,000 == \$25,000	55
2 34 \$25,000 == \$35,000	50
2 35 \$35,000 == \$40,000	40



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3	1	\$40,000 == \$45,000	30
3	2	\$45,000 or more	0
3	3	The bill provides a new schedule as follows:	
3	4	<u>Net Income Between</u>	<u>Percentage</u>
3	5	0 == \$10,000	100
3	6	\$10,000 == \$20,000	75
3	7	\$20,000 == \$30,000	65
3	8	\$30,000 == \$40,000	55
3	9	\$40,000 == \$50,000	50
3	10	\$50,000 == \$60,000	40
3	11	\$60,000 == \$80,000	30
3	12	\$80,000 or more	0
3	13	The bill applies retroactively to January 1, 2011, for tax	
3	14	years beginning on or after that date.	

LSB 1444XS (2) 84
tw/sc



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate File 48 - Introduced

SENATE FILE
BY DANDEKAR

A BILL FOR

1 An Act relating to the registration of certain antique motor
2 vehicles and providing a fee.

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

TLSB 1473XS (5) 84

dea/nh



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Senate File 48 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.115, Code 2011, is amended to read
1 2 as follows:
1 3 321.115 Antique vehicles ==== model year plates permitted.
1 4 1. a. Antique vehicles ==== regular registration. A motor
1 5 vehicle twenty=five years old or older may be registered as
1 6 an antique vehicle. The annual registration fee is the fee
1 7 provided in section 321.113, 321.122, or 321.124.
1 8 b. Limited use antique vehicles. The owner of a motor
1 9 truck, truck tractor, road tractor, or motor home that is
1 10 twenty=five years old or older who desires to use the vehicle
1 11 exclusively for exhibition or educational purposes at state
1 12 or county fairs, or at other places where the vehicle may
1 13 be exhibited for entertainment or educational purposes, may
1 14 register the vehicle as a "limited use" vehicle in accordance
1 15 with sections 321.58 through 321.62. The "limited use"
1 16 registration under this paragraph permits driving of the
1 17 vehicle upon the public roads to and from state and county
1 18 fairs or other places of entertainment or education for
1 19 exhibition or educational purposes and to and from service
1 20 stations for the purpose of receiving necessary maintenance,
1 21 or for the purposes of transporting, testing, demonstrating,
1 22 or selling the vehicle.
1 23 c. Limited mileage antique vehicles. The owner of a 1964
1 24 model year or older motor vehicle may register the vehicle as a
1 25 "limited mileage" antique vehicle for an annual registration
1 26 fee of ten dollars. The "limited mileage" registration under
1 27 this paragraph permits driving of the vehicle not more than
1 28 two thousand five hundred miles annually. The application for
1 29 registration under this paragraph shall be accompanied by a
1 30 certification by the owner, made in a manner prescribed by the
1 31 department, declaring that the vehicle will not be driven more
1 32 than two thousand five hundred miles during the registration
1 33 year.
1 34 ~~e.~~ d. Model year registration plates.
1 35 (1) The owner of a motor vehicle registered under ~~this~~



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~~Senate File 48 - Introduced continued~~

~~2 1 subsection paragraph "a", "b", or "c" may display authentic Iowa
2 2 registration plates from the model year of the motor vehicle,
2 3 furnished by the person and approved by the department, in
2 4 lieu of the current and valid Iowa registration plates issued
2 5 for the vehicle, provided that the current and valid Iowa
2 6 registration plates and the registration card issued for the
2 7 vehicle are simultaneously carried within the vehicle and
2 8 are available for inspection to any peace officer upon the
2 9 officer's request.~~

~~2 10 (2) The owner of a motor vehicle registered under paragraph
2 11 "b" or "c" may display authentic Iowa registration plates from
2 12 the model year of the motor vehicle, furnished by the person
2 13 and approved by the department to serve as the vehicle's
2 14 regular registration plates. The model year plates shall be
2 15 registered with the department as the current and valid Iowa
2 16 registration plates for the vehicle.~~

~~2 17 (3) The department may adopt rules as necessary to implement
2 18 this lettered paragraph.~~

~~2 19 2. The sale of a motor vehicle twenty years old or older
2 20 which is primarily of value as a collector's item and not as
2 21 transportation is not subject to chapter 322, and any person
2 22 may sell such a vehicle at retail without a license as required
2 23 under chapter 322.~~

~~2 24 3. Truck tractors and semitrailers used in combination
2 25 for exhibition and educational purposes may be registered and
2 26 driven according to the provisions of subsection 1. Truck
2 27 tractors and semitrailers registered under this section shall
2 28 not be used to haul loads.~~

~~2 29 4. A person convicted of a violation of this section is
2 30 guilty of a simple misdemeanor punishable as a scheduled
2 31 violation under section 805.8A, subsection 2.~~

~~2 32 EXPLANATION~~

~~2 33 Currently, if a motor vehicle is 25 years old or older,
2 34 the owner may register the vehicle as an antique vehicle,
2 35 subject to the regular registration fees for the vehicle. If~~



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Senate File 48 - Introduced continued

3 1 the vehicle is a motor truck, truck tractor, road tractor,
3 2 or motor home that is used exclusively for exhibition or
3 3 educational purposes, the owner may apply for a "limited
3 4 use" registration subject to a fee of \$70 for a two=year
3 5 certificate and \$40 for a set of registration plates valid for
3 6 the two=year period. An antique vehicle registered for limited
3 7 use may only be driven to and from state and county fairs and
3 8 other places for exhibition and education purposes and to
3 9 and from service stations, or for purposes of transporting,
3 10 testing, demonstrating, or selling the vehicle. Either antique
3 11 vehicle registration entitles the owner to display authentic
3 12 registration plates from the model year of the vehicle,
3 13 furnished by the owner and approved by the department of
3 14 transportation, in lieu of the regular registration plates
3 15 issued for the vehicle, provided the regular registration card
3 16 and plates are carried in the vehicle.

3 17 This bill establishes another antique vehicle category, the
3 18 "limited mileage" antique vehicle. A motor vehicle that is
3 19 model year 1964 or older may be registered as a limited mileage
3 20 antique vehicle for an annual fee of \$10. The vehicle may not
3 21 be driven more than 2,500 miles per year, and the owner must
3 22 certify with the annual application for registration that the
3 23 mileage limit will be observed.

3 24 The bill also allows the owner of a "limited use" or
3 25 a "limited mileage" antique vehicle to display authentic
3 26 model year registration plates that are registered with the
3 27 department as the current and valid registration plates for
3 28 the vehicle. The model year plates must be furnished by the
3 29 owner and approved by the department to serve as the vehicle's
3 30 regular registration plates.

LSB 1473XS (5) 84

dea/nh



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Senate File 49 - Introduced

SENATE FILE
BY KETTERING

A BILL FOR

1 An Act concerning registration plates issued for business=trade
2 trucks.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1177XS (5) 84
dea/nh



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Senate File 49 - Introduced continued

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1 1 Section 1. Section 321.120, subsection 3, Code 2011, is
1 2 amended to read as follows:
1 3 3. a. Upon approval of the application and payment of the
1 4 proper fees, the county treasurer shall issue registration
1 5 plates for the vehicle which distinguish the vehicle as a
1 6 business=trade truck.
1 7 b. The owner of a business=trade truck whose application
1 8 is approved under this section may elect to display any of the
1 9 special registration plates issued under section 321.34 for
1 10 which the owner is qualified in lieu of the distinguishing
1 11 plates described in paragraph "a", upon payment of the regular
1 12 fee required for registration of a business=trade truck and the
1 13 applicable special registration plate fees required pursuant
1 14 to section 321.34. If the owner has business=trade truck
1 15 plates issued for the vehicle, the owner shall surrender
1 16 the business=trade truck registration plates to the county
1 17 treasurer upon receipt of the special registration plates.

1 18 EXPLANATION

1 19 Under current law, a motor truck that qualifies for a
1 20 business=trade registration fee is issued registration plates
1 21 which are specially designed to distinguish the vehicle as a
1 22 business=trade truck. As a consequence of this requirement,
1 23 the owner of a business=trade truck is not eligible for
1 24 any of the special registration plates for which the owner
1 25 might otherwise qualify. This bill allows the owner of a
1 26 business=trade truck to apply for and display any of the
1 27 special registration plates instead of business=trade truck
1 28 plates. An owner who chooses special registration plates is
1 29 responsible for the regular business=trade truck registration
1 30 fee, plus applicable fees required for the special plates.

LSB 1177XS (5) 84

dea/nh



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Senate File 50 - Introduced

SENATE FILE
BY KETTERING

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles on
2 highways, providing a registration fee, and making a penalty
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1440XS (2) 84
dea/nh



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Senate File 50 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.117, Code 2011, is amended to read
 1 2 as follows:
 1 3 321.117 Motorcycle, all=terrain vehicle, motorized bicycle,
 1 4 ambulance, and hearse fees.
~~1 5 For all motorcycles the annual registration fee shall~~
~~1 6 be twenty dollars. For all motorized bicycles the annual~~
~~1 7 registration fee shall be seven dollars. When the motorcycle~~
~~1 8 is more than five model years old, the annual registration fee~~
~~1 9 shall be ten dollars.~~
 1 10 1. The annual registration fee for a motorcycle is twenty
 1 11 dollars. When the motorcycle is more than five model years
 1 12 old, the fee is ten dollars. Notwithstanding section 321.1,
 1 13 subsection 40, for purposes of registration under this section,
 1 14 "motorcycle" includes an all=terrain vehicle as provided in
 1 15 section 321.234A, subsection 4A.
 1 16 2. The annual registration fee for a motorized bicycle is
 1 17 seven dollars.
 1 18 3. The annual registration fee for ambulances and hearses
 1 19 ~~shall be~~ is fifty dollars. Passenger car plates shall be
 1 20 issued for ambulances and hearses.
 1 21 Sec. 2. Section 321.234A, subsection 2, Code 2011, is
 1 22 amended to read as follows:
 1 23 2. a. A person operating an all=terrain vehicle on a
 1 24 highway shall have a valid driver's license and the; however, a
 1 25 person operating an all=terrain vehicle registered pursuant to
 1 26 subsection 4A is not required to have a license valid for the
 1 27 operation of a motorcycle.
 1 28 b. Unless registered pursuant to subsection 4A, an
 1 29 all=terrain vehicle shall be operated at speeds of thirty=five
 1 30 miles per hour or less.
 1 31 Sec. 3. Section 321.234A, Code 2011, is amended by adding
 1 32 the following new subsection:
 1 33 NEW SUBSECTION. 4A. a. An all=terrain vehicle with four or
 1 34 more wheels and a combustion engine having a piston or rotor
 1 35 displacement of two hundred centimeters or more may be issued



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2 1 a certificate of title under this chapter and registered as
2 2 a motorcycle pursuant to section 321.117 to be operated on
2 3 highways. An all=terrain vehicle registered as a motorcycle is
2 4 subject to the lighting and equipment requirements applicable
2 5 to motorcycles under this chapter.
2 6 b. A person shall not operate an all=terrain vehicle
2 7 registered as a motorcycle on an interstate.
2 8 Sec. 4. Section 321I.1, subsection 16, paragraph b, Code
2 9 2011, is amended to read as follows:
2 10 b. An owner of an off=road utility vehicle may register or
2 11 title an off=road utility vehicle in order to legally operate
2 12 the off=road vehicle on public ice, a designated riding area,
2 13 or a designated riding trail or as provided in section 321I.10.
2 14 The operator of an off=road utility vehicle is subject to
2 15 provisions governing the operation of all=terrain vehicles
2 16 in section 321.234A and this chapter, but is exempt from the
2 17 safety instruction and certification program requirements of
2 18 sections 321I.25 and 321I.26. An operator of an off=road
2 19 utility vehicle shall not operate the vehicle on a designated
2 20 riding area or designated riding trail unless the department
2 21 has posted signage indicating the riding area or trail is
2 22 open to the operation of off=road utility vehicles. Off=road
2 23 utility vehicles are exempt from the dealer registration and
2 24 titling requirements of this chapter. A motorized vehicle that
2 25 was previously titled under chapter 321, other than section
2 26 321.234A, subsection 4A, or is currently titled under chapter
2 27 321 shall not be registered or operated as an off=road utility
2 28 vehicle.
2 29 Sec. 5. Section 321I.9, unnumbered paragraph 1, Code 2011,
2 30 is amended to read as follows:
2 31 Registration under this chapter shall not be required for
2 32 the following described all=terrain vehicles:
2 33 Sec. 6. Section 321I.9, Code 2011, is amended by adding the
2 34 following new subsection:
2 35 NEW SUBSECTION. 4. All=terrain vehicles, as defined in



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Senate File 50 - Introduced continued

3 1 section 321.1, which are titled and registered in accordance
3 2 with section 321.234A, subsection 4A.

3 3 Sec. 7. Section 321I.10, subsections 1, 2, and 3, Code 2011,
3 4 are amended to read as follows:

3 5 1. A person shall not operate an all-terrain vehicle ~~or~~
~~3 6 off-road utility vehicle~~ upon roadways or highways except as
3 7 provided in section 321.234A and this section.

3 8 2. A registered all-terrain vehicle ~~or off-road utility~~
~~3 9 vehicle~~ may be operated on the roadways of that portion of
3 10 county highways designated by the county board of supervisors
3 11 for such use during a specified period. The county board of
3 12 supervisors shall evaluate the traffic conditions on all county
3 13 highways and designate roadways on which all-terrain vehicles
3 14 ~~or off-road utility vehicles~~ may be operated for the specified
3 15 period without unduly interfering with or constituting an undue
3 16 hazard to conventional motor vehicle traffic. In designating
3 17 such roadways, the board may authorize all-terrain vehicles
3 18 ~~and off-road utility vehicles~~ to stop at service stations or
3 19 convenience stores along a designated roadway.

3 20 3. Cities may designate streets under the jurisdiction
3 21 of cities within their respective corporate limits which may
3 22 be used for the operation of registered all-terrain vehicles
3 23 ~~or registered off-road utility vehicles~~. In designating
3 24 such streets, the city may authorize all-terrain vehicles
3 25 ~~and off-road utility vehicles~~ to stop at service stations or
3 26 convenience stores along a designated street.

3 27 Sec. 8. Section 321I.31, subsection 1, Code 2011, is amended
3 28 to read as follows:

3 29 1. The owner of an all-terrain vehicle acquired on or
3 30 after January 1, 2000, other than an all-terrain vehicle used
3 31 exclusively as a farm implement ~~or~~, an all-terrain vehicle
3 32 titled and registered in accordance with section 321.234A,
3 33 subsection 4A, or a motorcycle previously issued a title
3 34 pursuant to chapter 321, shall apply to the county recorder
3 35 of the county in which the owner resides for a certificate of



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Senate File 50 - Introduced continued

4 1 title for the all-terrain vehicle. The owner of an all-terrain
4 2 vehicle used exclusively as a farm implement may obtain
4 3 a certificate of title. A person who owns an all-terrain
4 4 vehicle that is not required to have a certificate of title
4 5 may apply for and receive a certificate of title for the
4 6 all-terrain vehicle and, subsequently, the all-terrain vehicle
4 7 shall be subject to the requirements of this chapter as if
4 8 the all-terrain vehicle were required to be titled. All
4 9 all-terrain vehicles that are titled shall be registered.

4 10 EXPLANATION

4 11 This bill allows all-terrain vehicles of a certain size to be
4 12 operated on noninterstate highways.

4 13 Under the bill, an all-terrain vehicle that has four or
4 14 more wheels and a combustion engine having a piston or rotor
4 15 displacement of 200 centimeters or more may be issued a
4 16 certificate of title by the county treasurer and registered
4 17 as a motorcycle for operation on highways, subject to the
4 18 lighting and equipment requirements applicable to motorcycles.
4 19 The annual registration fee is \$20, and when the vehicle is
4 20 more than five model years old, the fee is reduced to \$10.
4 21 Pursuant to current law, a vehicle subject to registration is
4 22 also subject to a fee for new registration in the amount of 5
4 23 percent of the purchase price, payable upon application for a
4 24 new registration and certificate of title.

4 25 Currently, a person operating an all-terrain vehicle on a
4 26 highway is required to have a valid driver's license. The
4 27 bill specifies that a person who operates an all-terrain
4 28 vehicle registered as a motorcycle is required to have
4 29 a driver's license but is not required to be licensed to
4 30 operate a motorcycle. The bill specifies that an all-terrain
4 31 vehicle registered as a motorcycle is not subject to the
4 32 35-mile-per-hour speed limitation applicable to unregistered
4 33 all-terrain vehicles, but operation is restricted to
4 34 noninterstate highways.

4 35 The bill makes conforming amendments to provide that



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5 1 an all=terrain vehicle that is titled and registered as a
5 2 motorcycle for operation on highways under Code chapter 321
5 3 is exempt from the registration requirements for all=terrain
5 4 vehicles administered by the department of natural resources
5 5 under Code chapter 321I.
5 6 Provisions in Code chapter 321I concerning the regulation
5 7 of all=terrain vehicle and off=road utility vehicle operation
5 8 on city and county roads are amended by the bill to eliminate
5 9 unnecessary references to off=road utility vehicles. Under
5 10 Code chapter 321I, unless specified otherwise, off=road utility
5 11 vehicles are subject to provisions governing the operation of
5 12 all=terrain vehicles.
5 13 A violation of provisions governing the operation of
5 14 all=terrain vehicles on a highway is a simple misdemeanor,
5 15 punishable by a scheduled fine of \$50.

LSB 1440XS (2) 84
dea/nh



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Senate File 51 - Introduced

SENATE FILE
BY KETTERING

A BILL FOR

1 An Act directing state aid funding for special education
2 support services, media services, educational services,
3 area education agency professional development supplement,
4 and area education agency teacher salary supplement to
5 the applicable school districts, allowing area education
6 agencies and other organizations to bid to provide the
7 services the funding supports, and including applicability
8 provisions.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1477XS (2) 84
md/sc



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Senate File 51 - Introduced continued

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1 1 Section 1. Section 257.35, subsection 1, Code 2011, is
1 2 amended to read as follows:
1 3 1. ~~The~~ For school budget years ending prior to July 1,
1 4 2012, the department of management shall deduct the amounts
1 5 calculated for special education support services, media
1 6 services, area education agency teacher salary supplement
1 7 district cost, area education agency professional development
1 8 supplement district cost, and educational services for each
1 9 school district from the state aid due to the district pursuant
1 10 to this chapter and shall pay the amounts to the respective
1 11 area education agencies on a monthly basis from September 15
1 12 through June 15 during each school year. The department of
1 13 management shall notify each school district of the amount
1 14 of state aid deducted for these purposes and the balance of
1 15 state aid shall be paid to the district. If a district does
1 16 not qualify for state aid under this chapter in an amount
1 17 sufficient to cover its amount due to the area education agency
1 18 as calculated by the department of management, the school
1 19 district shall pay the deficiency to the area education agency
1 20 from other moneys received by the district, on a quarterly
1 21 basis during each school year.
1 22 Sec. 2. NEW SECTION. 257.35A Area education agencies ====
1 23 state funding redirected.
1 24 1. Notwithstanding any provision of this chapter to the
1 25 contrary, for school budget years beginning on and after
1 26 July 1, 2012, the state aid funding for special education
1 27 support services, media services, and educational services,
1 28 as calculated by this chapter, shall be paid directly to the
1 29 applicable school district.
1 30 2. A school district receiving funding under subsection 1
1 31 shall choose one of the following options:
1 32 a. A school district may provide its own special education
1 33 services, media services, and educational services, as those
1 34 services are described in chapter 273. However, the school
1 35 district shall not receive funding for its costs that exceeds



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Senate File 51 - Introduced continued

2 1 the amount determined under subsection 1, except for funds
2 2 received from another school district for providing special
2 3 education services, media services, or educational services to
2 4 such other school district.

2 5 b. A school district may solicit bids from organizations,
2 6 including other school districts and area education agencies,
2 7 to provide special education services, media services, and
2 8 educational services, as those services are described in
2 9 chapter 273. However, the school district soliciting bids
2 10 shall not receive funding for its costs that exceeds the amount
2 11 determined under subsection 1.

2 12 3. The department of education shall distribute the
2 13 appropriate amount of area education agency professional
2 14 development supplement and area education agency teacher salary
2 15 supplement funding to a school district if an area education
2 16 agency successfully bids to provide the services.

2 17 Sec. 3. Section 273.9, subsection 1, Code 2011, is amended
2 18 to read as follows:

2 19 1. ~~School~~ For school budget years ending prior to July 1,
2 20 2012, school districts shall pay for the programs and services
2 21 provided through the area education agency and shall include
2 22 expenditures for the programs and services in their budgets, in
2 23 accordance with this section.

2 24 Sec. 4. NEW SECTION. 273.9A Funding from school districts
2 25 === state and local funds.

2 26 Notwithstanding any provision of this chapter to the
2 27 contrary, for school budget years beginning on and after July
2 28 1, 2012, an area education agency or other organization shall
2 29 receive state aid funding for providing special education
2 30 support services, media services, and educational services
2 31 from the applicable school district. Area education agencies
2 32 and other organizations may submit bids for providing special
2 33 education support services, media services, and educational
2 34 services in a process to be determined by the department of
2 35 education by rule under chapter 17A.



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Senate File 52 - Introduced

SENATE FILE
BY DANDEKAR

A BILL FOR

1 An Act eliminating the transfer tax imposed on insurers
2 organized in other states who elect to become domestic
3 insurers in Iowa.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1575XS (2) 84
tw/sc



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Senate File 52 - Introduced continued

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1 1 Section 1. Section 508.12, unnumbered paragraph 1, Code
 1 2 2011, is amended to read as follows:
 1 3 An insurer which is organized under the laws of any state,
 1 4 and is admitted to do business in this state for the purpose
 1 5 of writing insurance authorized by this chapter may become a
 1 6 domestic insurer by complying with section 490.902 or 491.33
 1 7 and with all of the requirements of law relative to the
 1 8 organization and licensing of a domestic insurer of the same
 1 9 type and by designating its principal place of business in this
 1 10 state, and, upon payment to the commissioner of insurance of
~~1 11 a transfer tax in a sum equal to twenty-five percent of the~~
~~1 12 premium tax paid pursuant to the provisions of chapter 432~~
~~1 13 for the last calendar year immediately preceding its becoming~~
~~1 14 a domestic corporation or the sum of ten thousand dollars,~~
~~1 15 whichever is the lesser but not less than one thousand dollars,~~
 1 16 may become a domestic corporation and be entitled to like
 1 17 certificates of its corporate existence and license to transact
 1 18 business in this state, and be subject in all respects to the
 1 19 authority and jurisdiction thereof.

EXPLANATION

1 20
 1 21 This bill eliminates the tax imposed on insurance companies
 1 22 organized in other states who elect to become domestic insurers
 1 23 in Iowa.

LSB 1575XS (2) 84
 tw/sc



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Senate File 53 - Introduced

SENATE FILE
BY HOGG, BLACK, and
DEARDEN

A BILL FOR

1 An Act relating to disaster mitigation and predisaster
2 planning by providing for comprehensive watershed management
3 planning, creating a watershed management grant program,
4 providing floodplain management regulation incentives,
5 creating a predisaster hazard mitigation grant program, and
6 making appropriations.

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

TLSB 1190XS (8) 84

tm/sc



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Senate File 53 - Introduced continued

PAG LIN

1 1 DIVISION I
1 2 COMPREHENSIVE WATERSHED
1 3 MANAGEMENT PLANNING
1 4 Section 1. NEW SECTION. 455B.263A Flood water reduction
1 5 planning.
1 6 1. In consultation with stakeholders representing
1 7 agriculture, local governments, environmental interests,
1 8 recreational interests, federal agencies, and any other related
1 9 interests, the department shall do all of the following:
1 10 a. Establish goals for reducing future flood damage through
1 11 the holding of flood waters measured in acre=feet of water
1 12 held.
1 13 b. Identify strategies for achieving flood water reduction
1 14 goals for at least six basins in the state and at least three
1 15 major river regions.
1 16 c. Identify specific flood water reduction projects that
1 17 can be implemented and the time frame for implementing such
1 18 projects.
1 19 d. Identify private, local, and federal funding sources for
1 20 flood water reduction projects and strategies.
1 21 e. Identify suggested land use strategies to avoid
1 22 identified flood hazards.
1 23 f. Identify agencies or entities within a basin or major
1 24 river region that will be responsible for implementing and
1 25 updating flood water reduction plans within each basin and
1 26 major river region.
1 27 Sec. 2. NEW SECTION. 455B.283 Comprehensive watershed
1 28 management planning ==== appropriation.
1 29 For the fiscal period beginning July 1, 2011, and ending
1 30 June 30, 2021, there is appropriated each fiscal year from
1 31 the general fund of the state to the department of natural
1 32 resources three million dollars for purposes of comprehensive
1 33 watershed management planning for at least six basins in the
1 34 state and at least three major river regions as determined by
1 35 the department. The department shall prioritize the planning



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2 1 for the basins and major river regions based on flood risk,
2 2 opportunity for improvement, and interest in planning from
2 3 entities within the basin or major river region. However, all
2 4 planning for at least six basins and at least three major river
2 5 regions shall be completed by June 30, 2021.

2 6 Sec. 3. WATER RESOURCES COORDINATING COUNCIL ==== STUDIES.

2 7 1. The water resources coordinating council established
2 8 pursuant to section 466B.3 shall assess state programs and
2 9 funding for watershed management purposes for the effectiveness
2 10 of the programs in reducing flood damage and improving water
2 11 quality and the geographic distribution of funding. By
2 12 November 15, 2011, the council shall submit a report to the
2 13 general assembly detailing the council's findings, conclusions,
2 14 and recommendations for future action.

2 15 2. The water resources coordinating council shall analyze
2 16 and assess incentives for landowners and developers in both
2 17 rural and urban settings to retain flood water on their
2 18 property. The incentives to be examined shall include but
2 19 not be limited to bounties for retention of flood water,
2 20 property tax incentives, and tradeable permits. By November
2 21 15, 2011, the council shall submit a report to the general
2 22 assembly detailing the council's findings, conclusions, and
2 23 recommendations for future action.

2 24 DIVISION II
2 25 WATERSHED MANAGEMENT
2 26 GRANT PROGRAM

2 27 Sec. 4. NEW SECTION. 466B.41 Watershed management grant
2 28 program and fund ==== appropriation.

2 29 1. The department of natural resources shall establish a
2 30 watershed management grant program for purposes of providing
2 31 financial assistance for voluntary watershed management
2 32 projects. The department shall provide administrative
2 33 assistance and support to the watershed management grant board
2 34 established in subsection 2.

2 35 2. A watershed management grant board is established



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3 1 consisting of the following members:
3 2 a. The director of the department of natural resources or
3 3 the director's designee.
3 4 b. The secretary of agriculture or the secretary's designee.
3 5 c. The administrator of the homeland security and emergency
3 6 management division of the department of public defense or the
3 7 administrator's designee.
3 8 d. One member selected by the Iowa flood center at the
3 9 university of Iowa.
3 10 e. One member selected by the center for energy and
3 11 environmental education at the university of northern Iowa.
3 12 f. One member selected by the water center at Iowa state
3 13 university of science and technology.
3 14 g. The governor shall appoint the following members:
3 15 (1) One member representing agricultural producers.
3 16 (2) One member representing county conservation boards.
3 17 (3) One member representing soil and water conservation
3 18 districts.
3 19 (4) One member representing city governments.
3 20 (5) One member representing environmental interests.
3 21 3. All member appointments made pursuant to subsection 2,
3 22 paragraph "g", shall comply with sections 69.16, 69.16A, and
3 23 69.16C, and shall be subject to confirmation by the senate.
3 24 All members appointed pursuant to subsection 2, paragraph "g",
3 25 shall be appointed to three-year staggered terms, and the terms
3 26 shall commence and end as provided by section 69.19. If a
3 27 vacancy occurs, a successor shall be appointed to serve the
3 28 unexpired term. A successor shall be appointed in the same
3 29 manner and subject to the same qualifications as the original
3 30 appointment. During the first meeting of each new fiscal year,
3 31 the board shall elect one member to serve as the chairperson.
3 32 A majority of the board constitutes a quorum.
3 33 4. The watershed management grant board shall meet at least
3 34 twice a year for purposes of considering applications and
3 35 awarding financial assistance under the watershed management



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4 1 grant program. In making grant awards for watershed management
4 2 projects under the program, the board shall consider all of the
4 3 following criteria:

4 4 a. The project must be designed to hold a demonstrable
4 5 amount of water during flood events measured in acre=feet of
4 6 water.

4 7 b. The project must be a voluntary project that does not
4 8 involve condemnation of property.

4 9 c. Additional consideration shall be given to applications
4 10 that contain any of the following:

4 11 (1) Projects identified or recognized through comprehensive
4 12 watershed management plans.

4 13 (2) Projects that leverage federal moneys through programs
4 14 including but not limited to the federal wetland reserve
4 15 program, the federal emergency watershed protection program,
4 16 the federal farm and ranch lands protection program, and the
4 17 federal conservation reserve program.

4 18 (3) Projects that leverage private or local moneys.

4 19 5. A watershed management grant program fund is created
4 20 in the state treasury under the control of the department of
4 21 natural resources and consisting of any moneys appropriated
4 22 by the general assembly and any other moneys available to and
4 23 obtained or accepted by the department for placement in the
4 24 fund. The fund shall be used to provide grants under the
4 25 watershed management grant program established in this section.
4 26 Moneys in the fund are not subject to section 8.33 and shall
4 27 not be transferred, used, obligated, appropriated, or otherwise
4 28 encumbered except as provided in this section.

4 29 6. For the fiscal period beginning July 1, 2011, and ending
4 30 June 30, 2021, there is appropriated each fiscal year from the
4 31 general fund to the department of natural resources thirty
4 32 million dollars for deposit in the watershed management grant
4 33 program fund.

4 34 7. The department of natural resources shall adopt rules
4 35 pursuant to chapter 17A necessary for the administration of



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Senate File 53 - Introduced continued

5 1 this subchapter.

5 2 DIVISION III

5 3 MISCELLANEOUS APPROPRIATIONS

5 4 Sec. 5. NEW SECTION. 161C.8 Technical assistance.

5 5 For the fiscal period beginning July 1, 2011, and ending
5 6 June 30, 2021, there is appropriated each fiscal year from
5 7 the general fund to the department of agriculture and land
5 8 stewardship four million two hundred thousand dollars for
5 9 purposes of providing watershed project technical assistance.
5 10 Assistance may be provided to landowners, soil and water
5 11 conservation districts, county conservation boards, and the
5 12 department of natural resources.

5 13 Sec. 6. NEW SECTION. 455B.284 Floodplain management ====
5 14 appropriation.

5 15 1. For the fiscal period beginning July 1, 2011, and ending
5 16 June 30, 2021, there is appropriated each fiscal year from the
5 17 general fund to the department of natural resources two million
5 18 dollars for purposes of floodplain management activities.

5 19 2. For the fiscal period beginning July 1, 2011, and
5 20 ending June 30, 2021, there is appropriated each fiscal year
5 21 from the general fund to the department of natural resources
5 22 fifty thousand dollars for purposes of providing a grant to
5 23 an organization for the establishment of a mentor network for
5 24 floodplain managers that fosters dialogue, education, and
5 25 technical support to floodplain managers to assist cities and
5 26 counties in the establishment of federally compliant floodplain
5 27 programs. The organization must be an organization by and
5 28 consisting of local floodplain managers.

5 29 Sec. 7. NEW SECTION. 466C.2 Appropriation.

5 30 For the fiscal period beginning July 1, 2011, and ending
5 31 June 30, 2021, there is appropriated each fiscal year from the
5 32 general fund to the state board of regents one million three
5 33 hundred thousand dollars for purposes of the Iowa flood center.

5 34 DIVISION IV
5 35 FLOODPLAIN MANAGEMENT



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Senate File 53 - Introduced continued

7 1 section.

7 2

DIVISION V

7 3

PREDISASTER HAZARD

7 4

MITIGATION GRANT PROGRAM

7 5 Sec. 9. NEW SECTION. 29C.24 Predisaster hazard mitigation
7 6 grant program and fund ==== appropriation.

7 7 1. The homeland security and emergency management
7 8 division of the department of public defense shall establish
7 9 a predisaster hazard mitigation grant program for purposes of
7 10 providing financial assistance for predisaster planning. The
7 11 division shall provide administrative assistance and support to
7 12 the predisaster hazard mitigation grant board established in
7 13 subsection 2.

7 14 2. A predisaster hazard mitigation grant board is
7 15 established consisting of the following members:

7 16 a. The director of the department of natural resources or
7 17 the director's designee.

7 18 b. The director of the Iowa finance authority or the
7 19 director's designee.

7 20 c. The administrator of the homeland security and emergency
7 21 management division of the department of public defense or the
7 22 administrator's designee.

7 23 d. The director of the department of economic development or
7 24 the director's designee.

7 25 e. The governor shall appoint the following members:

7 26 (1) One member representing city governments.

7 27 (2) One member representing county governments.

7 28 (3) Three members with expertise in finance, engineering,
7 29 or construction.

7 30 3. All member appointments made pursuant to subsection 2,
7 31 paragraph "e", shall comply with sections 69.16, 69.16A, and
7 32 69.16C, and shall be subject to confirmation by the senate.

7 33 All members appointed pursuant to subsection 2, paragraph "e",
7 34 shall be appointed to three-year staggered terms and the terms
7 35 shall commence and end as provided by section 69.19. If a



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8 1 vacancy occurs, a successor shall be appointed to serve the
8 2 unexpired term. A successor shall be appointed in the same
8 3 manner and subject to the same qualifications as the original
8 4 appointment. During the first meeting of each new fiscal year,
8 5 the board shall elect one member to serve as the chairperson.
8 6 A majority of the board constitutes a quorum.

8 7 4. The predisaster hazard mitigation grant board shall meet
8 8 at least twice a year for purposes of considering applications
8 9 and awarding financial assistance under the predisaster hazard
8 10 mitigation grant program to cities and counties. In making
8 11 grant awards under the program, the board shall consider all of
8 12 the following criteria:

8 13 a. The project must reduce projected damage from anticipated
8 14 future disasters.

8 15 b. The project must propose leveraging federal, local, or
8 16 private moneys.

8 17 5. A predisaster hazard mitigation grant program fund
8 18 is created in the state treasury under the control of the
8 19 department of natural resources and consisting of any moneys
8 20 appropriated by the general assembly and any other moneys
8 21 available to and obtained or accepted by the department for
8 22 placement in the fund. The fund shall be used to provide
8 23 grants under the predisaster hazard mitigation grant program
8 24 established in this section. Moneys in the fund are not
8 25 subject to section 8.33 and shall not be transferred, used,
8 26 obligated, appropriated, or otherwise encumbered except as
8 27 provided in this section.

8 28 6. For the fiscal period beginning July 1, 2011, and ending
8 29 June 30, 2021, there is appropriated each fiscal year from the
8 30 general fund to the homeland security and emergency management
8 31 division of the department of public defense twenty million
8 32 dollars for deposit in the predisaster hazard mitigation grant
8 33 program fund.

8 34 7. The homeland security and emergency management division
8 35 of the department of public defense shall adopt rules pursuant



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Senate File 53 - Introduced continued

9 1 to chapter 17A necessary for the administration of this
9 2 section.

9 3 EXPLANATION

9 4 This bill relates to disaster mitigation and predisaster
9 5 planning by providing for comprehensive watershed management
9 6 planning, creating a watershed management grant program,
9 7 providing floodplain management regulation incentives, creating
9 8 a predisaster hazard mitigation grant program, and making
9 9 appropriations. The bill is divided into divisions.

9 10 COMPREHENSIVE WATERSHED MANAGEMENT PLANNING. The division
9 11 requires the department of natural resources to consult with
9 12 certain stakeholders to establish goals for reducing future
9 13 flood damage through the holding of flood waters measured in
9 14 acre=feet of water held, to identify strategies for achieving
9 15 flood water reduction goals for at least six basins and at
9 16 least three major river regions, to identify specific flood
9 17 water reduction projects that can be implemented and the time
9 18 frame for implementing such projects, to identify private,
9 19 local, and federal funding sources for flood water reduction
9 20 projects and strategies, to identify suggested land use
9 21 strategies to avoid identified flood hazards, and to identify
9 22 certain agencies or entities to be responsible for implementing
9 23 and updating flood water reduction plans.

9 24 For the fiscal period beginning July 1, 2011, and ending
9 25 June 30, 2021, the division appropriates each fiscal year from
9 26 the general fund of the state to the department of natural
9 27 resources \$3 million for purposes of comprehensive watershed
9 28 management planning for at least six basins in the state and
9 29 at least three major river regions. The bill requires the
9 30 planning to be prioritized based on certain criteria.

9 31 The division requires the water resources coordinating
9 32 council to submit two reports to the general assembly by
9 33 November 15, 2011. The reports relate to an assessment of
9 34 state programs and funding for watershed management purposes
9 35 and an assessment of incentives for landowners and developers



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10 1 in both the rural and urban settings to retain flood water on
10 2 their property.

10 3 WATERSHED MANAGEMENT GRANT PROGRAM. The division creates
10 4 a watershed management grant program and fund for purposes
10 5 of providing financial assistance for voluntary watershed
10 6 projects. Under the program, grants are awarded by a watershed
10 7 management grant board created in the division. The board is
10 8 required to meet at least twice a year and in making the awards
10 9 is required to consider certain criteria. The criteria include
10 10 that the project must be designed to hold a demonstrable amount
10 11 of water during flood events measured in acre=feet of water and
10 12 the project must be a voluntary project that does not involve
10 13 condemnation of property. Additional consideration is given
10 14 to applications that are identified or recognized through
10 15 comprehensive watershed management plans, that leverage certain
10 16 federal moneys, or that leverage private or local moneys. For
10 17 the fiscal period beginning July 1, 2011, and ending June 30,
10 18 2021, the division appropriates each fiscal year from the
10 19 general fund to the department of natural resources \$30 million
10 20 for deposit in the watershed management grant program fund for
10 21 use under the program. The division requires the department of
10 22 natural resources to adopt administrative rules for the program
10 23 and requires the department to provide administrative support
10 24 to the board.

10 25 MISCELLANEOUS APPROPRIATIONS. For the fiscal period
10 26 beginning July 1, 2011, and ending June 30, 2021, the division
10 27 appropriates each fiscal year from the general fund to the
10 28 department of agriculture and land stewardship \$4.2 million for
10 29 purposes of providing watershed project technical assistance
10 30 to landowners, soil and water conservation districts, county
10 31 conservation boards, and the department of natural resources.

10 32 For the fiscal period beginning July 1, 2011, and ending June
10 33 30, 2021, the division appropriates each fiscal year from the
10 34 general fund to the department of natural resources \$2 million
10 35 for purposes of floodplain management activities.



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Senate File 53 - Introduced continued

11 1 For the fiscal period beginning July 1, 2011, and ending
11 2 June 30, 2021, the division appropriates each fiscal year from
11 3 the general fund to the department of natural resources \$50,000
11 4 for purposes of providing a grant to an organization for the
11 5 establishment of a mentor network for floodplain managers
11 6 that fosters dialogue, education, and technical support to
11 7 floodplain managers to assist cities and counties in the
11 8 establishment of federally compliant floodplain programs.

11 9 For the fiscal period beginning July 1, 2011, and ending
11 10 June 30, 2021, the division appropriates each fiscal year from
11 11 the general fund to the state board of regents \$1.3 million for
11 12 purposes of the Iowa flood center.

11 13 FLOODPLAIN MANAGEMENT REGULATION INCENTIVES. The division
11 14 requires the homeland security and emergency management
11 15 division of the department of public defense, in consultation
11 16 with the department of natural resources, to educate cities
11 17 and counties regarding the community rating system of the
11 18 national flood insurance program of the federal emergency
11 19 management agency. The division requires the homeland security
11 20 and emergency management division to provide state matching
11 21 moneys in addition to certain other matching funds, but not to
11 22 exceed an additional 15 percent, to communities within an area
11 23 declared to be a disaster area due to flooding in a declaration
11 24 issued by the president of the United States or the governor
11 25 when the community meets one of several listed criteria.

11 26 PREDISASTER HAZARD MITIGATION GRANT PROGRAM. The division
11 27 requires the homeland security and emergency management
11 28 division of the department of public defense to establish a
11 29 predisaster hazard mitigation grant program for purposes of
11 30 providing financial assistance for predisaster planning. The
11 31 division creates a predisaster hazard mitigation grant board
11 32 that is required to meet at least twice a year for purposes of
11 33 considering grant applications. In making grant awards under
11 34 the program, the board is required to consider projects that
11 35 must reduce projected damage from anticipated future disasters



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Senate File 53 - Introduced continued

12 1 and propose leveraging federal, local, and private moneys.
12 2 For the fiscal period beginning July 1, 2011, and ending June
12 3 30, 2021, the division appropriates each fiscal year from the
12 4 general fund to the homeland security and emergency management
12 5 division \$20 million for deposit in the predisaster hazard
12 6 mitigation grant program fund for use under the program. The
12 7 homeland security and emergency management division is required
12 8 to adopt administrative rules for purposes of the program and
12 9 to provide administrative support to the board.

LSB 1190XS (8) 84

tm/sc



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Senate File 54 - Introduced

SENATE FILE
BY DANDEKAR

A BILL FOR

1 An Act allowing the operation of certain motorboats on lake
2 Macbride at any time.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1615SS (3) 84
av/sc



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Senate File 54 - Introduced continued

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1 1 Section 1. Section 462A.31, subsection 1, paragraph b, Code
1 2 2011, is amended to read as follows:
1 3 b. A motorboat equipped with any power unit mounted
1 4 or carried aboard the vessel may be operated at a no-wake
1 5 speed on all artificial lakes of more than one hundred acres
1 6 in size under the custody of the department. ~~However, on~~
~~1 7 lake Macbride, a motorboat with a power unit exceeding ten~~
~~1 8 horsepower may be operated only when permitted by rule and~~
~~1 9 the rule shall not authorize such use during the period~~
~~1 10 beginning on the Friday before Memorial Day and ending on Labor~~
~~1 11 Day inclusively.~~ This paragraph does not limit motorboat
1 12 horsepower on natural lakes under the custody of the department
1 13 or limit the department's authority to establish special speed
1 14 zoning regulations.

1 15 EXPLANATION

1 16 This bill amends Code section 462A.31(1)(b) to allow
1 17 the operation of motorboats with power units exceeding 10
1 18 horsepower at any time on lake Macbride.

LSB 1615SS (3) 84

av/sc



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Senate File 55 - Introduced

SENATE FILE
BY KIBBIE

A BILL FOR

1 An Act relating to grandparent and great-grandparent
2 visitation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1838XS (3) 84
pf/nh



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1 1 Section 1. Section 600C.1, Code 2011, is amended by striking
1 2 the section and inserting in lieu thereof the following:
1 3 600C.1 Grandparent and great=grandparent visitation.
1 4 1. The grandparent or great=grandparent of a minor child
1 5 may petition the court for grandchild or great=grandchild
1 6 visitation.
1 7 2. The court shall consider a fit parent's objections
1 8 to granting visitation under this section. A rebuttable
1 9 presumption arises that a fit parent's decision to deny
1 10 visitation to a grandparent or great=grandparent is in the best
1 11 interest of a minor child.
1 12 3. The court may grant visitation to the grandparent or
1 13 great=grandparent if the court finds all of the following by
1 14 clear and convincing evidence:
1 15 a. The grandparent or great=grandparent has established a
1 16 substantial relationship with the child prior to the filing of
1 17 the petition.
1 18 b. The parent who is being asked to temporarily relinquish
1 19 care, custody, and control of the child to provide visitation
1 20 is unfit to make the decision regarding visitation.
1 21 c. It is in the best interest of the child to grant such
1 22 visitation.
1 23 4. Notwithstanding the requirements of subsection
1 24 3, the court may grant visitation to the grandparent or
1 25 great=grandparent if the court finds all of the following by
1 26 clear and convincing evidence:
1 27 a. The grandparent or great=grandparent has established a
1 28 substantial relationship with the child prior to the filing of
1 29 the petition.
1 30 b. The parent is unable to provide evidence that the
1 31 grandparent or great=grandparent is unfit to be granted
1 32 visitation or that granting visitation will place the child at
1 33 risk of physical or emotional harm.
1 34 c. The relationship between the grandparent or
1 35 great=grandparent and the parent has been significantly



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2 1 impaired causing the parent to act in the parent's best
2 2 interest.
2 3 d. Granting such visitation is in the best interest of the
2 4 child.
2 5 5. For the purposes of this section, "court" means the
2 6 district court or the juvenile court if that court currently
2 7 has jurisdiction over the child in a pending action. If an
2 8 action is not pending, the district court has jurisdiction.
2 9 6. Notwithstanding any provision of this chapter to the
2 10 contrary, venue for any action to establish, enforce, or modify
2 11 visitation under this section shall be in the county where
2 12 either parent resides if no final custody order determination
2 13 relating to the grandchild or great-grandchild has been entered
2 14 by any other court. If a final custody order has been entered
2 15 by any other court, venue shall be located exclusively in the
2 16 county where the most recent final custody order was entered.
2 17 If any other custodial proceeding is pending when an action to
2 18 establish, enforce, or modify visitation under this section is
2 19 filed, venue shall be located exclusively in the county where
2 20 the pending custodial proceeding was filed.
2 21 7. Notice of any proceeding to establish, enforce, or
2 22 modify visitation under this section shall be personally served
2 23 upon all parents of a child whose interests are affected
2 24 by a proceeding brought pursuant to this section and all
2 25 grandparents or great-grandparents who have previously obtained
2 26 a final order or commenced a proceeding under this section.
2 27 8. The court shall not enter any temporary order to
2 28 establish, enforce, or modify visitation under this section.
2 29 9. An action brought under this section is subject to
2 30 chapter 598B, and in an action brought to establish, enforce,
2 31 or modify visitation under this section, each party shall
2 32 submit in its first pleading or in an attached affidavit all
2 33 information required by section 598B.209.
2 34 10. In any action brought to establish, enforce, or modify
2 35 visitation under this section, the court may award attorney



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3 1 fees to the prevailing party in an amount deemed reasonable by
3 2 the court.

3 3 11. If a proceeding to establish or enforce visitation
3 4 under this section is commenced when a dissolution of marriage
3 5 proceeding is pending concerning the parents of the affected
3 6 minor child, the record and evidence of the dissolution
3 7 action shall remain impounded pursuant to section 598.26.
3 8 The impounded information shall not be released or otherwise
3 9 made available to any person who is not the petitioner or
3 10 respondent or an attorney of record in the dissolution of
3 11 marriage proceeding. Access to the impounded information by
3 12 the attorney of record for the grandparent or great=grandparent
3 13 shall be limited to only that information relevant to the
3 14 grandparent's or great=grandparent's request for visitation.

3 15 EXPLANATION

3 16 This bill relates to granting of visitation to grandparents
3 17 or great=grandparents. The bill strikes the current provision
3 18 which limits petitioning for grandparent or great=grandparent
3 19 visitation to grandparents or great=grandparents of a minor
3 20 child when the parent of the minor child, who is the child of
3 21 the grandparent or the grandchild of the great=grandparent,
3 22 is deceased. The bill replaces the stricken language with
3 23 the prior law (Code 2009) which does not so restrict those
3 24 grandparents or great=grandparents who may petition the
3 25 court for visitation. The bill also adds a new provision
3 26 that provides, notwithstanding the requirements for granting
3 27 visitation to a grandparent or great=grandparent, the court
3 28 may grant such visitation if the court finds by clear and
3 29 convincing evidence that: the grandparent or great=grandparent
3 30 has established a substantial relationship with the child
3 31 prior to the filing of the petition; the parent is unable to
3 32 provide evidence that the grandparent or great=grandparent is
3 33 unfit to be granted visitation or that granting visitation
3 34 will place the child at risk of physical or emotional harm;
3 35 the relationship between the grandparent or great=grandparent



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4 1 and the parent has been significantly impaired causing the
4 2 parent to act in the parent's best interest; and granting such
4 3 visitation is in the best interest of the child.

LSB 1838XS (3) 84

pf/nh



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January 19, 2011

Senate File 56 - Introduced

SENATE FILE
BY BOLKCOM

A BILL FOR

1 An Act relating to donation of newborn umbilical cord blood.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1816XS (2) 84
pf/nh



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Senate File 56 - Introduced continued

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1 1 Section 1. NEW SECTION. 135.39D Donation of newborn
1 2 umbilical cord blood ==== exemption from civil liability.
1 3 1. Notwithstanding any provision to the contrary regarding
1 4 blood donation, the principal prenatal health care provider
1 5 of a woman who is known by the provider to be pregnant shall,
1 6 prior to the thirty=fifth week of the woman's pregnancy,
1 7 provide the woman with information regarding options for
1 8 donation of blood extracted from the umbilical cord of the
1 9 newborn to an accepting and accredited cord blood bank, blood
1 10 bank, blood center, or plasma center.

1 11 2. A person shall not be subject to civil liability for
1 12 failure to comply with this section.

1 13 EXPLANATION

1 14 This bill relates to donation of newborn umbilical cord
1 15 blood. The bill directs the principal prenatal health care
1 16 provider of a woman known by the provider to be pregnant, to
1 17 provide the woman, prior to the 35th week of the pregnancy,
1 18 with information regarding the options for donation of
1 19 umbilical cord blood to an accepting and accredited cord blood
1 20 bank, blood bank, blood center, or plasma center. The bill
1 21 provides an exemption from civil liability for failure to
1 22 comply with the bill.

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pf/nh



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Senate Joint Resolution 2 - Introduced

SENATE JOINT RESOLUTION
BY FEENSTRA

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa to specify that the right to life is
3 the paramount and most fundamental right of every person,
4 and that personhood applies to all human beings from the
5 beginning of their biological development.
6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1485SS (1) 84
pf/rj



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Senate Joint Resolution 2 - Introduced continued

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1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:

1 3 Section 1 of Article I of the Constitution of the State of
1 4 Iowa, as amended by amendment number 1 of the Amendments of
1 5 1998, is amended to read as follows:
1 6 Rights of persons.SECTION 1.

1 7 1. All men and women are, by nature, free and equal, and
1 8 have certain inalienable rights == among which are those of
1 9 enjoying and defending life and liberty, acquiring, possessing
1 10 and protecting property, and pursuing and obtaining safety and
1 11 happiness.

1 12 2. The right to life is the paramount and most fundamental
1 13 right of every person.

1 14 3. With respect to the fundamental and inalienable rights
1 15 of all persons guaranteed in this constitution, the word
1 16 "person" applies to all human beings, irrespective of age,
1 17 health, function, physical or mental dependency, or method of
1 18 reproduction, whether in vivo or in vitro, from the beginning
1 19 of their biological development, including the single=cell
1 20 human embryo.

1 21 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
1 22 amendment to the Constitution of the State of Iowa is referred
1 23 to the general assembly to be chosen at the next general
1 24 election for members of the general assembly, and the secretary
1 25 of state is directed to cause the proposed amendment to be
1 26 published for three consecutive months previous to the date of
1 27 that election as provided by law.

1 28 EXPLANATION

1 29 This joint resolution proposes an amendment to the
1 30 Constitution of the State of Iowa specifying that the
1 31 right to life is the paramount and most fundamental right
1 32 of every person, and that with respect to the fundamental
1 33 and inalienable rights of all persons guaranteed in the
1 34 constitution, the word "person" applies to all human beings,
1 35 irrespective of age, health, function, physical or mental



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Senate Joint Resolution 2 - Introduced continued

2 1 dependency, or method of reproduction, whether in vivo or in
2 2 vitro, from the beginning of their biological development,
2 3 including the single-cell human embryo.
2 4 The resolution, if adopted, would be referred to the next
2 5 general assembly for adoption, before being submitted to the
2 6 electorate for ratification.

LSB 1485SS (1) 84

pf/rj



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Senate Joint Resolution 3 - Introduced

SENATE JOINT RESOLUTION
BY FEENSTRA

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa specifying marriage between one man
3 and one woman as the only legal union that is valid or
4 recognized in the state.
5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1844XS (1) 84
pf/rj



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Senate Joint Resolution 3 - Introduced continued

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1 1 Section 1. The following amendment to the Constitution of
1 2 the State of Iowa is proposed:

1 3 Article I of the Constitution of the State of Iowa is
1 4 amended by adding the following new section:

1 5 Marriage.SEC. 26. Marriage between one man and one woman
1 6 shall be the only legal union valid or recognized in this
1 7 state.

1 8 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
1 9 to the Constitution of the State of Iowa is referred to the
1 10 general assembly to be chosen at the next general election
1 11 for members of the general assembly, and the secretary of
1 12 state is directed to cause the same to be published for three
1 13 consecutive months previous to the date of that election as
1 14 provided by law.

1 15 EXPLANATION

1 16 This joint resolution proposes an amendment to the
1 17 Constitution of the State of Iowa specifying that marriage
1 18 between one man and one woman shall be the only legal union
1 19 valid or recognized in this state.

1 20 The joint resolution, if adopted, would be referred to the
1 21 next general assembly for adoption a second time before being
1 22 submitted to the electorate for ratification.

LSB 1844XS (1) 84

pf/rj



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Senate Resolution 1 - Introduced

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SENATE RESOLUTION NO.

BY KIBBIE, GRONSTAL, and McKINLEY

1 1 A Resolution recognizing January 27, 2011, as a day
1 2 to honor Iowa's community colleges on their 45th
1 3 anniversary.
1 4 WHEREAS, 2011 marks the 45th anniversary of the
1 5 designation of the first of fifteen merged area
1 6 schools, now called community colleges; and
1 7 WHEREAS, in 1965 the legislation creating these
1 8 merged area schools was floor managed by Senator Jack
1 9 Kibbie; and
1 10 WHEREAS, today Iowa has a statewide system of
1 11 fifteen community colleges, which are public,
1 12 postsecondary, two-year institutions organized as
1 13 comprehensive community colleges, serving all of Iowa's
1 14 ninety-nine counties; and
1 15 WHEREAS, Iowa's community colleges have enjoyed
1 16 tremendous success, with the number of students
1 17 attending community colleges growing from 8,000 to
1 18 80,000; and
1 19 WHEREAS, Iowa's community colleges have provided
1 20 easy access to thousands of Iowans who seek higher
1 21 education, including many who transfer credits to
1 22 senior institutions and thousands more who seek
1 23 high-quality vocational-technical programs; and
1 24 WHEREAS, adult and continuing education courses and
1 25 job training programs have trained thousands of Iowa's
1 26 citizens, who have improved their skills, benefiting
1 27 businesses, the workforce, and the overall economy of
1 28 the state; and



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Senate Resolution 1 - Introduced continued

2 1 WHEREAS, community colleges are the port of entry
2 2 for many of the poorest, most challenged, and most
2 3 disadvantaged citizens of the state; NOW THEREFORE,
2 4 BE IT RESOLVED BY THE SENATE, That the Senate
2 5 recognizes January 27, 2011, as a day to honor
2 6 the fifteen community colleges in Iowa on the 45th
2 7 anniversary of their founding.

LSB 1722SS (4) 84

jr/nh



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Senate Study Bill 1030

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT
OF PUBLIC
HEALTH/DENTAL BOARD
BILL)

A BILL FOR

1 An Act relating to the penalty for the unlawful practice of
2 dentistry.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1187DP (6) 84
jr/rj



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Senate Study Bill 1030 continued

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1 1 Section 1. Section 153.17, Code 2011, is amended by striking
1 2 the section and inserting in lieu thereof the following:

1 3 153.17 Unlawful practice.

1 4 1. A person who engages in the practice of dental hygiene
1 5 without a license or who violates section 147.84 or 147.85 in
1 6 connection with a license to practice dental hygiene commits
1 7 a fraudulent practice or a serious misdemeanor as provided in
1 8 sections 147.84 through 147.86.

1 9 2. A person who engages in the practice of dentistry or
1 10 dental surgery without a license or who violates section 147.84
1 11 or 147.85 in connection with a license to practice dentistry
1 12 commits a class "D" felony.

1 13 EXPLANATION

1 14 Current law provides the same penalty for unlawful
1 15 practice by either a dentist or dental hygienist == a serious
1 16 misdemeanor. This bill provides that practicing dentistry or
1 17 dental surgery without a license or violating the provisions of
1 18 Code section 147.84 or 147.85 in connection with a license to
1 19 practice dentistry commits a class "D" felony. Code sections
1 20 147.84 and 147.85 relate to providing forged or fraudulent
1 21 documents in connection with professional practices and
1 22 licensing.

1 23 As provided in Code section 902.9(5), a class "D" felony is
1 24 punishable by confinement for no more than five years and a
1 25 fine of at least \$750 but not more than \$7,500.

LSB 1187DP (6) 84

jr/rj



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Senate Study Bill 1031

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SENATE CONCURRENT RESOLUTION NO.

BY (PROPOSED COMMITTEE ON VETERANS AFFAIRS RESOLUTION
BY CHAIRPERSON BEALL)

1 1 A Concurrent Resolution supporting the establishment of
1 2 a veterans national recovery center at the former
1 3 Veterans Affairs Hospital campus in Knoxville, Iowa.
1 4 WHEREAS, Iowa has a proud tradition of supporting
1 5 veterans who have fought to protect us all; and
1 6 WHEREAS, the history of war is such that veterans
1 7 do not need to bleed to be injured, evidenced by
1 8 "soldier's heart" in the Civil War, "shell shock" in
1 9 World War II, and post-traumatic stress disorder (PTSD)
1 10 and traumatic brain injury (TBI) today, demonstrating
1 11 that what veterans see and experience can change them
1 12 in profound ways; and
1 13 WHEREAS, society is only beginning to understand
1 14 how these potentially lifelong conditions affect the
1 15 ability of the returning veteran to adapt to society,
1 16 often resulting in homelessness, drug addiction, and
1 17 suicide, even though these emotional and physiological
1 18 wounds remain unseen unlike physical injuries from
1 19 combat; and
1 20 WHEREAS, nationwide there are an estimated 126,000
1 21 homeless veterans today, and recovery facilities are
1 22 scarce, especially in small urban and rural areas, with
1 23 an estimated 30,000-recovery-bed shortage, including
1 24 a shortage of 8,000 beds for the two-year Department
1 25 of Veterans Affairs-funded transitional program for
1 26 homeless veterans; and
1 27 WHEREAS, homelessness among veterans has for years



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Senate Study Bill 1031 continued

2 1 been considered a local and regional problem, as local
2 2 citizens can best reintegrate the local soldier into
2 3 the fabric of local society; and

2 4 WHEREAS, this local problem creates a need for a
2 5 veterans national recovery center because nothing
2 6 similar exists today for homeless veterans; and

2 7 WHEREAS, a vision exists in which homeless veterans
2 8 from around the region and nation can access an
2 9 integrated services center that provides training,
2 10 counseling, personal connectivity from outside
2 11 providers to create an environment that can lift the
2 12 spirits and aspirations of even the most discouraged
2 13 homeless veteran, to give veterans from underserved
2 14 areas, both rural and suburban, priority services,
2 15 and to conduct needed research into the solutions for
2 16 homelessness among veterans; and

2 17 WHEREAS, the integrated services center could
2 18 network with national corporations at the highest level
2 19 to provide job and living opportunities across the
2 20 country to homeless veterans that have progressed to
2 21 psychological stability and self-sufficiency; and

2 22 WHEREAS, base funding is available for operations
2 23 through programs promoted by the United States
2 24 Department of Veterans Affairs, including a capitals
2 25 program, a transportation program, and a two-year
2 26 program intended to transition the homeless veteran
2 27 from the street to a working, stable home; and

2 28 WHEREAS, the former Veterans Affairs Hospital
2 29 campus at Knoxville, Iowa, is available and has the
2 30 capacity to support the veterans national recovery



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Senate Study Bill 1031 continued

3 1 center for veterans who are homeless or have suffered
3 2 from post=traumatic stress disorders or traumatic
3 3 brain injuries, and can provide jobs for veterans and
3 4 nonveterans alike and economic development to the
3 5 area; NOW THEREFORE,
3 6 BE IT RESOLVED BY SENATE, THE HOUSE OF
3 7 REPRESENTATIVES CONCURRING, That the General Assembly
3 8 of the State of Iowa views the establishment of a
3 9 veterans national recovery center at the former
3 10 Veterans Affairs Hospital campus in Knoxville, Iowa,
3 11 favorably and urges the United States Department of
3 12 Veterans Affairs to take those actions necessary to
3 13 implement the center's establishment.
3 14 BE IT FURTHER RESOLVED, That upon passage, the
3 15 Secretary of the Senate immediately transmit a copy
3 16 of this resolution to the Honorable Eric Shinseki,
3 17 Secretary of the United States Department of Veterans
3 18 Affairs.

LSB 1882SC (7) 84

aw/rj