



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007**

House Amendment 1515

PAG LIN

1 1 Amend House File 877 as follows:
 1 2 #1. Page 3, line 16, by striking the word <ten>
 1 3 and inserting the following: <fifteen>.
 1 4 #2. Page 3, by inserting after line 23 the
 1 5 following:
 1 6 <i. Providing outreach to and enrolling children
 1 7 who meet the income eligibility requirements for free
 1 8 or reduced price meals under the federal National
 1 9 School Lunch Act and the federal Child Nutrition Act
 1 10 of 1966, 42 U.S.C. } 1751=1785. Such children shall
 1 11 be given priority in enrolling in an approved local
 1 12 program.>
 1 13 #3. Page 6, line 29, by striking the word <sixty>
 1 14 and inserting the following: <seventy=five>.
 1 15 #4. Page 9, by inserting after line 15 the
 1 16 following:
 1 17 <Sec. _____. NEW SECTION. 256C.7 PLANNING AND
 1 18 ALIGNMENT.
 1 19 1. The state board of education shall work with
 1 20 the Iowa empowerment board, the Iowa head start state
 1 21 collaboration office, and the department of human
 1 22 services in developing a plan for an integrated
 1 23 preschool system for the state. The plan shall
 1 24 provide for effective coordination and referral of
 1 25 students to appropriate preschool programs and for
 1 26 improving the alignment of program standards, teacher
 1 27 qualifications, and learning standards across
 1 28 preschool programs.
 1 29 2. The state board of education shall work with
 1 30 representatives of community colleges, institutions of
 1 31 higher learning under the state board of regents,
 1 32 private institutions of higher education, and the
 1 33 department of human services in developing career
 1 34 pathways for preschool teachers to engage in state
 1 35 preschool teacher quality improvement measures. The
 1 36 measures addressed shall include but are not limited
 1 37 to establishing an articulation process, creating
 1 38 ongoing professional development opportunities for
 1 39 child care and preschool workers, and promoting a
 1 40 culturally diverse, competent, and skilled workforce.>
 1 41 #5. By renumbering as necessary.
 1 42
 1 43
 1 44
 1 45 PETERSEN of Polk
 1 46 HF 877.706 82
 1 47 jp/gg/8656
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**Iowa General Assembly
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House Amendment 1516

PAG LIN

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1 1 Amend the amendment, H=1433, to Senate File 403, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 1, by inserting after line 14 the
1 5 following:
1 6 <#____. Page 13, by inserting after line 22 the
1 7 following:
1 8 <Sec. _____. TARGETED ALLOWED GROWTH ADJUSTMENT
1 9 FACTOR SUPPLEMENTAL APPROPRIATION. There is
1 10 appropriated from the general fund of the state to the
1 11 property tax relief fund created in section 426B.1 for
1 12 the fiscal year beginning July 1, 2006, and ending
1 13 June 30, 2007, the following amount, or so much
1 14 thereof as is necessary, to be used for the purposes
1 15 designated:
1 16 As county mental health, mental retardation, and
1 17 developmental disabilities allowed growth factor
1 18 adjustment funding in addition to the amount
1 19 appropriated in 2006 Iowa Acts, chapter 1185, section
1 20 1, for distribution in the fiscal year beginning July
1 21 1, 2007, to be targeted as provided in legislation
1 22 enacted by the Eighty=second General Assembly, 2007
1 23 Session, to those counties with the greatest need:
1 24 ..... $ 12,000,000>>
1 25 #2. By renumbering as necessary.
1 26
1 27
1 28
1 29 RAECKER of Polk
1 30 SF 403.209 82
1 31 jp/es/8655
1 32
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House Amendment 1517

PAG LIN

1 1 Amend the amendment, H=1495, to House File 831, as
1 2 follows:
1 3 1. Page 17, line 29, by striking the words <is
1 4 guilty of> and inserting the following: <commits>.
1 5
1 6
1 7
1 8 SMITH of Marshall
1 9 HF 831.502 82
1 10 pf/je/8064
1 11
1 12
1 13
1 14
1 15
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House Amendment 1518

PAG LIN

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1 1 Amend the amendment, H=1468, to House File 874 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 7 the
1 4 following:
1 5 <#____. Page 11, by striking line 12 and inserting
1 6 the following:
1 7 <..... $ 1,626,415>
1 8 #</strike>____. Page 11, by inserting after line 13 the
1 9 following:
1 10 <Of the moneys appropriated in this subsection,
1 11 $100,000 shall be used for Medicaid fraud
1 12 investigations, including food stamp fraud.>>
1 13 #2. By renumbering as necessary.
1 14
1 15
1 16
1 17 ALONS of Sioux
1 18 HF 874.704 82
1 19 ec/gg/8407
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House Amendment 1519

PAG LIN

1 1 Amend the amendment, H=1500, to House File 777 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 3 the
1 4 following:
1 5 <#____. Page 2, line 10, by inserting after the
1 6 figure <321.361> the following: <, one year after
1 7 final disposition>.>
1 8
1 9
1 10
1 11 PALMER of Mahaska
1 12 HF 777.301 82
1 13 jm/cf/8571
1 14
1 15
1 16
1 17
1 18
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House Amendment 1520

PAG LIN

1 1 Amend House File 611 as follows:
1 2 #1. Page 5, by striking lines 10 through 13 and
1 3 inserting the following: <with relevant expertise in
1 4 the field, such as the heritage foundation, the
1 5 American college of pediatricians, the national
1 6 physicians center for family resources, and the
1 7 physicians life alliance; and published>.
1 8
1 9
1 10
1 11 DE BOEF of Keokuk
1 12 HF 611.508 82
1 13 kh/je/8121
1 14
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House Amendment 1521

PAG LIN

1 1 Amend the amendment, H=1455, to House File 877 as
1 2 follows:
1 3 #1. Page 1, by striking lines 11 and 12 and
1 4 inserting the following: <provide for effective
1 5 coordination and for>.
1 6 #2. Page 1, by inserting after line 27 the
1 7 following:
1 8 <3. The department shall annually report by
1 9 January 15 to the governor and the chairpersons and
1 10 ranking members of the standing committees on
1 11 education and human resources of the senate and house
1 12 of representatives concerning the progress made on the
1 13 provisions of subsections 1 and 2.>>
1 14
1 15
1 16
1 17 HEATON of Henry
1 18 HF 877.205 82
1 19 jp/es/8651
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House Amendment 1522

PAG LIN

1 1 Amend House File 877 as follows:
1 2 #1. Page 5, by inserting after line 34 the
1 3 following:
1 4 <f. If the school district contracts with a
1 5 private provider to implement the school district's
1 6 approved local program, the school district may retain
1 7 for administrative costs not more than five percent of
1 8 the preschool foundation aid funding paid to the
1 9 school district, with the remainder paid to the
1 10 private provider for services.>
1 11 #2. By renumbering as necessary.
1 12
1 13
1 14
1 15 HEATON of Henry
1 16 HF 877.506 82
1 17 jp/je/8650
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House Amendment 1523

PAG LIN

1 1 Amend House File 611 as follows:
1 2 #1. Page 5, line 12, by inserting after the word
1 3 <pediatrics,> the following: <the heritage
1 4 foundation, the American college of pediatricians, the
1 5 national physicians center for family resources, the
1 6 physicians life alliance,>.
1 7
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1 9
1 10 DE BOEF of Keokuk
1 11 HF 611.205 82
1 12 kh/es/8129
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House Amendment 1524

PAG LIN

1 1 Amend House File 611 as follows:
1 2 #1. Page 5, line 14, by inserting after the word
1 3 <appropriate.> the following: <An accredited
1 4 nonpublic school may also choose curriculum in
1 5 accordance with doctrinal teachings.>
1 6
1 7
1 8
1 9 HEATON of Henry
1 10 HF 611.509 82
1 11 kh/je/8122
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House Amendment 1525

PAG LIN

1 1 Amend the amendment, H=1451, to House File 877 as
1 2 follows:
1 3 #1. Page 1, by striking line 2.
1 4 #2. Page 1, by inserting before line 3 the
1 5 following:
1 6 <____. Page 5, lines 16 and 17, by striking the
1 7 words <is intended> and inserting the following:
1 8 <shall be used>.>
1 9 #3. By renumbering as necessary.
1 10
1 11
1 12
1 13 TYMESON of Madison
1 14 HF 877.708 82
1 15 jp/gg/8645
1 16
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House Amendment 1526

PAG LIN

1 1 Amend the amendment, H=1332, to House File 611 as
1 2 follows:
1 3 #1. Page 1, line 4, by striking the word <shall>
1 4 and inserting the following: <may>.
1 5
1 6
1 7
1 8 ALONS of Sioux
1 9 HF 611.704 82
1 10 kh/gg/8120
1 11
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1 13
1 14
1 15
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House Amendment 1527

PAG LIN

1 1 Amend the amendment, H=1461, to House File 829 as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 3 the
 1 4 following:
 1 5 <#____. Page 4, by inserting after line 2 the
 1 6 following:
 1 7 <Sec. _____. NEW SECTION. 15.415A TARGETED
 1 8 INDUSTRIES INTERNSHIP PROGRAM == PILOT PROJECTS.
 1 9 1. The department shall establish and administer a
 1 10 targeted industries internship program. The program
 1 11 shall consist of up to four pilot project agreements.
 1 12 An employer may enter into an agreement with an
 1 13 institution of higher learning under the control of
 1 14 the state board of regents, a community college
 1 15 established under chapter 260C, an accredited private
 1 16 institution as defined in section 261.9, subsection 1,
 1 17 or a public school or accredited nonpublic school
 1 18 operating a high school for purposes of providing
 1 19 internship opportunities for students in the areas of
 1 20 wind energy, bioenergy, biorefineries, and information
 1 21 technology. The internships shall provide
 1 22 apprenticeship and practicum experiences for students
 1 23 older than fifteen years of age, but younger than
 1 24 twenty=five years of age in the areas of wind energy,
 1 25 bioenergy, biorefineries, and information technology.
 1 26 2. An employer and the institution of higher
 1 27 learning under the control of the state board of
 1 28 regents, a community college established under chapter
 1 29 260C, an accredited private institution as defined in
 1 30 section 261.9, subsection 1, or a public school or
 1 31 accredited nonpublic school operating a high school
 1 32 may file a joint application with the department for
 1 33 purposes of receiving financial assistance for program
 1 34 costs. For purposes of financial assistance under the
 1 35 program, the department may use moneys in the targeted
 1 36 industries development fund or federal moneys
 1 37 available to the department for similar purposes.
 1 38 3. The department shall encourage youth that
 1 39 reside in economically distressed areas, youth
 1 40 adjudicated to have committed a delinquent act, and
 1 41 youth transitioning out of foster care to participate
 1 42 in the targeted industries internship program.
 1 43 #</strike>____. By renumbering as necessary.>>
 1 44
 1 45
 1 46
 1 47 FORD of Polk
 1 48 HF 829.301 82
 1 49 tm/cf/8444
 1 50



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House Amendment 1528

PAG LIN

1 1 Amend House File 611 as follows:
1 2 #1. Page 3, by inserting after line 15 the
1 3 following:
1 4 <Sec. 101. Section 256.11, subsection 5, Code
1 5 2007, is amended by adding the following new
1 6 paragraph:
1 7 NEW PARAGRAPH. k. One-half unit of personal
1 8 finance literacy, the curriculum of which shall
1 9 include but not be limited to the use of common
1 10 banking instruments such as checking accounts; credit;
1 11 debit cards; compound interest; mortgage, auto, and
1 12 personal loans; investment basics, including stocks,
1 13 bonds, and index funds; credit scores; budgeting;
1 14 saving and debt management; retirement planning and
1 15 savings; and insurance. All students shall complete
1 16 at least one-half unit of personal finance literacy as
1 17 a condition of graduation.>
1 18 #2. Page 5, by inserting after line 16 the
1 19 following:
1 20 <Sec. _____. STATE MANDATE FUNDING SPECIFIED. In
1 21 accordance with section 25B.2, subsection 3, the state
1 22 cost of requiring compliance with any state mandate
1 23 included in this Act shall be paid by a school
1 24 district from state school foundation aid received by
1 25 the school district under section 257.16. This
1 26 specification of the payment of the state cost shall
1 27 be deemed to meet all the state funding-related
1 28 requirements of section 25B.2, subsection 3, and no
1 29 additional state funding shall be necessary for the
1 30 full implementation of this Act by and enforcement of
1 31 this Act against all affected school districts.
1 32 Sec. _____. EFFECTIVE DATE. Section 101 of this Act
1 33 takes effect July 1, 2008.>
1 34 #3. Title page, by striking lines 1 through 4 and
1 35 inserting the following: <An Act relating to
1 36 education standards, providing related duties for>.
1 37 #4. Title page, line 5, by inserting after the
1 38 word <education> the following: <, and providing an
1 39 effective date>.
1 40 #5. By renumbering as necessary.
1 41
1 42
1 43
1 44 PETTENGILL of Benton
1 45 HF 611.206 82
1 46 kh/es/8139
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House Amendment 1529

PAG LIN

1 1 Amend House File 669 as follows:
1 2 #1. Page 1, line 34, by striking the word <thirty>
1 3 and inserting the following: <sixty>.
1 4 #2. Page 1, line 35, by inserting after the word
1 5 <department> the following: <by certified mail>.
1 6
1 7
1 8
1 9 D. OLSON of Boone
1 10 HF 669.301 82
1 11 tm/cf/8445
1 12
1 13
1 14
1 15
1 16
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House Amendment 1531

PAG LIN

1 1 Amend House File 804 as follows:
1 2 #1. By striking page 1, line 1, through page 2,
1 3 line 12, and inserting the following:
1 4 <Section 1. Section 256.7, subsection 26, Code
1 5 2007, is amended by striking the subsection and
1 6 inserting in lieu thereof the following:
1 7 26. Adopt for grades nine through twelve, by July
1 8 1, 2009, a model core curriculum pursuant to section
1 9 256.9, subsection 55, core content standards pursuant
1 10 to section 256.9, subsection 59, and high school
1 11 graduation requirements which are based upon the model
1 12 core curriculum and core content standards. School
1 13 districts and accredited nonpublic schools shall
1 14 include, at a minimum, the core content standards
1 15 adopted pursuant to this subsection in any set of
1 16 locally developed content standards. For purposes of
1 17 this subsection, "core content standards" includes but
1 18 is not limited to all academic subject content areas.
1 19 Sec. _____. Section 256.7, Code 2007, is amended by
1 20 adding the following new subsections:
1 21 NEW SUBSECTION. 27. Adopt rules that require
1 22 implementation, by school districts and accredited
1 23 nonpublic schools of an examination, correlated to
1 24 international assessments, to assess student learning
1 25 prior to high school graduation.
1 26 NEW SUBSECTION. 28. By July 1, 2010, adopt by
1 27 rule the model core curriculum and core content
1 28 standards for kindergarten through grade eight
1 29 developed pursuant to section 256.9, subsection 56.>
1 30 #2. Page 2, line 13, by striking the figure <27.>
1 31 and inserting the following: <29.>
1 32 #3. Page 2, by striking lines 16 through 30 and
1 33 inserting the following: <school.>
1 34 #4. Page 2, by inserting before line 31 the
1 35 following:
1 36 <Sec. _____. Section 256.9, Code 2007, is amended by
1 37 adding the following new subsections:
1 38 NEW SUBSECTION. 55. Develop a model core
1 39 curriculum for grades nine through twelve that, at a
1 40 minimum, meet the following conditions:
1 41 a. Includes standards as measured, to the extent
1 42 practicable, by national and international
1 43 assessments.
1 44 b. Includes, at a minimum, English, reading or
1 45 language arts, mathematics, science, foreign
1 46 languages, civics, government, economics, art,
1 47 history, and geography, and expands upon basic
1 48 competencies to achieve an understanding of academic
1 49 content at levels necessary for success in
1 50 postsecondary endeavors.



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House Amendment 1531 continued

- 2 1 c. Emphasizes skills for lifelong learning,
2 2 including information and communication skills,
2 3 thinking and problem solving skills, and interpersonal
2 4 and self-directional skills.
- 2 5 d. Provides methods for schools to use
2 6 twenty-first century tools to develop learning skills,
2 7 specifically digital technology and communication
2 8 tools which access, manage, integrate, and evaluate
2 9 information, construct new knowledge, and enable
2 10 communication with others in order to participate
2 11 effectively in society.
- 2 12 e. Includes teaching and learning examples,
2 13 technological innovations, and lesson plans that
2 14 employ real-world examples, applications, and
2 15 experiences both inside and outside of school to
2 16 reduce the boundaries that separate students from
2 17 communities, employers, community members, and
2 18 parents.
- 2 19 f. Includes twenty-first century content, at a
2 20 minimum, in global awareness and financial, economic,
2 21 civic, and business literacy.
- 2 22 g. Is benchmarked, to the extent practicable, on
2 23 national and international assessments and the core
2 24 content standards developed pursuant to subsection 59,
2 25 to ensure that students' knowledge and skills are
2 26 internationally competitive.
- 2 27 NEW SUBSECTION. 56. Develop a model core
2 28 curriculum and statewide core content standards for
2 29 kindergarten through grade eight which includes
2 30 twenty-first century skills. The curriculum and
2 31 standards shall be developed in consultation with
2 32 nationally recognized education researchers and
2 33 institutions or associations, and education
2 34 stakeholders including but not limited to
2 35 representatives from prekindergarten through grade
2 36 twelve schools and school districts, community
2 37 colleges and other accredited postsecondary
2 38 institutions, and businesses. The curriculum and
2 39 standards developed shall include twenty-first century
2 40 knowledge and skills and clearly communicate
2 41 expectations that prepare students for career and
2 42 postsecondary pathways. The director shall also do
2 43 the following:
- 2 44 a. Identify the criteria, indicators, and methods
2 45 to ensure ongoing review of the requirements of this
2 46 subsection.
- 2 47 b. Notify the appropriate education agencies of
2 48 the curriculum and standards expectations developed.
- 2 49 c. Collaborate with the departments of workforce
2 50 development and economic development as necessary to



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House Amendment 1531 continued

3 1 develop the twenty-first century knowledge and
3 2 skills-based curriculum, standards, and expectations.
3 3 d. Identify technical assistance and professional
3 4 development needs and opportunities to assist school
3 5 districts in adopting state core content standards and
3 6 implementing the model core curriculum.
3 7 e. Seek a federal waiver to allow Iowa to set
3 8 rigorous expectations without impacting state or
3 9 school district accountability or necessitating
3 10 renegotiation of Iowa's state plan under the federal
3 11 No Child Left Behind Act of 2001, Pub. L. No.
3 12 107=110.
3 13 NEW SUBSECTION. 57. Require each school district
3 14 and accredited nonpublic school to report, by June 30
3 15 annually, the percentage of students graduating from
3 16 high school in the school district or accredited
3 17 nonpublic school who complete the model core
3 18 curriculum or a more rigorous core curriculum
3 19 established by the school district.
3 20 NEW SUBSECTION. 58. Provide effective,
3 21 sustainable, timely, and affordable assessments for
3 22 school districts and accredited nonpublic schools for
3 23 use statewide to measure twenty-first century
3 24 knowledge and skills and individual student learning,
3 25 and to provide teachers, schools, and school districts
3 26 with useful information to guide professional
3 27 development and instructional improvement.
3 28 NEW SUBSECTION. 59. Develop a set of core content
3 29 standards.>
3 30 #5. By renumbering as necessary.
3 31
3 32
3 33
3 34 WISE of Lee
3 35
3 36
3 37
3 38 KELLEY of Black Hawk
3 39
3 40
3 41
3 42 BOAL of Polk
3 43
3 44
3 45
3 46 RAECKER of Polk
3 47 HF 804.203 82
3 48 kh/es/8127



**Iowa General Assembly
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House Amendment 1532

PAG LIN

1 1 Amend House File 611 as follows:

1 2 #1. Page 3, by inserting after line 15 the

1 3 following:

1 4 <Sec. _____. Section 256.11, subsection 5, Code

1 5 2007, is amended by adding the following new

1 6 paragraph:

1 7 NEW PARAGRAPH. k. One-half unit of personal

1 8 finance literacy, the curriculum of which shall

1 9 include but not be limited to the use of common

1 10 banking instruments such as checking accounts; credit;

1 11 debit cards; compound interest; mortgage, auto, and

1 12 personal loans; investment basics, including stocks,

1 13 bonds, and index funds; credit scores; budgeting;

1 14 saving and debt management; retirement planning and

1 15 savings; and insurance. All students shall complete

1 16 at least one-half unit of personal finance literacy as

1 17 a condition of graduation.>

1 18 #2. Page 5, by inserting after line 16 the

1 19 following:

1 20 <Sec. _____. DEPARTMENT OF EDUCATION == PERSONAL

1 21 FINANCE LITERACY. There is appropriated from the

1 22 general fund of the state to the department of

1 23 education for the fiscal year beginning July 1, 2007,

1 24 and ending June 30, 2008, the following amount, or so

1 25 much thereof as is necessary, to be used for the

1 26 purpose designated:

1 27 For distribution to school districts to cover the

1 28 costs of offering one-half unit of personal finance

1 29 literacy in accordance with section 256.11, subsection

1 30 5, paragraph "k", as enacted in this Act:

1 31 \$ 5,000,000

1 32 Allocation of the funds appropriated pursuant to

1 33 this section shall be based upon the proportion that

1 34 the grade nine through grade twelve enrollment of a

1 35 district bears to the sum of the grade nine through

1 36 grade twelve enrollments of all school districts in

1 37 the state as reported for the base year.>

1 38 #3. Title page, by striking lines 1 through 4 and

1 39 inserting the following: <An Act relating to

1 40 education standards, providing related duties for>.

1 41 #4. Title page, line 5, by inserting after the

1 42 word <education> the following: <, and making an

1 43 appropriation>.

1 44 #5. By renumbering as necessary.

1 45

1 46

1 47

1 48 PETTENGILL of Benton

1 49 HF 611.208 82

1 50 kh/es/8140



Iowa General Assembly
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House Amendment 1533

PAG LIN

1 1 Amend House File 611 as follows:
 1 2 #1. Page 4, by striking lines 10 through 15 and
 1 3 inserting the following:
 1 4 <5. ~~A pupil shall not be required~~ In order to take
 1 5 instruction in human growth and development if the, a
 1 6 pupil's parent or guardian files shall file with the
 1 7 appropriate principal a written request that the pupil
 1 8 be excused from provided the instruction.
 1 9 Notification that the written request may be made
 1 10 parent or guardian must request human growth and
 1 11 development instruction for a pupil in order for the
 1 12 pupil to be provided the instruction shall be included
 1 13 in the information provided by the school district.>
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 1 17 ALONS of Sioux
 1 18
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 1 20
 1 21 DE BOEF of Keokuk
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 1 25 CHAMBERS of O'Brien
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 1 29 TYMESON of Madison
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 1 33 SODERBERG of Plymouth
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 1 37 MERTZ of Kossuth
 1 38 HF 611.207 82
 1 39 kh/es/8138
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007

House File 886 - Introduced

HOUSE FILE
BY COMMITTEE ON LABOR

(SUCCESSOR TO HSB 272)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act relating to revoking the driver's license or motor vehicle
- 2 operating privileges of persons convicted of a controlled
- 3 substance offense.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 2341HV 82
- 6 jm/je/5



Iowa General Assembly
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House File 886 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.212, subsection 1, paragraph d,
1 2 Code 2007, is amended by striking the paragraph.
1 3 Sec. 2. Section 321.215, subsection 1, unnumbered
1 4 paragraph 2, Code 2007, is amended to read as follows:
1 5 However, a temporary restricted license shall not be issued
1 6 to a person whose license is revoked pursuant to a court order
1 7 issued ~~under section 901.5, subsection 10, or~~ under section
1 8 321.209, subsections 1 through 5 or subsection 7; to a
1 9 juvenile whose license has been suspended or revoked pursuant
1 10 to a dispositional order under section 232.52, subsection 2,
1 11 paragraph "a", for a violation of chapter 124 or 453B or
1 12 section 126.3; to a juvenile whose license has been suspended
1 13 under section 321.213B; or to a person whose license has been
1 14 suspended pursuant to a court order under section 714.7D. A
1 15 temporary restricted license may be issued to a person whose
1 16 license is revoked under section 321.209, subsection 6, only
1 17 if the person has no previous drag racing convictions. A
1 18 person holding a temporary restricted license issued by the
1 19 department under this section shall not operate a motor
1 20 vehicle for pleasure.
1 21 Sec. 3. Section 321.215, subsection 2, unnumbered
1 22 paragraph 1, Code 2007, is amended to read as follows:
1 23 Upon conviction and the suspension or revocation of a
1 24 person's noncommercial driver's license under section 321.209,
1 25 subsection 5 or 6; section 321.210; 321.210A; or 321.513; ~~or~~
~~1 26 upon revocation pursuant to a court order issued under section~~
~~1 27 901.5, subsection 10; or upon the denial of issuance of a~~
1 28 noncommercial driver's license under section 321.560, based
1 29 solely on offenses enumerated in section 321.555, subsection
1 30 1, paragraph "c", or section 321.555, subsection 2; or a
1 31 juvenile, whose license has been suspended or revoked pursuant
1 32 to a dispositional order under section 232.52, subsection 2,
1 33 paragraph "a", for a violation of chapter 124 or 453B, or
1 34 section 126.3; or upon suspension of a driver's license
1 35 pursuant to a court order under section 714.7D, a person may



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March 28, 2007

House File 886 - Introduced continued

2 1 petition the district court having jurisdiction over the
2 2 residence of the person for a temporary restricted license to
2 3 operate a motor vehicle for the limited purpose or purposes
2 4 specified in subsection 1. The petition shall include a
2 5 current certified copy of the petitioner's official driving
2 6 record issued by the department. The application may be
2 7 granted only if all of the following criteria are satisfied:

2 8 Sec. 4. Section 321.215, subsection 2, paragraph d, Code
2 9 2007, is amended to read as follows:

2 10 d. Proof of financial responsibility is established as
2 11 defined in chapter 321A. However, such proof is not required
2 12 if the driver's license was suspended under section 321.210A
2 13 or 321.513 ~~or revoked pursuant to a court order issued under~~
~~2 14 section 901.5, subsection 10.~~

2 15 Sec. 5. Section 321.218, subsection 1, Code 2007, is
2 16 amended to read as follows:

2 17 1. A person whose driver's license or operating privilege
2 18 has been denied, canceled, suspended, or revoked as provided
2 19 in this chapter or as provided in section 252J.8 ~~or section~~
~~2 20 901.5, subsection 10,~~ and who operates a motor vehicle upon
2 21 the highways of this state while the license or privilege is
2 22 denied, canceled, suspended, or revoked, commits a simple
2 23 misdemeanor. In addition to any other penalties, the
2 24 punishment imposed for a violation of this subsection shall
2 25 include assessment of a fine of not less than two hundred
2 26 fifty dollars nor more than one thousand five hundred dollars.

2 27 Sec. 6. Section 321A.17, subsection 4, Code 2007, is
2 28 amended to read as follows:

2 29 4. An individual applying for a driver's license following
2 30 a period of suspension or revocation pursuant to a
2 31 dispositional order issued under section 232.52, subsection 2,
2 32 paragraph "a", or under section 321.180B, section 321.210,
2 33 subsection 1, paragraph "d", or section 321.210A, 321.213A,
2 34 321.213B, 321.216B, or 321.513, following a period of
2 35 suspension under section 321.194, ~~or following a period of~~



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March 28, 2007

~~House File 886 — Introduced continued~~

~~3 1 revocation pursuant to a court order issued under section~~
~~3 2 901.5, subsection 10, or under section 321J.2A, is not~~
3 3 required to maintain proof of financial responsibility under
3 4 this section.

3 5 Sec. 7. Section 901.5, subsection 10, Code 2007, is
3 6 amended by striking the subsection.

3 7 EXPLANATION

3 8 This bill relates to revoking the driver's license or motor
3 9 vehicle operating privileges of a person convicted of a
3 10 controlled substance related offense.

3 11 Under the bill, the court is no longer required to revoke
3 12 the driver's license or operating privileges of a person
3 13 convicted of a controlled substance related offense in
3 14 violation of Code section 124.401, 124.401A, 124.402, 124.403,
3 15 or 126.3, or Code chapter 453B.

3 16 Current law requires the court to revoke the driver's
3 17 license or operating privileges for 180 days, if the person is
3 18 convicted of a controlled substance related offense under any
3 19 of the preceding Code provisions.

3 20 LSB 2341HV 82

3 21 jm:nh/je/5



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007

House File 887 - Introduced

HOUSE FILE
BY COMMITTEE ON LABOR

(SUCCESSOR TO HSB 273)

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

A BILL FOR

- 1 An Act relating to sentencing and parole eligibility of persons
- 2 convicted of controlled substance offenses.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2361HV 82
- 5 jm/gg/14



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007

House File 887 - Introduced continued

PAG LIN

1 1 Section 1. Section 124.401E, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. If a court sentences a person for ~~the person's first~~
1 4 ~~conviction for delivery or possession with intent to deliver a~~
1 5 ~~controlled substance under a violation of section 124.401,~~
1 6 subsection 1, ~~paragraph "c", and if the controlled substance~~
1 7 is amphetamine, its salts, isomers, or salts of its isomers,
1 8 or methamphetamine, its salts, isomers, or salts of its
1 9 isomers, and if the court may suspend defers the judgment, or
1 10 defers or suspends the sentence, and the court may shall order
1 11 the person to complete a drug court program if a drug court
1 12 has been established in the county in which the person is
1 13 sentenced, or order the person to receive a substance abuse
1 14 evaluation and complete any treatment if treatment is
1 15 recommended, or order the person be assigned to a
1 16 community-based correctional facility for a period of one year
1 17 or until maximum benefits are achieved, whichever is earlier.
1 18 Sec. 2. Section 124.401E, subsections 2 and 3, Code 2007,
1 19 are amended by striking the subsections.
1 20 Sec. 3. Section 232.45, subsection 14, unnumbered
1 21 paragraph 1, Code 2007, is amended to read as follows:
1 22 If a child who is alleged to have delivered, manufactured,
1 23 or possessed with intent to deliver or manufacture, a
1 24 controlled substance except marijuana, as defined in chapter
1 25 124, is waived to district court for prosecution, ~~the~~
1 26 ~~mandatory minimum sentence provided in section 124.413 shall~~
1 27 ~~not be imposed if a conviction is had; however, each child~~
1 28 ~~convicted of such an offense~~ the child shall be confined for
1 29 not less than thirty days in a secure facility.
1 30 Sec. 4. Section 901.10, subsection 1, Code 2007, is
1 31 amended to read as follows:
1 32 1. A court sentencing a person for the person's first
1 33 conviction under section 124.406, ~~124.413,~~ or 902.7 may, at
1 34 its discretion, sentence the person to a term less than
1 35 provided by the statute if mitigating circumstances exist and



Iowa General Assembly
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March 28, 2007

House File 887 - Introduced continued

2 1 those circumstances are stated specifically in the record.
2 2 Sec. 5. Section 901.10, subsection 2, Code 2007, is
2 3 amended by striking the subsection.
2 4 Sec. 6. Section 903A.5, subsection 1, Code 2007, is
2 5 amended to read as follows:
2 6 1. An inmate shall not be discharged from the custody of
2 7 the director of the Iowa department of corrections until the
2 8 inmate has served the full term for which the inmate was
2 9 sentenced, less earned time and other credits earned and not
2 10 forfeited, unless the inmate is pardoned or otherwise legally
2 11 released. Earned time accrued and not forfeited shall apply
2 12 to reduce a mandatory minimum sentence being served pursuant
2 13 to section 124.406, ~~124.413~~, 902.7, 902.8, 902.8A, or 902.11.
2 14 An inmate shall be deemed to be serving the sentence from the
2 15 day on which the inmate is received into the institution. If
2 16 an inmate was confined to a county jail or other correctional
2 17 or mental facility at any time prior to sentencing, or after
2 18 sentencing but prior to the case having been decided on
2 19 appeal, because of failure to furnish bail or because of being
2 20 charged with a nonbailable offense, the inmate shall be given
2 21 credit for the days already served upon the term of the
2 22 sentence. However, if a person commits any offense while
2 23 confined in a county jail or other correctional or mental
2 24 health facility, the person shall not be granted jail credit
2 25 for that offense. Unless the inmate was confined in a
2 26 correctional facility, the sheriff of the county in which the
2 27 inmate was confined shall certify to the clerk of the district
2 28 court from which the inmate was sentenced and to the
2 29 department of corrections' records administrator at the Iowa
2 30 medical and classification center the number of days so
2 31 served. The department of corrections' records administrator,
2 32 or the administrator's designee, shall apply jail credit as
2 33 ordered by the court of proper jurisdiction or as authorized
2 34 by this section and section 907.3, subsection 3.
2 35 Sec. 7. Section 907.3, subsection 1, paragraph k, Code



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House File 887 - Introduced continued

3 1 2007, is amended by striking the paragraph.

3 2 Sec. 8. Section 907.3, subsection 2, paragraph e, Code

3 3 2007, is amended by striking the paragraph.

3 4 Sec. 9. Section 907.3, subsection 3, paragraph e, Code

3 5 2007, is amended by striking the paragraph.

3 6 Sec. 10. Section 124.413, Code 2007, is repealed.

3 7 EXPLANATION

3 8 This bill relates to criminal sentencing and parole

3 9 eligibility of persons convicted of controlled

3 10 substance-related offenses.

3 11 The bill provides that a person may receive a deferred
3 12 judgment, or a deferred or suspended sentence, if the offense
3 13 is classified as a class "B" felony and the offense involves
3 14 methamphetamine. Current law prohibits a person from
3 15 receiving a deferred judgment, or deferred or suspended
3 16 sentence, if the offense is classified as a class "B" felony
3 17 and the offense involves methamphetamine.

3 18 The bill requires a person who receives a deferred
3 19 judgment, or deferred or suspended sentence, for a class "C"
3 20 felony amphetamine or methamphetamine offense to complete a
3 21 drug court program, receive a substance abuse evaluation and
3 22 complete any recommended treatment, or be assigned to a
3 23 community-based correctional facility for up to one year, if
3 24 the offense is classified as a felony and the offense involves
3 25 amphetamine or methamphetamine.

3 26 The bill eliminates a provision requiring the court to
3 27 sentence a person to imprisonment upon a second or subsequent
3 28 conviction for delivery or possession with intent to deliver a
3 29 controlled substance under Code section 124.401, subsection 1,
3 30 and the controlled substance is amphetamine or
3 31 methamphetamine.

3 32 Under current law, for a first offense involving delivery
3 33 or possession with intent to deliver amphetamine or
3 34 methamphetamine that is classified as a class "C" felony, the
3 35 court may suspend the sentence and order the person to



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House File 887 - Introduced continued

4 1 complete a drug court program or assign the person to a
4 2 community-based correctional facility for up to one year. In
4 3 addition under current law, for any offense involving
4 4 manufacture of amphetamine or methamphetamine that is
4 5 classified as a class "C" felony, the court may suspend the
4 6 sentence and order the person to complete a drug court program
4 7 or assign the person to a community-based correctional
4 8 facility.

4 9 The bill repeals Code section 124.413 relating to
4 10 eligibility for parole. The bill eliminates the requirement
4 11 that a person sentenced to prison for a controlled substance
4 12 offense under Code section 124.401, subsection 1, serve
4 13 one-third of the maximum indeterminate sentence before
4 14 becoming eligible for parole.

4 15 LSB 2361HV 82

4 16 jm:nh/gg/14



Iowa General Assembly
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House Resolution 34 - Introduced

PAG LIN

1 1 HOUSE RESOLUTION NO.
1 2 BY McCARTHY and RANTS
1 3 A Resolution to thank the men and women who worked so
1 4 long and so hard to restore electricity to Iowans
1 5 throughout the state.
1 6 WHEREAS, between February 24 and March 2, 2007, one
1 7 of the worst winter storms in recent memory came to
1 8 Iowa with a vengeance; a sudden ice storm left over
1 9 260,000 Iowans without power, followed by a blizzard
1 10 bringing 18 inches of snow in some areas and howling
1 11 winds that piled drifts four to six feet deep; and
1 12 WHEREAS, the wind and ice combined to seriously
1 13 damage Iowa's electrical grid; and
1 14 WHEREAS, the toll was staggering: 250 miles of
1 15 transmission lines down or damaged, 1,000 distribution
1 16 lines damaged, and thousands of utility poles and
1 17 structures destroyed; and
1 18 WHEREAS, against this looming disaster the men and
1 19 women of Iowa's investor-owned utility companies,
1 20 rural electric cooperatives, and municipal utility
1 21 providers and those of other states came forward by
1 22 the thousands, along with members of the Iowa National
1 23 Guard, the Homeland Security and Emergency Management
1 24 Division of the Department of Public Defense, and the
1 25 American Red Cross; and
1 26 WHEREAS, working around-the-clock in daunting
1 27 weather conditions, where white-outs, ice, high winds,
1 28 and closed roads hampered every effort, these
1 29 dedicated crews had largely restored service by early
1 30 March and averted a crisis; NOW THEREFORE,



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House Resolution 34 - Introduced continued

2 1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 2 That the House of Representatives, with great respect,
2 3 conveys its thanks to those men and women from Iowa,
2 4 the Midwest, and other states who came forward and
2 5 took charge in a time of crisis, and through their
2 6 tireless efforts brought light, heat, and comfort back
2 7 to hundreds of thousands of Iowans.
2 8 LSB 2855HH 82
2 9 jr:nh/gg/14.1



Iowa General Assembly
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House Study Bill 298

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to a tax amnesty program, making appropriations,
- 2 and including an effective date provision.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1311XL 82
- 5 mg/es/88



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House Study Bill 298 continued

PAG LIN

1 1 Section 1. TITLE. This Act may be cited as the "Iowa Tax
1 2 Amnesty Act of 2007".

1 3 Sec. 2. DEFINITIONS. When used in this Act, unless the
1 4 context otherwise requires:

1 5 1. "Department" means the department of revenue.

1 6 2. "Director" means the director of revenue.

1 7 3. "Taxpayer" means a person, a corporation, or other
1 8 entity subject to any tax imposed by a law of this state,
1 9 payable to this state, and administered by the department
1 10 pursuant to chapters 422, 423, 423A, 423B, 423C, 423D, 423E,
1 11 424, 450, 450A, 450B, 451, 452A, 453A, and 453B.

1 12 Sec. 3. TAX AMNESTY PROGRAM.

1 13 1. The director shall establish a tax amnesty program.
1 14 The tax amnesty program shall apply to taxpayers that have tax
1 15 liabilities delinquent as of December 31, 2006, including tax
1 16 due on returns not filed, tax liabilities owed to the
1 17 department as of December 31, 2006, or tax liabilities not
1 18 reported nor established but delinquent as of December 31,
1 19 2006.

1 20 2. The tax amnesty program shall be for a period from
1 21 September 4, 2007, through October 31, 2007, for any tax
1 22 liabilities described in subsection 1.

1 23 3. The tax amnesty program shall provide that upon written
1 24 application by a taxpayer and payment in full by the taxpayer
1 25 of amounts due from the taxpayer to this state for a tax
1 26 covered by the tax amnesty program plus interest equal to
1 27 fifty percent of the interest that is due, the department
1 28 shall not seek to collect any other interest or penalties
1 29 which may be applicable. The department shall not seek civil
1 30 or criminal prosecution for a taxpayer for the period of time
1 31 for which amnesty has been granted to the taxpayer. Failure
1 32 to pay all tax liabilities due the state and delinquent as of
1 33 December 31, 2006, shall invalidate the amnesty. Amnesty
1 34 shall be granted for only the periods specified in the
1 35 application and only if all amnesty conditions are satisfied



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House Study Bill 298 continued

2 1 by the taxpayer.

2 2 4. A taxpayer who participates in the tax amnesty program
2 3 shall relinquish all administrative and judicial rights to
2 4 challenge the imposition of the tax and its amount, except for
2 5 adjustments made pursuant to a federal audit completed after
2 6 the effective date of this Act.

2 7 5. Amnesty shall not be granted to a taxpayer who is the
2 8 subject of an active criminal investigation or who is a party
2 9 to a criminal proceeding that is pending in a district court,
2 10 the court of appeals, or the supreme court of this state if
2 11 such investigation or proceeding involves nonpayment or fraud
2 12 in relation to any state tax imposed by a law of this state.

2 13 6. The director shall prepare and make available tax
2 14 amnesty application forms which contain requirements for
2 15 approval of an application. The director may deny any
2 16 application that is inconsistent with this Act.

2 17 Sec. 4. RULEMAKING. The provisions of this Act are exempt
2 18 from the rulemaking process of chapter 17A, the Iowa
2 19 administrative procedure Act.

2 20 Sec. 5. APPROPRIATION.

2 21 1. There is appropriated from the general fund of the
2 22 state to the department of revenue for the fiscal period
2 23 beginning July 1, 2006, and ending June 30, 2008, the sum of
2 24 \$710,000, or so much thereof as necessary, to be used to
2 25 administer this Act.

2 26 2. There is appropriated to the department of revenue for
2 27 the fiscal year beginning July 1, 2007, and ending June 30,
2 28 2008, the sum of \$150,000 for the purpose of increasing the
2 29 auditing and enforcement activities of the department.

2 30 Sec. 6. REPORTING. The department shall report the gross
2 31 revenue collected under each tax pursuant to the tax amnesty
2 32 program as soon as practicable after the close of the amnesty
2 33 period but prior to March 1, 2008.

2 34 Sec. 7. LEGISLATIVE INTENT. It is the intent of the
2 35 general assembly in enacting the Iowa tax amnesty Act of 2007



Iowa General Assembly
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House Study Bill 298 continued

3 1 that the general assembly and the state shall not conduct
3 2 another tax amnesty program prior to January 1, 2025.

3 3 Sec. 8. EFFECTIVE DATE. This Act, being deemed of
3 4 immediate importance, takes effect upon enactment.

3 5 EXPLANATION

3 6 This bill provides for a state tax amnesty program to be
3 7 administered by the department of revenue from September 4,
3 8 2007, through October 31, 2007. The program covers tax
3 9 liabilities delinquent as of December 31, 2006, and authorizes
3 10 a taxpayer, during the period of the tax amnesty program, to
3 11 pay this tax with one-half of the interest which would
3 12 ordinarily be due without being subject to further penalty or
3 13 civil and criminal prosecution. The taxpayer must agree to
3 14 relinquish all administrative and judicial rights to challenge
3 15 the imposition of the tax and its amount.

3 16 The taxes that are covered under the tax amnesty program
3 17 are the individual and corporate income taxes; franchise tax;
3 18 sales and use taxes; hotel and motel tax; local city, county,
3 19 and school district sales and services taxes; automobile
3 20 rental tax; equipment tax; petroleum diminution charge;
3 21 inheritance and estate taxes; motor fuel and special fuel
3 22 taxes; cigarette and tobacco taxes; and controlled substance
3 23 tax.

3 24 The bill provides an appropriation of \$710,000 for the
3 25 fiscal year period beginning July 1, 2006, and ending June 30,
3 26 2008, for the department to administer the tax amnesty
3 27 program. The bill also provides an appropriation of \$150,000
3 28 for FY 2007-2008 for increased auditing and enforcement
3 29 activities following the end of the tax amnesty program.

3 30 The bill takes effect upon enactment.

3 31 LSB 1311XL 82

3 32 mg:sc/es/88



Iowa General Assembly
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Senate Amendment 3198

PAG LIN

1 1 Amend the amendment, S=3195, to Senate File 509, as
1 2 follows:
1 3 #1. Page 17, line 29, by striking the words <is
1 4 guilty of> and inserting the following: <commits>.
1 5
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1 7
1 8 KEITH A. KREIMAN
1 9 SF 509.504 82
1 10 pf/je/8065
1 11
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Senate Amendment 3199

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 3, line 10, by inserting after the word
1 3 <upgrades.> the following: <The design shall be
1 4 reviewed by a professional engineer licensed under
1 5 chapter 542B or an architect registered under chapter
1 6 544A.>
1 7 #2. Page 3, by striking line 13 and inserting the
1 8 following: <the contract by the qualified provider
1 9 and may be reviewed>.
1 10 #3. Page 3, lines 15 and 16, by striking the words
1 11 <This verification> and inserting the following:
1 12 <Verification>.
1 13 #4. Page 3, line 18, by inserting after the word
1 14 <protocol.> the following: <A review by a licensed
1 15 professional engineer or registered architect shall
1 16 not constitute a guarantee of cost savings.>
1 17 #5. Page 5, by inserting after line 16 the
1 18 following:
1 19 <j. A written scope of work and specifications
1 20 that detail cost and savings for each energy
1 21 conservation measure, facility improvement measure, or
1 22 facility technology infrastructure upgrade in the
1 23 proposal for the purpose of comparison of all
1 24 proposals submitted.>
1 25 #6. Page 7, line 6, by striking the word
1 26 <verified> and inserting the following: <reviewed>.
1 27
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1 29
1 30 JEFF DANIELSON
1 31 SF 519.703 82
1 32 rn/gg/7801
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Iowa General Assembly
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Senate Amendment 3200

PAG LIN

1 1 Amend Senate File 498 as follows:

1 2 #1. Page 2, by striking line 33 and inserting the
1 3 following:

1 4 <c. If all of the following circumstance are
1 5 applicable, a service>.

1 6 #2. Page 3, by striking lines 1 through 6 and
1 7 inserting the following:

1 8 <(1) The child is thirteen years of age or
1 9 younger.

1 10 (2) The court has entered a dispositional order
1 11 for placement of the child in group foster care.

1 12 (3) The child is placed in a juvenile detention
1 13 facility awaiting placement in group foster care.>

1 14 #3. Page 3, line 20, by inserting after the word
1 15 <community.> the following: <During the period of
1 16 time a service area's budget target is exceeded under
1 17 paragraph "c", a juvenile court services office for a
1 18 judicial district located within that service area
1 19 shall notify the department's service area manager
1 20 within one business day of any of the following
1 21 occurring in the service area:

1 22 (1) A new dispositional order for placement of a
1 23 child in group foster care has been entered.

1 24 (2) A change in the placement of a child who was
1 25 placed in group foster care has been made.

1 26 (3) A child placed in group foster care has been
1 27 discharged from that placement.>

1 28 #4. Page 3, by inserting after line 20 the
1 29 following:

1 30 <Sec. _____. GROUP FOSTER CARE WAITING LIST. On or
1 31 before December 15, 2007, the department of human
1 32 services shall report to the general assembly
1 33 providing detailed information concerning the children
1 34 who were on a waiting list for group foster care
1 35 services during the period covered by the report. The
1 36 information shall include but is not limited to the
1 37 number and status of children who were on a waiting
1 38 list, the length of time the children spent on a
1 39 waiting list, alternative placements while the
1 40 children were on a waiting list, age and gender of the
1 41 children, distribution of responsibility between the
1 42 department and juvenile court services, and the
1 43 projected funding, services, and programs required to
1 44 appropriately address the needs of the children on a
1 45 waiting list or to otherwise eliminate the need for a
1 46 waiting list.>

1 47 #5. By renumbering as necessary.

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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007**

Senate Amendment 3200 continued

2 1 KEITH A. KREIMAN
2 2
2 3
2 4
2 5 AMANDA RAGAN
2 6 SF 498.501 82
2 7 jp/je/8653



Iowa General Assembly
 Daily Bills, Amendments & Study Bills
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Senate Amendment 3201

PAG LIN

1 1 Amend Senate File 513 as follows:
 1 2 #1. Page 7, by inserting after line 3 the
 1 3 following:
 1 4 <Sec. _____. NEW SECTION. 26.16 SALE OF BONDS
 1 5 WITHOUT HEARING OR CONTRACT.
 1 6 A governmental entity may authorize, sell, issue,
 1 7 and deliver its bonds whether or not notice and
 1 8 hearing on the plans, specifications, form of
 1 9 contract, and estimated cost for the public
 1 10 improvement to be paid for in whole or in part from
 1 11 the proceeds of the bonds has been given, and whether
 1 12 or not a contract has been awarded for the
 1 13 construction of the public improvement. This section
 1 14 does not apply to bonds which are payable solely from
 1 15 special assessment levies against benefited property.
 1 16 Sec. _____. NEW SECTION. 26.17 EMERGENCY REPAIRS
 1 17 == PROCEDURES.
 1 18 When emergency repair of a public improvement is
 1 19 necessary and a delay for advertising, hearing, or
 1 20 notice might cause serious loss or injury to the
 1 21 governmental entity, the governmental entity's
 1 22 governing body shall, by resolution, make a finding of
 1 23 the necessity based upon a certificate from an
 1 24 engineer licensed under chapter 542B or an architect
 1 25 registered under chapter 544A, not in the regular
 1 26 employ of the governmental entity, certifying that
 1 27 emergency repairs are necessary. After such finding
 1 28 is made, the governmental entity may proceed to
 1 29 contract for emergency repairs without complying with
 1 30 the advertising, hearing, or notice provisions of this
 1 31 chapter.
 1 32 Sec. _____. Section 314.1, subsection 2, Code 2007,
 1 33 is amended to read as follows:
 1 34 2. Notwithstanding any other provision of law to
 1 35 the contrary, a public improvement that involves the
 1 36 construction, reconstruction, or improvement of a
 1 37 highway, bridge, or culvert and that has a cost in
 1 38 excess of the applicable threshold in section 73A.18,
 1 39 262.34, 297.7, 309.40, 310.14, or 313.10, as modified
 1 40 by the bid threshold subcommittee pursuant to section
 1 41 314.1B, shall be advertised and let for bid, except
 1 42 such public improvements that involve emergency work
 1 43 pursuant to section 26.17, 309.40A, or 313.10, ~~or~~
 1 44 ~~384.103, subsection 2.~~ For a city having a population
 1 45 of fifty thousand or less, a public improvement that
 1 46 involves the construction, reconstruction, or
 1 47 improvement of a highway, bridge, or culvert that has
 1 48 a cost in excess of twenty-five thousand dollars, as
 1 49 modified by the bid threshold subcommittee pursuant to
 1 50 section 314.1B, shall be advertised and let for bid,



Iowa General Assembly
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March 28, 2007

Senate Amendment 3201 continued

2 1 excluding emergency work. However, a public
2 2 improvement that has an estimated total cost to a city
2 3 in excess of a threshold of fifty thousand dollars, as
2 4 modified by the bid threshold subcommittee pursuant to
2 5 section 314.1B, and that involves the construction,
2 6 reconstruction, or improvement of a highway, bridge,
2 7 or culvert that is under the jurisdiction of a city
2 8 with a population of more than fifty thousand, shall
2 9 be advertised and let for bid. Cities required to
2 10 competitively bid highway, bridge, or culvert work
2 11 shall do so in compliance with the contract letting
2 12 procedures of sections 26.3 through 26.13.>

2 13 #2. Page 7, by inserting before line 20 the
2 14 following:

2 15 <Sec. _____. Section 357A.12, unnumbered paragraph
2 16 2, Code 2007, is amended to read as follows:

2 17 The procedures for competitive bidding specified in
2 18 chapter 26 ~~and for emergency repairs as specified in~~
2 19 ~~section 384.103, subsection 2,~~ shall apply to
2 20 construction carried out pursuant to this chapter.>

2 21 #3. Page 9, by inserting after line 3 the
2 22 following:

2 23 <Sec. _____. Section 390.3, unnumbered paragraph 2,
2 24 Code 2007, is amended to read as follows:

2 25 However, in the performance of a joint agreement,
2 26 the governing body is not subject to statutes
2 27 generally applicable to public contracts, including
2 28 hearings on plans, specifications, form of contracts,
2 29 costs, notice and competitive bidding required under
2 30 chapter 26 ~~and section 384.103,~~ unless all parties to
2 31 the joint agreement are cities located within the
2 32 state of Iowa.

2 33 Sec. _____. Section 384.103, Code 2007, is
2 34 repealed.>

2 35 #4. By renumbering as necessary.

2 36

2 37

2 38

2 39 HERMAN C. QUIRMBACH

2 40 SF 513.203 82

2 41 eg/es/8570



Iowa General Assembly
Daily Bills, Amendments & Study Bills
March 28, 2007

Senate Amendment 3202

PAG LIN

1 1 Amend the amendment, S=3185, to Senate File 430 as
1 2 follows:
1 3 #1. Page 2, line 1, by inserting after the word
1 4 <state> the following: <if both of the following are
1 5 met:
1 6 a. The parties to the judgment, decree, or order
1 7 sought to be enforced are afforded the same rights and
1 8 protections as are afforded citizens of the United
1 9 States under the Constitution of the United States.
1 10 b. The parties to the judgment, decree, or order
1 11 sought to be enforced are afforded the same rights and
1 12 protections as are afforded the citizens of this state
1 13 under the Constitution of the State of Iowa and
1 14 statutory and common laws of this state.>
1 15 #2. By renumbering as necessary.
1 16
1 17
1 18
1 19 LARRY McKIBBEN
1 20 PAT WARD
1 21 JOHN PUTNEY
1 22 SF 430.703 82
1 23 rh/gg/8532
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Iowa General Assembly
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Senate Amendment 3203

PAG LIN

1 1 Amend Senate File 483 as follows:
1 2 #1. Page 1, by striking lines 19 and 20 and
1 3 inserting the following: <organization" means a
1 4 nonprofit entity which is exempt from federal income
1 5 taxation pursuant to section 501(c)(3) of the Internal
1 6 Revenue Code and which is funded in whole or in part
1 7 by public funds.>
1 8 #2. Page 2, by striking line 14 and inserting the
1 9 following: <amended to read as follows:
1 10 4. This section is repealed July 1, ~~2007~~ 2009.>
1 11 #3. By striking page 2, line 29, through page 3,
1 12 line 11.
1 13 #4. Page 3, line 13, by striking the word
1 14 <sections> and inserting the following: <section>.
1 15 #5. Page 3, lines 14 and 15, by striking the words
1 16 and figures <2003 Iowa Acts, chapter 177, and 2004
1 17 Iowa Acts, chapter 1175,>.
1 18 #6. Page 3, line 16, by striking the word <take>
1 19 and inserting the following: <takes>.
1 20 #7. By renumbering as necessary.
1 21
1 22
1 23
1 24 JEFF DANIELSON
1 25 SF 483.201 82
1 26 ec/es/7474
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Iowa General Assembly
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Senate Amendment 3204

PAG LIN

1 1 Amend the amendment, S=3152, to Senate File 544 as
1 2 follows:
1 3 #1. By striking page 14, line 33, through page 15,
1 4 line 5.
1 5 #2. By renumbering as necessary.
1 6
1 7
1 8
1 9 ROBERT M. HOGG
1 10 SF 544.703 82
1 11 tm/gg/8442
1 12
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Senate Amendment 3205

PAG LIN

1 1 Amend Senate File 473 as follows:
1 2 #1. Page 5, lines 28 and 29, by striking the words
1 3 <or cemetery> and inserting the following: <cemetery,
1 4 the state medical examiner, or a county medical
1 5 examiner>.
1 6 #2. Page 6, by striking lines 1 and 2, and
1 7 inserting the following:
1 8 <b. The declarant's preferences regarding the
1 9 ceremony to be performed after the declarant's death.>
1 10 #3. Page 8, by striking lines 9 through 11, and
1 11 inserting the following: <decedent's remains.>
1 12 #4. Page 10, by inserting after line 14, the
1 13 following:
1 14 <4. Upon execution of a declaration, the declarant
1 15 shall state upon the declaration that the declarant
1 16 has notified the declarant's next of kin of the
1 17 declarant's intent to designate a designee and the
1 18 name and address of the designee. If notification has
1 19 not been made, the declarant shall state upon the
1 20 declaration the attempts made to achieve such
1 21 notification and that the attempts were made in good
1 22 faith.>
1 23 #5. Page 11, line 9, by striking the word
1 24 <forty=eight> and inserting the following: <forty>.
1 25
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1 27
1 28 KEITH A. KREIMAN
1 29
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1 31
1 32 WALLY E. HORN
1 33 SF 473.202 82
1 34 av/es/8515
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Senate Amendment 3206

PAG LIN

1 1 Amend the amendment, S=3170, to Senate File 520, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 41 the
1 4 following:
1 5 <k. Communications and broadcast services subject
1 6 to regulation by the utilities board pursuant to
1 7 chapter 476 or the federal communications
1 8 commission.>>
1 9 #2. By renumbering as necessary.
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1 12
1 13 RICH OLIVE
1 14 SF 520.501 82
1 15 rh/je/8528
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Senate Amendment 3207

PAG LIN

1 1 Amend Senate File 513 as follows:
1 2 #1. Page 7, by striking lines 4 through 19.
1 3 #2. By renumbering as necessary.
1 4
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1 6
1 7 RICH OLIVE
1 8 SF 513.202 82
1 9 eg/es/8524
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Senate Amendment 3208

PAG LIN

1 1 Amend Senate File 508 as follows:
1 2 #1. Page 1, line 6, by inserting after the word
1 3 <for> the following: <medically necessary>.
1 4 #2. Page 1, line 8, by inserting after the word
1 5 <for> the following: <medically necessary>.
1 6 #3. Page 1, line 9, by inserting after the word
1 7 <for> the following: <medically necessary>.
1 8 #4. Page 1, line 10, by inserting after the word
1 9 <for> the following: <medically necessary>.
1 10 #5. Page 1, line 14, by inserting after the word
1 11 <applicable.> the following: <For the purposes of
1 12 this section, "prosthetic device" means an artificial
1 13 limb device to replace, in whole or in part, an arm or
1 14 leg.>
1 15
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1 17
1 18 THOMAS RIELLY
1 19 SF 508.701 82
1 20 av/gg/8511
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Senate Amendment 3209

PAG LIN

1 1 Amend Senate File 460 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause, and inserting the following:
1 4 <Section 1. NEW SECTION. 217.41B PROVIDER
1 5 APPEALS == FINAL DECISION.
1 6 1. a. Notwithstanding any conflicting provision
1 7 of chapter 17A, when an administrative law judge,
1 8 assigned by the division of administrative hearings in
1 9 accordance with the provisions of section 10A.801, is
1 10 the presiding officer at a provider appeal hearing as
1 11 described in subsection 2, the administrative law
1 12 judge shall make a proposed decision that shall
1 13 include findings of fact and conclusions of law,
1 14 separately stated.
1 15 b. When the presiding officer makes a proposed
1 16 decision, that decision then becomes the final
1 17 decision of the department, and shall meet the
1 18 requirements of a final decision pursuant to section
1 19 17A.16, without further proceedings, unless there is
1 20 an appeal to, or review on motion of, the department
1 21 within the time provided by rule.
1 22 c. On appeal or review of the proposed decision,
1 23 the department may only reject or modify the presiding
1 24 officer's findings of fact and conclusions of law if
1 25 the department states, with particularity, the
1 26 department's reasons for rejecting or modifying each
1 27 finding of fact and conclusion of law.
1 28 (1) The department may only reject or modify
1 29 findings of fact if the department first determines
1 30 from a review of the entire record, and states with
1 31 particularity in the order, that the findings of fact
1 32 were clearly erroneous in view of the reliable,
1 33 probative, and substantial evidence on the record as a
1 34 whole, or that the proceedings on which the findings
1 35 were based did not comply with the essential
1 36 requirements of law.
1 37 (2) The department may only reject or modify the
1 38 conclusions of law if the department first determines
1 39 from a review of the entire record, and states with
1 40 particularity in the order, that the conclusions of
1 41 law were clearly erroneous in view of the reliable,
1 42 probative, and substantial evidence on the record as a
1 43 whole.
1 44 (3) Rejection or modification of conclusions of
1 45 law shall not form the basis for rejection or
1 46 modification of findings of fact.
1 47 d. A party to a provider appeal hearing as
1 48 described in subsection 2 may file a request for
1 49 rehearing pursuant to section 17A.16.
1 50 e. A party who is aggrieved or adversely affected



Iowa General Assembly
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Senate Amendment 3209 continued

2 1 by a final decision under this section is entitled to
2 2 judicial review as provided in section 17A.19.
2 3 2. A provider appeal hearing shall be available to
2 4 a provider, if any of the following conditions, which
2 5 constitutes a contested case, is met:
2 6 a. The provider's license, certification,
2 7 registration, approval, or accreditation has been
2 8 denied or revoked or has not been acted upon in a
2 9 timely manner.
2 10 b. The provider's claim for payment or request for
2 11 prior authorization for payment has been denied.
2 12 c. The provider's contract as a medical assistance
2 13 patient manager has been terminated.
2 14 d. The provider has been notified that an
2 15 overpayment has been established and repayment is
2 16 requested.
2 17 e. The provider has been notified that the
2 18 reconsideration process has been exhausted and the
2 19 provider is not satisfied with the result.
2 20 f. The provider's claim for payment was not made
2 21 according to department policy.
2 22 g. The provider's application for a child care
2 23 quality rating has not been acted upon in a timely
2 24 manner, the provider disagrees with the department's
2 25 quality rating decision, or the provider's certificate
2 26 of quality rating has been revoked.
2 27 3. For purposes of this subsection, "provider"
2 28 means provider as defined in section 249A.2 or a
2 29 provider of child care as defined in section 237A.1.>
2 30 #2. Title page, lines 1 and 2, by striking the
2 31 words <medical assistance providers> and inserting the
2 32 following: <certain medical assistance providers and
2 33 child care providers>.
2 34
2 35
2 36
2 37 KEITH A. KREIMAN
2 38 SF 460.701 82
2 39 pf/gg/8075



Iowa General Assembly
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Senate Amendment 3210

PAG LIN

1 1 Amend House File 451 as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, by inserting after line 7 the
1 4 following:
1 5 <(____) A consumer member of the senior living
1 6 coordinating unit created in section 231.58 selected
1 7 by the senior living coordinating unit.>
1 8 #2. Page 3, line 1, by inserting after the word
1 9 <access.> the following: <The team shall also receive
1 10 input regarding the benefits of the use of electronic
1 11 health records.>
1 12 #3. Page 3, line 4, by inserting after the word
1 13 <system.> the following: <The team shall also make
1 14 recommendations regarding the use of electronic health
1 15 records.>
1 16 #4. Page 3, line 20, by inserting after the word
1 17 <sources.> the following: <The report shall also
1 18 include recommendations regarding the use of
1 19 electronic health records.>
1 20 #5. By renumbering as necessary.
1 21
1 22
1 23
1 24 COMMITTEE ON HUMAN RESOURCES
1 25 AMANDA RAGAN, CHAIRPERSON
1 26 HF 451.202 82
1 27 pf/es/8076
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Iowa General Assembly
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Senate Study Bill 1347

SENATE FILE
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

1 An Act relating to the power of the local board of review to
2 accept certain claims for property tax exemption and providing
3 an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2833XC 82
6 sc/es/88



Iowa General Assembly
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Senate Study Bill 1347 continued

PAG LIN

1 1 Section 1. Section 441.35, Code 2007, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 4. To accept claims for exemption under
1 4 section 427.1, subsection 7, 8, or 9, for property acquired
1 5 after the February 1 filing deadline. The board shall forward
1 6 the claims to the assessor, and such claims shall be
1 7 considered timely filed for the current assessment year, or
1 8 for the previous assessment year if the property was acquired
1 9 after the board adjourned for that year.

1 10 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 11 immediate importance, takes effect upon enactment.

1 12 EXPLANATION

1 13 This bill allows a claim for exemption to be filed with the
1 14 local board of review for property acquired by a library or
1 15 art gallery or by a religious, literary, or charitable
1 16 institution or society or by an educational institution after
1 17 the February 1 deadline for filing for exemption. The bill
1 18 provides that the board shall forward the claims to the
1 19 assessor, and the claims shall be considered timely filed for
1 20 the current or previous assessment year, as applicable.

1 21 The bill takes effect upon enactment.

1 22 LSB 2833XC 82

1 23 sc:nh/es/88