



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1547

PAG LIN

1 1 Amend House File 865 as follows:  
1 2 #1. Page 7, by inserting after line 33 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 633.410, subsection 2, Code  
1 5 2007, is amended to read as follows:  
1 6 2. Notwithstanding subsection 1, claims for debts  
1 7 created under section 249A.5, subsection 2, relating  
1 8 to the recovery of medical assistance payments shall  
1 9 be barred under this section unless filed with the  
1 10 clerk within ~~the later to occur of~~ fifteen months  
1 11 after the date of the second publication of the notice  
1 12 to creditors, or if the personal representative of the  
1 13 estate has actual knowledge of a medical assistance  
1 14 debt of the decedent, within two months after service  
1 15 of notice by ordinary mail, on the form prescribed in  
1 16 section 633.231 for intestate estates or on the form  
1 17 prescribed in section 633.304A for testate estates, to  
1 18 the entity designated by the department of human  
1 19 services to receive notice.>  
1 20 #2. By renumbering as necessary.  
1 21  
1 22  
1 23  
1 24 UPMEYER of Hancock  
1 25 HF 865.301 82  
1 26 rh/cf/8545

1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

**House Amendment 1548**

PAG LIN

1 1 Amend Senate File 175, as passed by the Senate, as  
 1 2 follows:  
 1 3 #1. Page 1, by striking lines 9 through 12 and  
 1 4 inserting the following: <by ~~regular~~ restricted  
 1 5 certified mail, if the value of the property is less  
 1 6 than fifty dollars, or certified mail, if the value of  
 1 7 the property is equal to or greater than fifty  
 1 8 dollars, return receipt requested, to the last known  
 1 9 address of any person having an>.  
 1 10 #2. Page 1, lines 14 and 15, by striking the words  
 1 11 <of the mailing> and inserting the following: <from  
 1 12 the date of receipt of the notice. Refusal of  
 1 13 restricted certified mail, return receipt requested,  
 1 14 shall be construed as receipt>.  
 1 15 #3. Page 1, line 17, by striking the words <after  
 1 16 the mailing of> and inserting the following: <~~after~~  
 1 17 the mailing of from the date of receipt of the>.  
 1 18  
 1 19  
 1 20  
 1 21 COMMITTEE ON JUDICIARY,  
 1 22 SWAIM of Davis, CHAIRPERSON  
 1 23 SF 175.501 82  
 1 24 jm/je/8705  
 1 25  
 1 26  
 1 27  
 1 28  
 1 29  
 1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1549

PAG LIN

1 1 Amend the amendment, H=1349, to House File 796, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 16 and 17 and  
1 4 inserting the following: ~~<of which the peace officer~~  
~~1 5 is an employee~~ shall make a reasonable attempt to  
1 6 notify the person's custodial>.  
1 7 #2. Page 2, by striking line 12 and inserting the  
1 8 following: ~~<employee~~ shall make a reasonable attempt  
1 9 to notify the>.  
1 10 #3. By renumbering as necessary.  
1 11  
1 12  
1 13  
1 14 ALONS of Sioux  
1 15 HF 796.501 82  
1 16 rh/je/8548  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1550

PAG LIN

1 1 Amend the amendment, H=1510, to Senate File 369, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, line 3, by striking the figure <23>  
1 5 and inserting the following: <22>.  
1 6  
1 7  
1 8  
1 9 JACOBS of Polk  
1 10 SF 369.501 82  
1 11 sc/je/8292  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1551

PAG LIN

1 1 Amend the amendment, H=1514, to Senate File 369, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, line 3, by striking the figure <22>  
1 5 and inserting the following: <21>.  
1 6  
1 7  
1 8  
1 9 JACOBS of Polk  
1 10 SF 369.201 82  
1 11 sc/es/8291  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

**House Amendment 1552**

PAG LIN

1 1 Amend House File 469 as follows:  
 1 2 #1. By striking everything after the enacting  
 1 3 clause and inserting the following:  
 1 4 <Section 1. Section 298.3, subsection 3, Code  
 1 5 2007, is amended to read as follows:  
 1 6 3. The purchase, lease, or lease-purchase of a  
 1 7 single unit of equipment or technology exceeding five  
 1 8 hundred dollars in value per unit, and the purchase of  
 1 9 software or payments under a software licensing  
 1 10 agreement.  
 1 11 Sec. 2. Section 298.3, subsection 7, Code 2007, is  
 1 12 amended to read as follows:  
 1 13 7. Expenditures for energy conservation, including  
 1 14 the purchase, erection, maintenance of renewable  
 1 15 energy generation equipment.  
 1 16 Sec. 3. Section 298.3, subsection 9, Code 2007, is  
 1 17 amended to read as follows:  
 1 18 9. Purchase ~~of~~ or lease of, or entering into an  
 1 19 agreement under chapter 28E to purchase or lease,  
 1 20 transportation equipment for transporting students,  
 1 21 including transportation replacement parts and  
 1 22 renovations exceeding five hundred dollars.  
 1 23 Sec. 4. Section 298.3, Code 2007, is amended by  
 1 24 adding the following new unnumbered paragraph:  
 1 25 NEW UNNUMBERED PARAGRAPH. Expenditures for  
 1 26 software, under a software licensing agreement, or for  
 1 27 student transportation replacement parts are allowed  
 1 28 under this section only if a school district has  
 1 29 submitted and received approval for a plan of  
 1 30 compliance with fire safety standards in response to  
 1 31 an inspection performed by the state fire marshal or  
 1 32 the local fire department pursuant to section 100.31.  
 1 33 Sec. 5. APPLICABILITY. This Act is applicable for  
 1 34 physical plant and equipment levies imposed either  
 1 35 through board authorization or voter approval on or  
 1 36 after the effective date of this Act, or local option  
 1 37 sales taxes for school infrastructure purposes imposed  
 1 38 on or after the effective date of this Act.>  
 1 39  
 1 40  
 1 41  
 1 42 HEDDENS of Story  
 1 43 HF 469.201 82  
 1 44 ak/es/7446  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1553

PAG LIN

1 1 Amend Senate File 265, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 6, by inserting after the word  
1 4 <site> the following: <and all activities>.  
1 5 #2. Page 1, by striking line 10 and inserting the  
1 6 following: <structure renovation, demolition, or  
1 7 collapse.>  
1 8 #3. Page 1, by striking line 21 and inserting the  
1 9 following: <asbestos contractor.>  
1 10 #4. Page 1, by inserting after line 21 the  
1 11 following:  
1 12 <Sec. \_\_\_\_ . NEW SECTION. 88B.2 JURISDICTION OF  
1 13 OTHER AGENCIES.  
1 14 This chapter shall not be construed to prevent the  
1 15 department of natural resources from implementing and  
1 16 enforcing the federal national emission standard for  
1 17 asbestos under 40 C.F.R. pt. 61, subpt. M, and other  
1 18 relevant provisions of environmental law.>  
1 19 #5. By renumbering as necessary.  
1 20  
1 21  
1 22  
1 23 COMMITTEE ON LABOR,  
1 24 OLSON of Polk, CHAIRPERSON  
1 25 SF 265.702 82  
1 26 ak/gg/6698  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

# House Amendment 1554

PAG LIN

1 1 Amend House File 817 as follows:  
1 2 #1. Page 3, by inserting after line 28 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. NEW SECTION. 718A.0A DEFINITIONS.  
1 5 As used in this section:  
1 6 1. "Contempt" means an intentional lack of respect  
1 7 or reverence by treating in a rough manner.  
1 8 2. "Deface" means to intentionally mar the  
1 9 external appearance.  
1 10 3. "Defile" means to intentionally make physically  
1 11 unclean.  
1 12 4. "Mutilate" means to intentionally cut up or  
1 13 alter so as to make imperfect.  
1 14 5. "Trample" means to intentionally tread upon or  
1 15 intentionally cause a machine, vehicle, or animal to  
1 16 tread upon.  
1 17 Sec. \_\_\_\_\_. NEW SECTION. 718A.7 RETIREMENT  
1 18 CEREMONY.  
1 19 This chapter does not apply to a flag retirement  
1 20 ceremony conducted pursuant to federal law.  
1 21 Sec. \_\_\_\_\_. Section 723.4, subsection 6, Code 2007,  
1 22 is amended to read as follows:  
1 23 6. a. Knowingly and publicly uses the flag of the  
1 24 United States in such a manner as to show disrespect  
1 25 for the flag as a symbol of the United States, with  
1 26 the intent or reasonable expectation that such use  
1 27 will provoke or encourage another to commit a ~~public~~  
~~1 28 offense trespass or assault.~~  
1 29 b. As used in this section:  
1 30 (1) "Show disrespect" means to deface, defile,  
1 31 mutilate, or trample.  
1 32 (2) "Deface" means to intentionally mar the  
1 33 external appearance.  
1 34 (3) "Defile" means to intentionally make  
1 35 physically unclean.  
1 36 (4) "Flag" means a piece of woven cloth or other  
1 37 material designed to be flown from a pole or mast.  
1 38 (5) "Mutilate" means to intentionally cut up or  
1 39 alter so as to make imperfect.  
1 40 (6) "Trample" means to intentionally tread upon or  
1 41 intentionally cause a machine, vehicle, or animal to  
1 42 tread upon.  
1 43 c. This subsection does not apply to a flag  
1 44 retirement ceremony conducted pursuant to federal  
1 45 law.>  
1 46 #2. Title page, line 1, by inserting before the  
1 47 word <veterans> the following: <the flag and>.  
1 48 #3. Title page, by striking line 4 and inserting  
1 49 the following: <affairs prohibiting certain acts  
1 50 involving the flag, establishing a counseling program



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House Amendment 1554 continued

2 1 for veterans, and providing a penalty.>  
2 2 #4. By renumbering as necessary.  
2 3  
2 4  
2 5  
2 6 WINDSCHITL of Harrison  
2 7  
2 8  
2 9  
2 10 D. TAYLOR of Linn  
2 11 HF 817.1 82  
2 12 jm/jg/25



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

## House Amendment 1557

PAG LIN

1 1 Amend Senate File 277, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 6 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 256.44, subsection 1, paragraph  
1 6 a, Code 2007, is amended to read as follows:  
1 7 a. If a teacher registers for national board for  
1 8 professional teaching standards certification ~~prior to~~  
~~1 9 June 30 by December 31, 2007,~~ a one-time initial  
1 10 reimbursement award in the amount of up to one-half of  
1 11 the registration fee paid by the teacher for  
1 12 registration for certification by the national board  
1 13 for professional teaching standards. The teacher  
1 14 shall apply to the department ~~of education~~ within one  
1 15 year of registration, submitting to the department any  
1 16 documentation the department requires. A teacher who  
1 17 receives an initial reimbursement award shall receive  
1 18 a one-time final registration award in the amount of  
1 19 the remaining national board registration fee paid by  
1 20 the teacher if the teacher notifies the department of  
1 21 the teacher's certification achievement and submits  
1 22 any documentation requested by the department.>  
1 23 #2. Page 1, line 12, by striking the word and  
1 24 figures <January 1, ~~2006~~ 2008> and inserting the  
1 25 following: <~~January 1, 2006~~ December 31, 2007>.  
1 26 #3. Page 1, lines 13 and 14, by striking the words  
1 27 <three years from the date of initial score  
1 28 notification> and inserting the following: <~~three~~  
~~1 29 years from the date of initial score notification the~~  
1 30 timelines and policies established by the national  
1 31 board for professional teaching standards>.  
1 32 #4. Page 1, line 18, by striking the word <career>  
1 33 and inserting the following: <professional>.  
1 34 #5. Page 3, by inserting after line 2 the  
1 35 following:  
1 36 <Sec. \_\_\_\_\_. Section 256.44, subsection 1, paragraph  
1 37 b, subparagraph (2), unnumbered paragraph 1, Code  
1 38 2007, is amended to read as follows:  
1 39 If the teacher registers for national board for  
1 40 professional teaching standards certification between  
1 41 January 1, 1999, and January 1, ~~2006~~ 2008, and  
1 42 achieves certification within three years from the  
1 43 date of initial score notification, an annual award in  
1 44 the amount of two thousand five hundred dollars upon  
1 45 achieving certification by the national board of  
1 46 professional teaching standards.>  
1 47 #6. Page 3, by inserting after line 9 the  
1 48 following:  
1 49 <Sec. \_\_\_\_\_. Section 272.2, subsection 10, Code  
1 50 2007, is amended to read as follows:



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House Amendment 1557 continued

2 1 10. Issue statements of professional recognition  
2 2 to school service personnel who have attained a  
2 3 minimum of a baccalaureate degree and who are licensed  
2 4 by another professional licensing board.>  
2 5 #7. Page 3, line 22, by striking the word <career>  
2 6 and inserting the following: <professional>.  
2 7 #8. Page 4, line 9, by striking the words <REPORTS  
2 8 AND FINAL STUDY> and inserting the following:  
2 9 <INTERIM AND FINAL REPORTS>.  
2 10 #9. Page 4, line 13, by striking the words <,  
2 11 excluding school nurses,>.  
2 12 #10. Page 4, by striking lines 17 and 18 and  
2 13 inserting the following: <directors under section  
2 14 279.13. A teacher may be>.  
2 15 #11. Page 5, by inserting before line 25 the  
2 16 following: <However, if a school district can  
2 17 demonstrate that an existing professional development,  
2 18 curriculum, or student improvement committee has  
2 19 significant stakeholder involvement and a leadership  
2 20 role in the school district, the appointing  
2 21 authorities may mutually agree to assign to the  
2 22 existing committee the responsibilities set forth in  
2 23 this paragraph "c", to appoint members of the existing  
2 24 committee to the teacher quality committee, or to  
2 25 authorize the existing committee to serve in an  
2 26 advisory capacity to the teacher quality committee.>  
2 27 #12. Page 6, by striking lines 4 and 5 and  
2 28 inserting the following:  
2 29 <(3) Determine, following the adoption of the Iowa  
2 30 professional development model by the state board of  
2 31 education, the use and distribution of the  
2 32 professional>.  
2 33 #13. Page 9, line 11, by inserting after the word  
2 34 <The> the following: <goal for the use of the funds  
2 35 is to provide one additional contract day or the  
2 36 equivalent thereof for professional development and>.  
2 37 #14. Page 9, line 14, by striking the word  
2 38 <agreement,> and inserting the following:  
2 39 <agreement;>.  
2 40 #15. Page 9, by striking line 16 and inserting the  
2 41 following: <speakers, and professional development  
2 42 content; and costs>.  
2 43 #16. Page 13, by striking lines 22 through 25 and  
2 44 inserting the following:  
2 45 <NEW SUBSECTION. 4. A teacher who is not meeting  
2 46 the applicable standards and criteria based on a  
2 47 determination made pursuant to subsection 3 shall  
2 48 participate in an intensive assistance program.>  
2 49 #17. Page 16, line 21, by inserting after the word  
2 50 <purposes> the following: <and for not more than four



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House Amendment 1557 continued

3 1 full-time equivalent positions>.  
3 2 #18. Page 18, line 16, by striking the word  
3 3 <program> and inserting the following: <program and  
3 4 career ladder pilots>.  
3 5 #19. Page 18, line 17, by striking the word and  
3 6 figure <section 284.14> and inserting the following:  
3 7 <section 284.14 sections 284.14 and 284.14A>.  
3 8 #20. Page 18, by striking line 29 and inserting  
3 9 the following: <be used by the department for  
3 10 oversight>.  
3 11 #21. Page 18, line 30, by striking the word  
3 12 <projects> and inserting the following: <pilots>.  
3 13 #22. Page 18, line 31, by striking the word and  
3 14 figure <section 284.14> and inserting the following:  
3 15 <sections 284.14 and 284.14A>.  
3 16 #23. Page 18, by striking lines 34 and 35 and  
3 17 inserting the following:  
3 18 <(3) For the fiscal year beginning July 1, 2008,  
3 19 and ending June 30, 2009, the sum>.  
3 20 #24. Page 19, line 2, by striking the word <each>  
3 21 and inserting the following: <the>.  
3 22 #25. Page 19, lines 5 and 6, by striking the words  
3 23 <distributed to the department of education> and  
3 24 inserting the following: <used by the department>.  
3 25 #26. Page 19, by striking line 7 and inserting the  
3 26 following: <administration of the implementation  
3 27 pilots as>.  
3 28 #27. Page 19, line 8, by striking the word and  
3 29 figure <section 284.14> and inserting the following:  
3 30 <sections 284.14 and 284.14A>.  
3 31 #28. By striking page 20, line 4, through page 21,  
3 32 line 35.  
3 33 #29. Page 22, by striking lines 7 through 11 and  
3 34 inserting the following: <career ladders and  
3 35 performance pay models.>  
3 36 #30. Page 22, line 34, by striking the words  
3 37 <planning projects> and inserting the following:  
3 38 <projects planning pilots>.  
3 39 #31. Page 23, line 2, by striking the words  
3 40 <planning projects> and inserting the following:  
3 41 <projects planning pilots>.  
3 42 #32. Page 23, by striking lines 4 through 6 and  
3 43 inserting the following: <pay=for=performance program  
3 44 design,>.  
3 45 #33. Page 23, by striking lines 18 through 29 and  
3 46 inserting the following:  
3 47 <b. The Commencing with the school year beginning  
3 48 July 1, 2007, the commission shall select ten two  
3 49 school districts as demonstration projects planning  
3 50 pilots. To the extent practicable, participants shall



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

~~House Amendment 1557 continued~~

~~4 1 represent geographically distinct rural, urban, and  
4 2 suburban areas of the state. Participants shall  
4 3 provide reports or other information as required by  
4 4 the commission.  
4 5 c. Commencing with the school year beginning July  
4 6 1, 2008, the commission shall ~~select twenty additional~~  
4 7 administer two implementation pilots in the school  
4 8 districts as demonstration projects selected for  
4 9 planning pilots under paragraph "b".>  
4 10 #34. Page 23, lines 31 and 32, by striking the  
4 11 words <planning or implementation projects> and  
4 12 inserting the following: <projects planning and  
4 13 implementation pilots>.  
4 14 #35. Page 24, by striking line 3 and inserting the  
4 15 following: <demonstration projects planning and  
4 16 implementation pilots. The>.  
4 17 #36. Page 24, by inserting after line 9 the  
4 18 following:  
4 19 <Sec. \_\_\_\_\_. NEW SECTION. 284.14A CAREER LADDER  
4 20 PILOTS.  
4 21 1. INTENT. The intent of this section is to  
4 22 create a process by which select Iowa school districts  
4 23 research, develop, and implement pilots designed to  
4 24 identify promising practices related to enhanced  
4 25 teacher compensation career ladder models.  
4 26 2. PILOT ESTABLISHED. A career ladder pilot is  
4 27 established to be designed, implemented, and  
4 28 administered by the department. The department shall  
4 29 gather sufficient information to identify a career  
4 30 ladder pilot.  
4 31 a. For the school year beginning July 1, 2007, and  
4 32 ending June 30, 2008, the department shall select up  
4 33 to eight school districts as planning pilots.  
4 34 Participants shall provide reports or other  
4 35 information as required by the department.  
4 36 b. For the school year beginning July 1, 2008, and  
4 37 ending June 30, 2009, the department shall administer  
4 38 up to eight implementation pilots in the school  
4 39 districts selected for planning pilots under paragraph  
4 40 "a".  
4 41 3. REPORTS AND FINAL STUDY. Based on the  
4 42 information generated by the planning and  
4 43 implementation pilots, the department shall submit an  
4 44 interim report to the general assembly by January 14  
4 45 annually, and shall submit a final report summarizing  
4 46 the effectiveness of the pilots in raising student  
4 47 achievement levels to the general assembly no later  
4 48 than six months after the completion of the planning  
4 49 and implementation pilots. Upon completion of the  
4 50 career ladder planning and implementation pilots,~~



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House Amendment 1557 continued

5 1 subject to the sufficiency of funds, the state board  
5 2 of education shall adopt rules requiring  
5 3 implementation of the successful components of the  
5 4 pilots by school districts statewide.>  
5 5 #37. Page 26, line 30, by striking the word  
5 6 <career> and inserting the following: <professional>.  
5 7 #38. Page 27, line 9, by striking the word  
5 8 <career> and inserting the following: <professional>.  
5 9 #39. Page 27, line 15, by striking the word  
5 10 <career> and inserting the following: <professional>.  
5 11 #40. Page 27, line 16, by striking the word  
5 12 <CAREER> and inserting the following: <PROFESSIONAL>.  
5 13 #41. Page 27, line 30, by striking the word  
5 14 <career> and inserting the following: <professional>.  
5 15 #42. Page 27, line 33, by striking the word  
5 16 <career> and inserting the following: <professional>.  
5 17 #43. Page 28, line 4, by striking the word  
5 18 <career> and inserting the following: <professional>.  
5 19 #44. Page 28, line 6, by striking the word  
5 20 <career> and inserting the following: <professional>.  
5 21 #45. Page 29, line 3, by striking the word  
5 22 <career> and inserting the following: <professional>.  
5 23 #46. Page 29, line 5, by striking the word  
5 24 <career> and inserting the following: <professional>.  
5 25 #47. By renumbering, relettering, or redesignating  
5 26 and correcting internal references as necessary.  
5 27  
5 28  
5 29  
5 30 COMMITTEE ON APPROPRIATIONS  
5 31 OLDSOHN of Polk, Chairperson  
5 32 SF 277.313 82  
5 33 kh/cf/8801



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced

HOUSE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 361)  
(SUCCESSOR TO HF 213)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

- 1 An Act relating to assistance for small businesses, making
- 2 appropriations, and providing an effective date provision.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1517HZ 82
- 5 tm/gg/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

PAG LIN

1 1 Section 1. Section 8A.311, subsection 10, unnumbered  
1 2 paragraph 1, Code 2007, is amended to read as follows:  
1 3 The director shall adopt rules providing that any state  
1 4 agency may, upon request, purchase directly from a vendor if  
1 5 the direct purchasing is as economical or more economical than  
1 6 purchasing through the department, or upon a showing that  
1 7 direct purchasing by the state agency would be in the best  
1 8 interests of the state due to an immediate or emergency need.  
1 9 The rules shall include a provision permitting a state agency  
1 10 to purchase directly from a vendor, on the agency's own  
1 11 authority, if the purchase will not exceed ~~five~~ ten thousand  
1 12 dollars and the purchase will contribute to the agency  
1 13 complying with or exceeding the targeted small business  
1 14 procurement goals under sections 73.15 through 73.21.

1 15 Sec. 2. NEW SECTION. 11.46 TARGETED SMALL BUSINESS.

1 16 After the conclusion of each fiscal year, the auditor of  
1 17 state shall annually conduct a review of whether state  
1 18 agencies are meeting their goal for procurement activities  
1 19 conducted pursuant to sections 73.15 through 73.21, and  
1 20 compliance with the forty-eight hour notice provision in  
1 21 section 73.16, subsection 2. By December 31 of each year, the  
1 22 auditor of state shall file a written report with the governor  
1 23 and the general assembly which shall include the findings of  
1 24 the review. The auditor of state may charge a fee to cover  
1 25 the costs of conducting activities under this section. The  
1 26 first report filed pursuant to this section shall be for the  
1 27 fiscal year beginning July 1, 2007. However, the auditor of  
1 28 state shall file a report pursuant to this section by December  
1 29 31, 2007, for the time period beginning July 1, 2007, and  
1 30 ending September 30, 2007.

1 31 Sec. 3. Section 15.102, subsection 4, Code 2007, is  
1 32 amended to read as follows:

1 33 4. "Small business" means any enterprise which is located  
1 34 in this state, which is operated for profit and under a single  
1 35 management, and which has either fewer than twenty employees



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

2 1 or an annual gross income of less than ~~three~~ four million  
2 2 dollars computed as the average of the three preceding fiscal  
2 3 years. This definition does not apply to any program or  
2 4 activity for which a definition for small business is provided  
2 5 for the program or activity by federal law or regulation or  
2 6 other state law.

2 7 Sec. 4. Section 15.102, subsection 5, paragraph a,  
2 8 subparagraph (3), Code 2007, is amended to read as follows:

2 9 (3) Has an annual gross income of less than ~~three~~ four  
2 10 million dollars computed as an average of the three preceding  
2 11 fiscal years.

2 12 Sec. 5. Section 15.108, subsection 7, paragraph c, Code  
2 13 2007, is amended to read as follows:

2 14 c. Aid for the development and implementation of the Iowa  
2 15 targeted small business procurement Act established in  
2 16 sections 73.15 through 73.21 and the targeted small business  
2 17 financial assistance program established in section 15.247.  
2 18 The duties of the director under this paragraph include the  
2 19 following:

2 20 (1) (a) By December 1 of each year, the department of  
2 21 administrative services shall file a written report with the  
2 22 department of economic development regarding the Iowa targeted  
2 23 small business procurement Act activities during the previous  
2 24 fiscal year. At a minimum, the report shall include a summary  
2 25 of all activities undertaken by the department of  
2 26 administrative services in an effort to maximize the  
2 27 utilization of the targeted small business procurement Act.

2 28 (b) By December 1 of each year, the department of  
2 29 inspections and appeals shall file a written report with the  
2 30 department of economic development regarding certifications of  
2 31 targeted small businesses. At a minimum, the report shall  
2 32 include the number of certified targeted small businesses for  
2 33 the previous year and the increase or decrease in that number  
2 34 during the previous fiscal year compared to the prior fiscal  
2 35 year, the number of targeted small businesses that have been



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

3 1 decertified over the previous fiscal year, and a summary of  
3 2 all activities undertaken by the department of inspections and  
3 3 appeals regarding targeted small business certification.  
3 4 (c) By December 1 of each year, the department of economic  
3 5 development shall compile an internal report regarding the  
3 6 targeted small business financial assistance program. At a  
3 7 minimum, the report shall contain the number of loans, loan  
3 8 guarantees, and grants distributed during the previous fiscal  
3 9 year, the individual amounts provided to targeted small  
3 10 businesses during the previous fiscal year, and how many  
3 11 financial assistance awards to targeted small businesses were  
3 12 the subject of repayment or collection activity during the  
3 13 previous fiscal year.  
3 14 (d) By December 1 of each year, the targeted small  
3 15 business marketing and compliance manager of the department of  
3 16 economic development shall compile a list of the procurement  
3 17 goals established pursuant to section 73.16, subsection 2, and  
3 18 the performance of each agency in meeting the goals. The  
3 19 compilation of the performance of each agency shall be based  
3 20 upon the reports required to be filed under section 73.16,  
3 21 subsection 2.  
3 22 (e) By January 15 of each year, the department of economic  
3 23 development shall submit to the governor and the general  
3 24 assembly a compilation of reports required under this  
3 25 subparagraph.  
3 26 ~~(1)~~ (2) The director, ~~in conjunction~~ with cooperation  
3 27 from the ~~director of the department of management~~ other state  
3 28 agencies, shall publicize the procurement goal program ~~for~~  
3 29 established in sections 73.15 through 73.21 to targeted small  
3 30 businesses and to agencies of state government, attempt to  
3 31 locate targeted small businesses able to perform contracts,  
3 32 and encourage program participation. The director may request  
3 33 the cooperation of the department of administrative services,  
3 34 the state department of transportation, the state board of  
3 35 regents, or any other agency of state government in



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

4 1 publicizing this program.  
4 2     ~~(2)~~ (3) The director, in conjunction with ~~the director of~~  
~~4 3 the department of management~~ other state agencies, shall  
4 4 publicize the financial assistance program established in  
4 5 section 15.247 to targeted small businesses.  
4 6     ~~(3)~~ (4) When the director determines, or is notified by  
4 7 the head of another agency of state government, that a  
4 8 targeted small business is unable to perform a procurement  
4 9 contract, the director shall assist the small business in  
4 10 attempting to remedy the causes of the inability to perform.  
4 11 In assisting the small business, the director may use any  
4 12 management or financial assistance programs available through  
4 13 state or governmental agencies or private sources.  
4 14     ~~(4)~~ (5) ~~The director, in conjunction with the director of~~  
~~4 15 the department of management and jointly with the universities~~  
~~4 16 under the jurisdiction of the state board of regents, and the~~  
~~4 17 community colleges, shall develop and make available in all~~  
~~4 18 areas of the state, programs to offer and deliver~~  
~~4 19 concentrated, in-depth advice and services to assist targeted~~  
~~4 20 small businesses. The department of economic development~~  
4 21 shall establish targeted small business advocate service  
4 22 providers for purposes of providing mentoring, outreach, and  
4 23 professional development services to targeted small businesses  
4 24 certified pursuant to section 10A.104. Targeted small  
4 25 business advocate service providers shall be established  
4 26 through a request for proposals process. Entities eligible to  
4 27 bid under the request for proposals process shall include but  
4 28 not be limited to a business accelerator, a small business  
4 29 development center, or any organization that provides  
4 30 mentoring, outreach, and professional development services to  
4 31 businesses. A person serving on or staffing a governor's task  
4 32 force on targeted small businesses during calendar year 2006  
4 33 shall not be eligible to be part of a bid under the request  
4 34 for proposals process until after July 1, 2009. A person  
4 35 serving on or staffing a governor's targeted small business



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

5 1 advisory council shall not be eligible to be part of a bid  
5 2 under the request for proposals process until three years  
5 3 following the termination of service or staffing the advisory  
5 4 council. The advice and services provided by providers shall  
5 5 extend to all areas of business management in its practical  
5 6 application, including but not limited to accounting,  
5 7 engineering, drafting, grant writing, obtaining financing,  
5 8 locating bond markets, market analysis, and projections of  
5 9 profit and loss.  
5 10 Sec. 6. Section 15.247, subsection 2, Code 2007, is  
5 11 amended to read as follows:  
5 12 2. A "targeted small business financial assistance program  
5 13 account" is established within the strategic investment fund  
5 14 created in section 15.313, to provide for loans, loan  
5 15 guarantees, ~~revolving loans, loans secured by accounts~~  
~~5 16 receivable, or grants to targeted small businesses and to~~  
~~5 17 low-income persons establishing or expanding small business~~  
~~5 18 ventures. A targeted small business or low-income person in~~  
5 19 any year shall receive under this program not more than fifty  
5 20 thousand dollars in a loan, grant, or guarantee, or a  
5 21 combination of loans, grants, or guarantees. A grant shall  
5 22 only be awarded when additional financing is secured by the  
5 23 applicant. In order to receive a grant, the applicant must  
5 24 demonstrate a minimum of ten percent cash investment in the  
5 25 project. A targeted small business shall not receive a grant,  
5 26 loan, or guarantee, or a combination of grants, loans, or  
5 27 guarantees under the program that provide more than ninety  
5 28 percent funding of a project. The program shall provide  
5 29 guarantees not to exceed ~~seventy-five~~ eighty percent for loans  
5 30 of up to seven years made by qualified lenders. The  
5 31 department shall establish a financial assistance reserve  
5 32 account from funds allocated to the program account, from  
5 33 which any default on a guaranteed loan under this section  
5 34 shall be paid. In administering the program the department  
5 35 shall not guarantee loan values in excess of the amount



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

6 1 credited to the reserve account and only moneys set aside in  
6 2 the loan reserve account may be used for the payment of a  
6 3 default. The department shall maintain records of all  
6 4 financial assistance approved pursuant to this section and  
6 5 information regarding the effectiveness of the financial  
6 6 assistance in establishing or expanding small business  
6 7 ventures.  
6 8 Sec. 7. Section 15.247, Code 2007, is amended by adding  
6 9 the following new subsections:  
6 10 NEW SUBSECTION. 7. In order to receive financial  
6 11 assistance under this section a targeted small business shall  
6 12 participate in mentoring services from a targeted small  
6 13 business advocate service provider.  
6 14 NEW SUBSECTION. 8. a. In order to receive financial  
6 15 assistance under this section, an application for financial  
6 16 assistance submitted on or after July 1, 2007, must be  
6 17 approved by the targeted small business financial assistance  
6 18 board created in this subsection.  
6 19 b. The targeted small business financial assistance board  
6 20 shall consist of seven members appointed by the director  
6 21 representing backgrounds in the areas of finance, insurance,  
6 22 or banking. The members shall be business owners in the  
6 23 private, for-profit sector. All of the following populations  
6 24 shall be represented separately by at least one member:  
6 25 (1) Hispanic.  
6 26 (2) Black.  
6 27 (3) Asian or Pacific Islander.  
6 28 (4) Minority woman.  
6 29 (5) Caucasian woman.  
6 30 (6) Native American.  
6 31 (7) A person with a disability as defined in section  
6 32 15.102.  
6 33 c. A person within the fourth degree of consanguinity of  
6 34 an employee of the department, a person within the fourth  
6 35 degree of consanguinity of a member of the targeted small



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 890 - Introduced continued

7 1 business financial assistance board or member's relative, or a  
7 2 business with any financial ties to a member shall not be  
7 3 eligible for financial assistance under the program during the  
7 4 employee's employment or the member's tenure on the board, as  
7 5 applicable. Members shall serve two year terms and may be  
7 6 reappointed.

7 7 d. The targeted small business financial assistance board  
7 8 shall consider all applications for financial assistance under  
7 9 the program submitted on or after July 1, 2007.

7 10 Sec. 8. Section 19B.7, subsection 1, paragraph d, Code  
7 11 2007, is amended to read as follows:

7 12 d. Report results under the contract compliance policy to  
7 13 the governor and the general assembly on an annual basis. Any  
7 14 information reported by the department of administrative

7 15 services to the department of economic development pursuant to  
7 16 section 15.108 shall not be required to be part of the report  
7 17 under this paragraph. The report shall detail specific

7 18 efforts to promote equal opportunity through state contracts  
7 19 and services and efforts to promote, develop, and stimulate  
7 20 the utilization of minority, women's, and disadvantaged  
7 21 business enterprises in programs receiving or benefiting from  
7 22 state financial assistance.

7 23 Sec. 9. Section 73.16, subsection 2, unnumbered paragraph  
7 24 1, Code 2007, is amended to read as follows:

7 25 The Prior to the commencement of a fiscal year, the  
7 26 director of each agency or department of state government  
7 27 having purchasing authority, in cooperation with the targeted  
7 28 small business marketing and compliance manager of the

7 29 department of economic development, shall establish for that  
7 30 fiscal year a procurement goal from certified targeted small  
7 31 businesses identified pursuant to section 10A.104, subsection  
7 32 8, of at least ten percent of the value of anticipated

7 33 procurements of. The procurement goal shall include the  
7 34 procurement of all goods and services, including construction,  
7 35 but not including utility services, each fiscal year. A



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House File 890 - Introduced continued

8 1 procurement goal shall be stated in terms of a dollar amount  
 8 2 of certified purchases and shall be established at a level  
 8 3 that exceeds the procurement levels from certified targeted  
 8 4 small businesses during the previous fiscal year. The  
 8 5 director of an agency or department of state government that  
 8 6 has established a procurement goal as required under this  
 8 7 subsection shall provide a report within fifteen business days  
 8 8 following the end of each calendar quarter to the targeted  
 8 9 small business marketing and compliance manager of the  
 8 10 department of economic development, providing the total dollar  
 8 11 amount of certified purchases from certified targeted small  
 8 12 businesses during the previous calendar quarter. The required  
 8 13 report shall be made in a form approved by the targeted small  
 8 14 business marketing and compliance manager. The first  
 8 15 quarterly report shall be for the calendar quarter ending  
 8 16 September 30, 2007. The director of each department and  
 8 17 agency of state government shall cooperate with the director  
 8 18 of the department of inspections and appeals, the director of  
 8 19 the department of economic development, and the director of  
 8 20 the department of management and do all acts necessary to  
 8 21 carry out the provisions of this division.

8 22 Sec. 10. Section 262.34A, subsection 2, Code 2007, is  
 8 23 amended to read as follows:

8 24 2. Notwithstanding section 73.16, subsection 2, and due to  
 8 25 the high volume of bids issued by the board and the need to  
 8 26 coordinate bidding of three institutions of higher learning,  
 8 27 the board ~~may~~ shall issue electronic bid notices for  
 8 28 distribution to the targeted small business internet site  
 8 29 through internet links to each of the regents institutions.

8 30 Sec. 11. APPLICATION REVIEW. For applications for  
 8 31 financial assistance under section 15.247 received on or  
 8 32 before June 30, 2007, the department of economic development  
 8 33 shall use the same review and approval process used prior to  
 8 34 the effective date of this Act.

8 35 Sec. 12. TARGETED SMALL BUSINESS ADVOCATE SERVICE  
 9 1 PROVIDERS.

9 2 1. There is appropriated from the general fund of the  
 9 3 state to the department of economic development for the fiscal  
 9 4 year beginning July 1, 2006, and ending June 30, 2007, the  
 9 5 following amount, or so much thereof as is necessary, to be  
 9 6 used for the purposes designated:

9 7 For the establishment of targeted small business advocate  
 9 8 service providers, including salaries, support, maintenance,  
 9 9 and miscellaneous purposes:

9 10 ..... \$ 900,000

9 11 2. Of the moneys appropriated under this section, not more  
 9 12 than \$150,000 shall be expended on one targeted small business  
 9 13 advocate service provider.

9 14 3. Notwithstanding section 8.33, moneys appropriated in  
 9 15 this section that remain unencumbered or unobligated at the  
 9 16 close of the fiscal year shall not revert but shall remain  
 9 17 available for expenditure for the purposes designated until  
 9 18 the close of the succeeding fiscal year.

9 19 Sec. 13. TARGETED SMALL BUSINESS FINANCIAL ASSISTANCE  
 9 20 PROGRAM. There is appropriated from the general fund of the  
 9 21 state to the department of economic development for the fiscal



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

9 22 year beginning July 1, 2006, and ending June 30, 2007, the  
9 23 following amount, or so much thereof as is necessary, to be  
9 24 used for the purposes designated:

9 25       For deposit in the targeted small business financial  
9 26 assistance program account of the strategic investment fund:  
9 27 ..... \$ 2,500,000

9 28       Notwithstanding section 8.33, moneys appropriated in this  
9 29 section that remain unencumbered or unobligated at the close  
9 30 of the fiscal year shall not revert but shall remain available  
9 31 for expenditure for the purposes designated until the close of  
9 32 the succeeding fiscal year.

9 33       Sec. 14.   MARKETING AND COMPLIANCE MANAGER.

9 34       1.   There is appropriated from the general fund of the  
9 35 state to the department of economic development for the fiscal



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

House File 890 - Introduced continued

10 1 year beginning July 1, 2006, and ending June 30, 2007, the  
 10 2 following amount, or so much thereof as is necessary, to be  
 10 3 used for the purposes designated:

10 4     For purposes of marketing and compliance activities and for  
 10 5 administrative costs related to the targeted small business  
 10 6 financial assistance program and the Iowa targeted small  
 10 7 business procurement Act, including salaries, support,  
 10 8 maintenance, miscellaneous purposes, and for not more than the  
 10 9 following full-time equivalent positions:

10 10 .....	\$	225,000
10 11 .....	FTEs	1.00

10 12     2. From moneys appropriated under this section, the  
 10 13 department shall create a full-time position for a targeted  
 10 14 small business marketing and compliance manager. The position  
 10 15 shall be responsible, at a minimum, for coordinating the  
 10 16 establishment of the targeted small business advocate service  
 10 17 providers, providing marketing support for the Iowa targeted  
 10 18 small business procurement Act and targeted small business  
 10 19 financial assistance program, providing state agencies with  
 10 20 Iowa targeted small business procurement Act assistance, and  
 10 21 providing any related services.

10 22     3. The department may use moneys appropriated under this  
 10 23 section for purposes of paying fees associated with services  
 10 24 provided by the auditor of state pursuant to section 11.46.

10 25     4. Notwithstanding section 8.33, moneys appropriated in  
 10 26 this section that remain unencumbered or unobligated at the  
 10 27 close of the fiscal year shall not revert but shall remain  
 10 28 available for expenditure for the purposes designated until  
 10 29 the close of the succeeding fiscal year.

10 30     Sec. 15. PROCESS IMPROVEMENT == MARKETING ACTIVITIES.  
 10 31 There is appropriated from the general fund of the state to  
 10 32 the department of economic development for the fiscal year  
 10 33 beginning July 1, 2006, and ending June 30, 2007, the  
 10 34 following amount, or so much thereof as is necessary, to be  
 10 35 used for the purposes designated:



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House File 890 - Introduced continued

11 1 For implementing process improvement activities and for  
 11 2 administrative costs for the targeted small business financial  
 11 3 assistance program and the Iowa targeted small business  
 11 4 procurement Act, for developing and conducting a vendor fair  
 11 5 to increase awareness of the targeted small business financial  
 11 6 assistance program and the Iowa targeted small business  
 11 7 procurement Act, and for an awards banquet to recognize the  
 11 8 accomplishments under the Iowa targeted small business  
 11 9 procurement Act:

11 10 ..... \$ 225,000

11 11 The department may use moneys appropriated under this  
 11 12 section for purposes of paying fees associated with services  
 11 13 provided by the auditor of state pursuant to section 11.46.  
 11 14 Notwithstanding section 8.33, moneys appropriated in this  
 11 15 section that remain unencumbered or unobligated at the close  
 11 16 of the fiscal year shall not revert but shall remain available  
 11 17 for expenditure for the purposes designated until the close of  
 11 18 the succeeding fiscal year.

11 19 Sec. 16. CERTIFICATION.

11 20 1. There is appropriated from the general fund of the  
 11 21 state to the department of inspections and appeals for the  
 11 22 fiscal year beginning July 1, 2006, and ending June 30, 2007,  
 11 23 the following amount, or so much thereof as is necessary, to  
 11 24 be used for the purposes designated:

11 25 For purposes of a dedicated targeted small business  
 11 26 certification employee, including salaries, support,  
 11 27 maintenance, miscellaneous purposes, and for not more than the  
 11 28 following full-time equivalent positions:

11 29 ..... \$ 150,000  
 11 30 ..... FTEs 1.00

11 31 2. From moneys appropriated under this section, the  
 11 32 department shall create a full-time position for a targeted  
 11 33 small business certification employee. The position shall be  
 11 34 responsible, at a minimum, for processing applications for  
 11 35 targeted small business applications, conducting on-site



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House File 890 - Introduced continued

12 1 visits, maintaining a publicly available active directory of  
12 2 certified targeted small businesses, organizing and  
12 3 participating in educational meetings for certified targeted  
12 4 small businesses and potential targeted small businesses,  
12 5 coordinating activities with other state agencies to promote  
12 6 the Iowa targeted small business procurement Act, and any  
12 7 other related responsibilities.

12 8 3. Notwithstanding section 8.33, moneys appropriated in  
12 9 this section that remain unencumbered or unobligated at the  
12 10 close of the fiscal year shall not revert but shall remain  
12 11 available for expenditure for the purposes designated until  
12 12 the close of the succeeding fiscal year.

12 13 Sec. 17. EFFECTIVE DATE. This Act, being deemed of  
12 14 immediate importance, takes effect upon enactment.

12 15 EXPLANATION

12 16 This bill relates to assistance for small businesses.

12 17 Currently, a state agency may purchase directly from a  
12 18 vendor, instead of through the department of administrative  
12 19 services, and avoid the competitive bidding process if the  
12 20 purchase will not exceed \$5,000 and the purchase will  
12 21 contribute to the agency complying with or exceeding the  
12 22 targeted small business procurement goals. The bill increases  
12 23 the threshold to \$10,000.

12 24 The bill provides that after the conclusion of each fiscal  
12 25 year, the auditor of state shall annually conduct a review of  
12 26 targeted small business procurement activities. The bill  
12 27 requires the auditor of state to file a written report with  
12 28 the governor and the general assembly which shall include the  
12 29 findings of the review.

12 30 Currently, one of the criteria for a small business under  
12 31 Code chapter 15 and for a targeted small business is that the  
12 32 business has a gross income of less than \$3 million. The bill  
12 33 increases this amount to \$4 million.

12 34 The bill amends the duties of the department of economic  
12 35 development regarding the Iowa targeted small business



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

House File 890 - Introduced continued

13 1 procurement Act and the targeted small business financial  
13 2 assistance program. The bill requires the department of  
13 3 administrative services to file an annual report with the  
13 4 department of economic development regarding the Iowa targeted  
13 5 small business procurement Act activities during the previous  
13 6 fiscal year. The bill requires the department of inspections  
13 7 and appeals to file an annual report with the department of  
13 8 economic development regarding certifications of targeted  
13 9 small businesses. The bill requires the targeted small  
13 10 business marketing and compliance manager to annually compile  
13 11 a list of procurement goals. The bill requires the department  
13 12 to file an annual written report with the governor and the  
13 13 general assembly compiling all the reports. The bill requires  
13 14 state agencies to cooperate with the department in publicizing  
13 15 both programs. The bill requires the department to establish  
13 16 targeted small business advocate service providers for  
13 17 purposes of providing mentoring, outreach, and professional  
13 18 development services to certified targeted small businesses.  
13 19 The bill requires the providers to be established through a  
13 20 request for proposals process.  
13 21 Currently, under the targeted small business financial  
13 22 assistance program, guarantees are provided which do not  
13 23 exceed 75 percent for loans made by qualified lenders. The  
13 24 bill increases the percentage to 80 percent and limits such  
13 25 loans to seven years or less.  
13 26 The bill eliminates the ability of low-income persons from  
13 27 receiving assistance under the targeted small business  
13 28 financial assistance program. The bill provides that grants  
13 29 under the program shall only be awarded when additional  
13 30 financing is secured by the applicant.  
13 31 The bill provides that a targeted small business that  
13 32 receives financial assistance under the targeted small  
13 33 business financial assistance program must participate in  
13 34 mentoring services from a targeted small business accelerator.  
13 35 The bill creates a targeted small business financial



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

House File 890 - Introduced continued

14 1 assistance board. The bill provides that an application for  
14 2 financial assistance submitted on or after July 1, 2007, must  
14 3 be approved by the board in order to receive financial  
14 4 assistance under the program.  
14 5 Currently, under the Iowa targeted small business  
14 6 procurement Act, the director of each agency or department of  
14 7 state government having purchasing authority must establish a  
14 8 procurement goal from certified targeted small businesses, of  
14 9 at least 10 percent of the value of anticipated procurements  
14 10 of goods and services, including construction, but not  
14 11 including utility services, each fiscal year. The bill  
14 12 eliminates the 10 percent goal. The bill requires, prior to  
14 13 each new fiscal year, each department or agency, in  
14 14 cooperation with the department of economic development, to  
14 15 establish a procurement goal from certified small businesses.  
14 16 The procurement goals must include the procurement of all  
14 17 goods and services, including construction, but not including  
14 18 utility services. The goals must be stated in terms of dollar  
14 19 amount of certified purchases and must be established at a  
14 20 level that exceeds previous fiscal year levels. The bill  
14 21 requires quarterly reports to be filed with the department of  
14 22 economic development regarding certified purchases from  
14 23 certified targeted small businesses during the previous  
14 24 calendar quarter.  
14 25 The bill provides justification for allowing the state  
14 26 board of regents to issue electronic bid notices for  
14 27 distribution to the targeted small business internet site  
14 28 through internet links to each of the regents institutions.  
14 29 The bill appropriates \$900,000 from the general fund of the  
14 30 state to the department of economic development for FY  
14 31 2006=2007 for the establishment of targeted small business  
14 32 advocate service providers. The bill limits the amount that  
14 33 may be expended on one targeted small business advocat  
14 34 service provider to \$150,000.  
14 35 The bill appropriates \$2.5 million from the general fund of



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

House File 890 - Introduced continued

15 1 the state to the department of economic development for FY  
15 2 2006=2007 for deposit in the targeted small business financial  
15 3 assistance program account of the strategic investment fund.  
15 4 The bill appropriates \$225,000 from the general fund of the  
15 5 state to the department of economic development for FY  
15 6 2006=2007 for purposes of marketing and compliance activities  
15 7 and administrative costs related to the targeted small  
15 8 business financial assistance program and the Iowa targeted  
15 9 small business procurement Act. The bill requires the  
15 10 department to create a full-time position for a targeted small  
15 11 business marketing and compliance manager.  
15 12 The bill appropriates \$225,000 from the general fund of the  
15 13 state to the department of economic development for FY  
15 14 2006=2007 for implementing process improvement activities and  
15 15 for administrative costs for the targeted small business  
15 16 financial assistance program and the Iowa targeted small  
15 17 business procurement Act, for developing and conducting a  
15 18 vendor fair to increase awareness of the targeted small  
15 19 business financial assistance program and the Iowa targeted  
15 20 small business procurement Act, and for an awards banquet to  
15 21 recognize the accomplishments under the Iowa targeted small  
15 22 business procurement Act.  
15 23 The bill appropriates \$150,000 from the general fund of the  
15 24 state to the department of inspections and appeals for FY  
15 25 2006=2007 for purposes of a dedicated targeted small business  
15 26 certification employee.  
15 27 The bill takes effect upon enactment.  
15 28 LSB 1517HZ 82  
15 29 tm:rj/gg/14



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House File 891 - Introduced

HOUSE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 518)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

A BILL FOR

1 An Act to support the establishment of a George Washington Carver  
2 endowed chair at the Iowa state university of science and  
3 technology and making an appropriation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2489HV 82  
6 kh/es/88



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House File 891 - Introduced continued

PAG LIN

1 1 Section 1. STATE BOARD OF REGENTS == GEORGE WASHINGTON  
 1 2 CARVER ENDOWED CHAIR. There is appropriated from the general  
 1 3 fund of the state to the state board of regents for the fiscal  
 1 4 period beginning July 1, 2007, and ending June 30, 2009, the  
 1 5 following amounts, or so much thereof as is necessary, to be  
 1 6 used for the purpose designated:

1 7 For purposes of recruiting and retaining high-quality  
 1 8 faculty and to support their academic pursuits and endeavors  
 1 9 through the establishment of the George Washington Carver  
 1 10 endowed chair at the Iowa state university of science and  
 1 11 technology:  
 1 12 FY 2007=2008 ..... \$ 250,000  
 1 13 FY 2008=2009 ..... \$ 250,000

1 14 Moneys appropriated for purposes of the George Washington  
 1 15 Carver endowed chair as provided by this section shall be  
 1 16 allocated only to the extent that the state moneys are matched  
 1 17 from other sources by the Iowa state university of science and  
 1 18 technology on a basis of a two dollar university contribution  
 1 19 for every one dollar appropriated under this section.

EXPLANATION

1 21 This bill appropriates \$250,000 from the general fund of  
 1 22 the state to the state board of regents for FY 2007=2008 and  
 1 23 FY 2008=2009 for purposes of recruiting and retaining high  
 1 24 quality faculty and to support their academic pursuits and  
 1 25 endeavors through the establishment of the George Washington  
 1 26 Carver endowed chair at the Iowa state university of science  
 1 27 and technology (ISU). The allocation of the moneys requires a  
 1 28 match of \$2 by ISU for every \$1 provided of state moneys.  
 1 29 LSB 2489HV 82  
 1 30 kh:nh/es/88



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

House Resolution 37 - Introduced

PAG LIN

1 1 HOUSE RESOLUTION NO.  
1 2 BY ALONS, ABDUL-SAMAD, ANDERSON, ARNOLD,  
1 3 BAUDLER, BELL, BERRY, BOAL, BUKTA, CHAMBERS,  
1 4 CLUTE, COHOON, DANDEKAR, DAVITT, DE BOEF,  
1 5 DEYOE, DOLECHECK, DRAKE, FOEGE, FORD, FORRISTALL,  
1 6 FREVERT, GASKILL, GAYMAN, GIPP, GRANZOW,  
1 7 GRASSLEY, GREINER, HEATON, HEDDENS, HOFFMAN,  
1 8 HORBACH, HUNTER, JACOBS, JACOBY, JOCHUM,  
1 9 KAUFMANN, KELLEY, KRESSIG, KUHN, LENSING,  
1 10 LUKAN, LYKAM, MASCHER, MAY, McCARTHY, MERTZ,  
1 11 H. MILLER, L. MILLER, MURPHY, OLDSON, D. OLSON,  
1 12 R. OLSON, S. OLSON, T. OLSON, PALMER, PAULSEN,  
1 13 PETERSEN, QUIRK, RAECKER, RANTS, RASMUSSEN,  
1 14 RAYHONS, REASONER, REICHERT, ROBERTS, SANDS,  
1 15 SCHICKEL, SCHUELLER, SHOMSHOR, SMITH, SODERBERG,  
1 16 STAED, STRUYK, SWAIM, D. TAYLOR, T. TAYLOR,  
1 17 THOMAS, TJEPKES, TOMENGA, TYMESON, UPMEYER,  
1 18 VAN ENGELENHOVEN, VAN FOSSEN, WATTS, WENDT,  
1 19 WENTHE, WESSEL-KROESCHELL, WHITAKER, WHITEAD,  
1 20 WIENCEK, WINCKLER, WINDSCHITL, WISE, WORTHAN,  
1 21 PETTENGILL, BAILEY, HUSEMAN, and HUSER  
1 22 A Resolution honoring the 133rd Test Squadron of the  
1 23 Iowa Air National Guard for its ongoing role in the  
1 24 Global War on Terror.  
1 25 WHEREAS, the 133rd Test Squadron of the Iowa Air  
1 26 National Guard stationed in Fort Dodge, Iowa, is the  
1 27 only command and control test squadron in the United  
1 28 States Air Force; and  
1 29 WHEREAS, the 133rd is chartered with ensuring that  
1 30 all air force and joint military systems are being



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House Resolution 37 - Introduced continued

2 1 thoroughly tested prior to being delivered to the  
2 2 war=fighters as system upgrades and modernization of  
2 3 command and control systems; and  
2 4       WHEREAS, the 133rd consists of 32 full=time  
2 5 technicians and 100 traditional guardsmen for a total  
2 6 132 personnel; and  
2 7       WHEREAS, since the tragedy of 9/11, unit personnel  
2 8 have volunteered to complete 2,100 man=days in support  
2 9 of various deployments related to the Global War on  
2 10 Terror; and  
2 11       WHEREAS, services provided by the 133rd include:  
2 12 providing specialized hands=on training for newly  
2 13 designed command and control centers around the world  
2 14 ensuring maximum user ease and proficiency in waging  
2 15 the Global War on Terror; providing data link support  
2 16 for newly developed NORAD systems ensuring the  
2 17 exchange of data between the United States and our  
2 18 Canadian allies is correct; successful development and  
2 19 implementation of the battlefield universal gateway  
2 20 equipment in North Africa and nonorganic radar access  
2 21 in Iraq and Afghanistan, allowing all coalition ground  
2 22 troops to interface with each other and airborne  
2 23 assets; preventing any instances of fratricide; and  
2 24 solving complex radar data sharing problems which  
2 25 resulted in a safe, secure, and successful G8 Summit  
2 26 in 2004 allowing world leaders to discuss current  
2 27 worldwide problems and solutions free from the threat  
2 28 of terrorism; and  
2 29       WHEREAS, in 2006 alone the 133rd conducted 20 test  
2 30 or training events totaling 1,545 man=days and won the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

House Resolution 37 - Introduced continued

3 1 State Air Family Readiness Group of the Year Award,  
3 2 members of the unit won the State Air Family Readiness  
3 3 Individual of the Year Award and the Senior Master  
3 4 Sergeant Exceptional Promotion Program, and the unit  
3 5 had a unit compliance inspection with a 96 percent  
3 6 compliance rate; NOW THEREFORE,  
3 7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
3 8 That the House of Representatives honors the members  
3 9 of the 133rd Test Squadron of the Iowa Air National  
3 10 Guard for their ongoing commitment to excellence and  
3 11 thanks them for their service to America and the world  
3 12 in the continuing Global War on Terror.  
3 13 LSB 2882HH 82  
3 14 jr:nh/je/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

## Senate Amendment 3225

PAG LIN

1 1 Amend Senate File 403, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 2, line 13, by striking the words <OFFICE  
 1 4 OF RENEWABLE ENERGY> and inserting the following:  
 1 5 <IOWA ENERGY INDEPENDENCE OFFICE>.  
 1 6 #2. Page 2, lines 19 and 20, by striking the words  
 1 7 <office of renewable energy> and inserting the  
 1 8 following: <Iowa energy independence office>.  
 1 9 #3. Page 5, line 19, by striking the words <and  
 1 10 Centerville>.  
 1 11 #4. Page 5, line 28, by inserting after the word  
 1 12 <loan.> the following: <Not more than 5 percent of  
 1 13 the amount appropriated shall be used for the  
 1 14 administrative costs of the grantee so that 95 percent  
 1 15 of the appropriation amount is used for providing  
 1 16 loans and loan guarantees.>  
 1 17 #5. Page 6, by striking lines 18 and 19 and  
 1 18 inserting the following: <IowaCare account created in  
 1 19 section 249J.24 to the state board of regents for  
 1 20 distribution to the university of Iowa>.  
 1 21 #6. Page 15, line 23, by striking the word <a.>  
 1 22 #7. Page 16, by striking lines 2 and 3 and  
 1 23 inserting the following: <the general assembly and  
 1 24 approval by the governor. The commission shall not  
 1 25 issue any bonding or other>.  
 1 26 #8. By renumbering, relettering, or redesignating  
 1 27 and correcting internal references as necessary.  
 1 28 SF 403.H  
 1 29 jp/jg/25

1 30  
 1 31  
 1 32  
 1 33  
 1 34  
 1 35  
 1 36  
 1 37  
 1 38  
 1 39  
 1 40  
 1 41  
 1 42  
 1 43  
 1 44  
 1 45  
 1 46  
 1 47  
 1 48  
 1 49  
 1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate Amendment 3226

PAG LIN

1 1 Amend Senate File 499 as follows:  
1 2 #1. Page 9, by striking lines 2 through 32 and  
1 3 inserting the following:  
1 4 <Sec. \_\_\_\_\_. Section 455G.9, subsection 1, paragraph  
1 5 k, Code 2007, is amended by striking the paragraph and  
1 6 inserting in lieu thereof the following:  
1 7 k. Pursuant to an agreement between the board and  
1 8 the department of natural resources, assessment and  
1 9 corrective action arising out of releases at sites for  
1 10 which a no further action certificate has been issued  
1 11 pursuant to section 455B.474, when the department  
1 12 determines that an unreasonable risk to public health  
1 13 and safety may still exist. At a minimum, the  
1 14 agreement shall address eligible costs, contracting  
1 15 for services, and conditions under which sites may be  
1 16 reevaluated.>  
1 17 #2. Page 10, by striking lines 4 through 6 and  
1 18 inserting the following: <to the closure activities.>  
1 19 #3. By renumbering as necessary.  
1 20  
1 21  
1 22  
1 23 FRANK B. WOOD  
1 24 SF 499.501 82  
1 25 tm/je/8439  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

## Senate Amendment 3227

PAG LIN

1 1 Amend Senate File 462 as follows:  
1 2 #1. Page 1, by striking lines 13 through 18 and  
1 3 inserting the following: <a tattoo, body piercing, or  
1 4 body modification to a minor. ~~For the purposes of~~  
~~1 5 this section, "minor" means an unmarried person who is~~  
~~1 6 under the age of eighteen years.>~~  
1 7 #2. Page 2, by inserting after line 20 the  
1 8 following:  
1 9 <6. This section shall not apply to a procedure  
1 10 performed by a person licensed pursuant to chapter 148  
1 11 or 150A.>  
1 12  
1 13  
1 14  
1 15 JOE BOLKCOM  
1 16 SF 462.201 82  
1 17 jr/es/6219  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

**Senate Amendment 3228**

PAG LIN

1 1 Amend Senate File 574 as follows:  
1 2 #1. Title page, line 1, by inserting after the  
1 3 word <emissions> the following: <and making  
1 4 appropriations>.  
1 5  
1 6  
1 7  
1 8 JOE BOLKCOM  
1 9 SF 574.201 82  
1 10 tm/es/8453  
1 11  
1 12  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate Amendment 3229

PAG LIN

1 1 Amend Senate File 462 as follows:  
1 2 #1. Page 1, line 4, by inserting after the word  
1 3 <REQUIREMENT> the following: <== ABORTIONS>.  
1 4 #2. Page 1, line 11, by inserting after the word  
1 5 <tattoo> the following: < , abortion>.  
1 6 #3. Page 1, line 13, by inserting after the word  
1 7 <tattoo> the following: < , abortion>.  
1 8 #4. Page 1, line 32, by inserting after the word  
1 9 <tattoo> the following: < , abortion>.  
1 10 #5. Title page, line 1, by inserting after the  
1 11 words <relating to> the following: <abortions,>.  
1 12  
1 13  
1 14  
1 15 NANCY J. BOETTGER  
1 16 DAVID JOHNSON  
1 17 MARY A. LUNDBY  
1 18 RON WIECK  
1 19 JERRY BEHN  
1 20 PAUL MCKINLEY  
1 21 BRAD ZAUN  
1 22 JAMES F. HAHN  
1 23 LARRY MCKIBBEN  
1 24 DAVE MULDER  
1 25 STEVE KETTERING  
1 26 HUBERT HOUSER  
1 27 DAVID L. HARTSUCH  
1 28 MARK ZIEMAN  
1 29 JAMES A. SEYMOUR  
1 30 JEFF ANGELO  
1 31 JOHN PUTNEY  
1 32 LARRY NOBLE  
1 33 SF 462.301 82  
1 34 jr/cf/6367  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

**Senate Amendment 3230**

PAG LIN

1 1 Amend Senate File 564 as follows:  
1 2 #1. Page 2, line 2, by inserting after the word  
1 3 <dog> the following: <or fox>.  
1 4 #2. Page 3, line 14, by inserting after the word  
1 5 <wolf> the following: <or a domestic dog and a fox>.  
1 6 #3. By renumbering as necessary.  
1 7  
1 8  
1 9  
1 10 THOMAS RIELLY  
1 11 SF 564.202 82  
1 12 da/es/8817  
1 13  
1 14  
1 15  
1 16  
1 17  
1 18  
1 19  
1 20  
1 21  
1 22  
1 23  
1 24  
1 25  
1 26  
1 27  
1 28  
1 29  
1 30  
1 31  
1 32  
1 33  
1 34  
1 35  
1 36  
1 37  
1 38  
1 39  
1 40  
1 41  
1 42  
1 43  
1 44  
1 45  
1 46  
1 47  
1 48  
1 49  
1 50



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

**Senate File 574 - Introduced**

SENATE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 494)  
(SUCCESSOR TO SF 262)

Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**A BILL FOR**

- 1 An Act relating to statewide greenhouse gas emissions.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 TLSB 2393SZ 82
- 4 tm/je/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate File 574 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 455B.152 GREENHOUSE GAS  
1 2 INVENTORY AND REGISTRY.  
1 3 1. DEFINITIONS. For purposes of this section, "greenhouse  
1 4 gas" means carbon dioxide, methane, nitrous oxide,  
1 5 hydrofluorocarbons, perfluorocarbons, or sulphur hexafluoride.  
1 6 2. GREENHOUSE GAS INVENTORY.  
1 7 a. By January 1, 2008, the department shall establish a  
1 8 method for collecting data from producers of greenhouse gases  
1 9 regarding generated greenhouse gases. The data collection  
1 10 method shall provide for mandatory reporting to collect  
1 11 information from affected entities individually and shall  
1 12 include information regarding the amount and type of  
1 13 greenhouse gases generated, the type of source, and other  
1 14 information deemed relevant by the department in developing a  
1 15 baseline measure of greenhouse gases produced in the state.  
1 16 b. The department may allow a series of reporting  
1 17 requirements to be phased in over a period of time and may  
1 18 provide for phasing in by producer sector, geographic area,  
1 19 size of producer, or other factors. The reporting  
1 20 requirements shall apply to the departments, agencies, boards,  
1 21 and commissions of the state, in addition to any other  
1 22 entities subject to the reporting requirements established by  
1 23 the department.  
1 24 3. GREENHOUSE GAS REGISTRY.  
1 25 a. The department shall establish a voluntary greenhouse  
1 26 gas registry for purposes of cooperating with other states in  
1 27 tracking, managing, and crediting entities in the state that  
1 28 reduce their generation of greenhouse gases or that provide  
1 29 increased energy efficiency.  
1 30 b. The department shall develop a mechanism to coordinate  
1 31 the information obtained in the greenhouse gas inventory with  
1 32 the greenhouse gas registry.  
1 33 4. AVAILABILITY. By January 1, 2009, the greenhouse gas  
1 34 registry shall be made available on an internet website.  
1 35 Sec. 2. NEW SECTION. 455B.851 IOWA CLIMATE CHANGE



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 574 - Introduced continued

2 1 ADVISORY COUNCIL.  
2 2 1. The department shall create an Iowa climate change  
2 3 advisory council consisting of eighteen voting members serving  
2 4 three-year staggered terms and four nonvoting, ex officio  
2 5 members.  
2 6 2. a. The voting members shall be appointed by the  
2 7 governor and shall represent the following:  
2 8 (1) The university of Iowa center for global and regional  
2 9 environmental research.  
2 10 (2) The university of northern Iowa center for energy and  
2 11 environmental education.  
2 12 (3) The Iowa farm bureau.  
2 13 (4) The Iowa public transit association.  
2 14 (5) Rural electric cooperatives.  
2 15 (6) Investor-owned utilities.  
2 16 (7) Municipal utilities.  
2 17 (8) The Iowa utilities board.  
2 18 (9) One association with environmental interests or  
2 19 activities.  
2 20 (10) One association with conservation interests or  
2 21 activities.  
2 22 (11) The international brotherhood of electrical workers.  
2 23 (12) The Iowa association of business and industry.  
2 24 (13) The Iowa energy center.  
2 25 (14) The Iowa renewable fuels association.  
2 26 (15) The office of consumer advocate of the department of  
2 27 justice.  
2 28 (16) A representative from local government.  
2 29 (17) The director of the office of energy independence in  
2 30 the office of the governor.  
2 31 (18) A manufacturer of equipment used for alternative  
2 32 energy production.  
2 33 b. The four nonvoting, ex officio members shall consist of  
2 34 four members of the general assembly, two from the senate and  
2 35 two from the house of representatives, with not more than one



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 574 - Introduced continued

3 1 member from each chamber being from the same political party.  
3 2 The two senators shall be designated by the majority leader of  
3 3 the senate after consultation with the president and the  
3 4 minority leader of the senate. The two representatives shall  
3 5 be designated by the speaker of the house of representatives  
3 6 after consultation with the majority and minority leaders of  
3 7 the house of representatives.

3 8 3. Voting members of the council shall serve at the  
3 9 pleasure of the governor and shall serve without compensation.

3 10 4. The chairperson of the council shall be designated by  
3 11 the governor and may convene the council at any time.

3 12 5. A vacancy in the membership shall not impair the right  
3 13 of a quorum to exercise all the rights and perform all the  
3 14 duties of the council. A majority of the council members then  
3 15 appointed constitutes a quorum. A majority vote of the quorum  
3 16 is required for council action.

3 17 6. The department shall provide necessary staff assistance  
3 18 to the council.

3 19 7. After consideration of a full range of policies and  
3 20 strategies, the council shall develop multiple scenarios  
3 21 designed to reduce statewide greenhouse gas emissions  
3 22 including one scenario that would reduce such emissions by  
3 23 fifty percent by 2050. The council shall also develop  
3 24 short-term, medium-term, and long-term scenarios designed to  
3 25 reduce statewide greenhouse gas emissions. The council shall  
3 26 establish a baseline year for purposes of calculating  
3 27 reductions in statewide greenhouse gas emissions. The council  
3 28 shall submit the proposal to the governor and the general  
3 29 assembly by January 1, 2008.

3 30 8. The council may periodically adopt recommendations  
3 31 designed to encourage the reduction of statewide greenhouse  
3 32 gas emissions.

3 33 9. By September 1 of each year, the department shall  
3 34 submit a report to the governor and the general assembly  
3 35 regarding the greenhouse gas emissions in the state during the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 574 - Introduced continued

4 1 previous calendar year and forecasting trends in such  
4 2 emissions. The first submission by the department shall be  
4 3 filed by September 1, 2008, for the calendar year beginning  
4 4 January 1, 2007.  
4 5 10. There is appropriated from the general fund of the  
4 6 state to the department of natural resources for the fiscal  
4 7 period beginning July 1, 2007, and ending June 30, 2011, the  
4 8 sum of one hundred thousand dollars each fiscal year for  
4 9 purposes of the establishment and support of the Iowa climate  
4 10 change advisory council. Notwithstanding section 8.33, moneys  
4 11 appropriated in this subsection that remain unencumbered or  
4 12 unobligated at the close of the fiscal year shall not revert  
4 13 but shall remain available for expenditure for the purposes  
4 14 designated until the close of the succeeding fiscal year.

4 15 EXPLANATION

4 16 This bill relates to statewide greenhouse emissions.  
4 17 The bill provides that, by January 1, 2008, the department  
4 18 of natural resources shall establish a method for collecting  
4 19 data from producers of greenhouse gases. The bill includes a  
4 20 mandatory reporting requirement as part of the data collection  
4 21 method. The bill allows the department to phase in reporting  
4 22 requirements.  
4 23 The bill requires the department to establish a voluntary  
4 24 greenhouse gas registry for purposes of cooperating with other  
4 25 states in tracking, managing, and crediting entities in the  
4 26 state that reduce their generation of greenhouse gases or that  
4 27 provide increased energy efficiency.  
4 28 The bill requires the department of natural resources to  
4 29 create an Iowa climate change advisory council consisting of  
4 30 18 voting members and four nonvoting, ex officio members  
4 31 representing the general assembly. The bill provides that the  
4 32 voting members are appointed by the governor and shall  
4 33 represent certain associations and groups. The bill requires  
4 34 the governor to designate the chairperson of the council. The  
4 35 bill requires the department to provide necessary staff



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 574 - Introduced continued

5 1 assistance to the council.

5 2     The bill requires the council, after consideration of a  
5 3 full range of policies and strategies, to adopt multiple  
5 4 scenarios designed to reduce statewide greenhouse gas  
5 5 emissions including one scenario that would reduce such  
5 6 emissions by 50 percent by 2050. The bill requires the  
5 7 council to also develop short-term, medium-term, and long-term  
5 8 scenarios, designed to reduce statewide greenhouse gas  
5 9 emissions. The council shall submit the proposal to the  
5 10 governor and the general assembly by January 1, 2008.

5 11     By September 1 of each year, the bill requires the  
5 12 department to submit a report to the governor and the general  
5 13 assembly regarding the greenhouse gas emissions in the state  
5 14 during the previous calendar year and forecasting trends in  
5 15 such emissions.

5 16     The bill appropriates from the general fund of the state to  
5 17 the department of natural resources for the fiscal period  
5 18 beginning July 1, 2007, and ending June 30, 2011, the sum of  
5 19 \$100,000 each fiscal year for purposes of the establishment  
5 20 and support of the Iowa climate change advisory council.

5 21 LSB 2393SZ 82

5 22 tm:rj/je/5



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

**Senate File 575 - Introduced**

SENATE FILE  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1338)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays  
Approved

**A BILL FOR**

- 1 An Act relating to and making appropriations to the justice
- 2 system.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1131SV 82
- 5 jm/je/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

PAG LIN

1 1 Section 1. DEPARTMENT OF JUSTICE.

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

1 3 state to the department of justice for the fiscal year

1 4 beginning July 1, 2007, and ending June 30, 2008, the

1 5 following amounts, or so much thereof as is necessary, to be

1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for

1 8 salaries, support, maintenance, miscellaneous purposes

1 9 including the prosecuting attorneys training program, victim

1 10 assistance grants, office of drug control policy (ODCP)

1 11 prosecuting attorney program, odometer fraud enforcement, and

1 12 for not more than the following full-time equivalent

1 13 positions:

1 14 .....	\$ 8,917,205
1 15 .....	FTEs 225.50

1 16 It is the intent of the general assembly that as a

1 17 condition of receiving the appropriation provided in this

1 18 lettered paragraph, the department of justice shall maintain a

1 19 record of the estimated time incurred representing each agency

1 20 or department.

1 21 b. For victim assistance grants:

1 22 .....	\$ 150,000
------------	------------

1 23 The funds appropriated in this lettered paragraph shall be

1 24 used to provide grants to care providers providing services to

1 25 crime victims of domestic abuse or to crime victims of rape

1 26 and sexual assault.

1 27 The balance of the victim compensation fund established in

1 28 section 915.94 may be used to provide salary and support of

1 29 not more than 22 FTEs and to provide maintenance for the

1 30 victim compensation functions of the department of justice.

1 31 As a condition of receiving the appropriation in this

1 32 subsection, the department of justice shall transfer at least

1 33 \$3,200,000 from the victim compensation fund established in

1 34 section 915.94 to the victim assistance grant program.

1 35 c. For legal services for persons in poverty grants as



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

2 1 provided in section 13.34:  
 2 2 ..... \$ 1,600,000  
 2 3 d. For the purpose of funding farm mediation services and  
 2 4 other farm assistance program provisions in accordance with  
 2 5 sections 13.13 through 13.24:  
 2 6 ..... \$ 100,000  
 2 7 e. For a grant to be determined by the attorney general or  
 2 8 the attorney general's designee, for the establishment of a  
 2 9 pilot project with a nonprofit agency in the sixth judicial  
 2 10 district that focuses primarily on the representation of  
 2 11 children in dissolution proceedings:  
 2 12 ..... \$ 50,000  
 2 13 The nonprofit agency shall be an agency that provides a  
 2 14 support group for school-age children whose parents are  
 2 15 involved in a dissolution of marriage proceeding and shall  
 2 16 provide an alternative dispute resolution family coordinator  
 2 17 for families where one parent has contemplated filing a  
 2 18 petition for dissolution of marriage or has filed such a  
 2 19 petition. The nonprofit agency shall provide a report to the  
 2 20 attorney general on the number of children and families served  
 2 21 under the pilot project and any other measures used to  
 2 22 determine the success of the pilot project by December 15,  
 2 23 2007. The attorney general shall provide the report prepared  
 2 24 by the nonprofit agency to the co-chairpersons and ranking  
 2 25 members of the joint appropriations subcommittee on the  
 2 26 justice system and the legislative services agency by January  
 2 27 15, 2008.  
 2 28 2. a. The department of justice, in submitting budget  
 2 29 estimates for the fiscal year commencing July 1, 2008,  
 2 30 pursuant to section 8.23, shall include a report of funding  
 2 31 from sources other than amounts appropriated directly from the  
 2 32 general fund of the state to the department of justice or to  
 2 33 the office of consumer advocate. These funding sources shall  
 2 34 include but are not limited to reimbursements from other state  
 2 35 agencies, commissions, boards, or similar entities, and



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

3 1 reimbursements from special funds or internal accounts within  
3 2 the department of justice. The department of justice shall  
3 3 also report actual reimbursements for the fiscal year  
3 4 commencing July 1, 2006, and actual and expected  
3 5 reimbursements for the fiscal year commencing July 1, 2007.

3 6 b. The department of justice shall include the report  
3 7 required under paragraph "a", as well as information regarding  
3 8 any revisions occurring as a result of reimbursements actually  
3 9 received or expected at a later date, in a report to the co=  
3 10 chairpersons and ranking members of the joint appropriations  
3 11 subcommittee on the justice system and the legislative  
3 12 services agency. The department of justice shall submit the  
3 13 report on or before January 15, 2008.

3 14 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
3 15 appropriated from the general fund of the state to the office  
3 16 of consumer advocate of the department of justice for the  
3 17 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
3 18 the following amount, or so much thereof as is necessary, to  
3 19 be used for the purposes designated:

3 20 For salaries, support, maintenance, miscellaneous purposes,  
3 21 and for not more than the following full-time equivalent  
3 22 positions:  
3 23 ..... \$ 2,985,115  
3 24 ..... FTEs 27.00

3 25 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.

3 26 1. There is appropriated from the general fund of the  
3 27 state to the department of corrections for the fiscal year  
3 28 beginning July 1, 2007, and ending June 30, 2008, the  
3 29 following amounts, or so much thereof as is necessary, to be  
3 30 used for the purposes designated:

3 31 For the operation of adult correctional institutions,  
3 32 reimbursement of counties for certain confinement costs, and  
3 33 federal prison reimbursement, to be allocated as follows:

3 34 a. For the operation of the Fort Madison correctional  
3 35 facility, including salaries, support, maintenance, and



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

4 1 miscellaneous purposes:  
 4 2 ..... \$ 43,008,741  
 4 3     b. For the operation of the Anamosa correctional facility,  
 4 4 including salaries, support, maintenance, and miscellaneous  
 4 5 purposes:  
 4 6 ..... \$ 29,762,656  
 4 7       Moneys are provided within this appropriation for one full=  
 4 8 time substance abuse counselor for the Luster Heights  
 4 9 facility, for the purpose of certification of a substance  
 4 10 abuse program at that facility.  
 4 11     c. For the operation of the Oakdale correctional facility,  
 4 12 including salaries, support, maintenance, and miscellaneous  
 4 13 purposes:  
 4 14 ..... \$ 54,703,304  
 4 15     d. For the operation of the Newton correctional facility,  
 4 16 including salaries, support, maintenance, and miscellaneous  
 4 17 purposes:  
 4 18 ..... \$ 26,390,784  
 4 19     e. For the operation of the Mt. Pleasant correctional  
 4 20 facility, including salaries, support, maintenance, and  
 4 21 miscellaneous purposes:  
 4 22 ..... \$ 25,384,926  
 4 23     f. For the operation of the Rockwell City correctional  
 4 24 facility, including salaries, support, maintenance, and  
 4 25 miscellaneous purposes:  
 4 26 ..... \$ 8,706,242  
 4 27     g. For the operation of the Clarinda correctional  
 4 28 facility, including salaries, support, maintenance, and  
 4 29 miscellaneous purposes:  
 4 30 ..... \$ 24,099,579  
 4 31       Moneys received by the department of corrections as  
 4 32 reimbursement for services provided to the Clarinda youth  
 4 33 corporation are appropriated to the department and shall be  
 4 34 used for the purpose of operating the Clarinda correctional  
 4 35 facility.



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

5 1 h. For the operation of the Mitchellville correctional  
5 2 facility, including salaries, support, maintenance, and  
5 3 miscellaneous purposes:  
5 4 ..... \$ 15,294,520  
5 5 i. For the operation of the Fort Dodge correctional  
5 6 facility, including salaries, support, maintenance, and  
5 7 miscellaneous purposes:  
5 8 ..... \$ 28,407,564  
5 9 j. For reimbursement of counties for temporary confinement  
5 10 of work release and parole violators, as provided in sections  
5 11 901.7, 904.908, and 906.17, and for offenders confined  
5 12 pursuant to section 904.513:  
5 13 ..... \$ 1,199,954  
5 14 k. For federal prison reimbursement, reimbursements for  
5 15 out-of-state placements, and miscellaneous contracts:  
5 16 ..... \$ 241,293  
5 17 2. The department of corrections shall use funds  
5 18 appropriated in subsection 1 to continue to contract for the  
5 19 services of a Muslim imam.  
5 20 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.  
5 21 1. There is appropriated from the general fund of the  
5 22 state to the department of corrections for the fiscal year  
5 23 beginning July 1, 2007, and ending June 30, 2008, the  
5 24 following amounts, or so much thereof as is necessary, to be  
5 25 used for the purposes designated:  
5 26 a. For general administration, including salaries,  
5 27 support, maintenance, employment of an education director to  
5 28 administer a centralized education program for the  
5 29 correctional system, and miscellaneous purposes:  
5 30 ..... \$ 4,855,626  
5 31 (1) It is the intent of the general assembly that as a  
5 32 condition of receiving the appropriation provided in this  
5 33 lettered paragraph, the department of corrections shall not,  
5 34 except as otherwise provided in subparagraph (3), enter into a  
5 35 new contract, unless the contract is a renewal of an existing



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 02, 2007

Senate File 575 - Introduced continued

6 1 contract, for the expenditure of moneys in excess of \$100,000
6 2 during the fiscal year beginning July 1, 2007, for the
6 3 privatization of services performed by the department using
6 4 state employees as of July 1, 2007, or for the privatization
6 5 of new services by the department, without prior consultation
6 6 with any applicable state employee organization affected by
6 7 the proposed new contract and prior notification of the co=
6 8 chairpersons and ranking members of the joint appropriations
6 9 subcommittee on the justice system.

6 10 (2) It is the intent of the general assembly that each
6 11 lease negotiated by the department of corrections with a
6 12 private corporation for the purpose of providing private
6 13 industry employment of inmates in a correctional institution
6 14 shall prohibit the private corporation from utilizing inmate
6 15 labor for partisan political purposes for any person seeking
6 16 election to public office in this state and that a violation
6 17 of this requirement shall result in a termination of the lease
6 18 agreement.

6 19 (3) It is the intent of the general assembly that as a
6 20 condition of receiving the appropriation provided in this
6 21 lettered paragraph, the department of corrections shall not
6 22 enter into a lease or contractual agreement pursuant to
6 23 section 904.809 with a private corporation for the use of
6 24 building space for the purpose of providing inmate employment
6 25 without providing that the terms of the lease or contract
6 26 establish safeguards to restrict, to the greatest extent
6 27 feasible, access by inmates working for the private
6 28 corporation to personal identifying information of citizens.

6 29 b. For educational programs for inmates at state penal
6 30 institutions:
6 31 ..... \$ 2,070,358

6 32 It is the intent of the general assembly that moneys
6 33 appropriated in this lettered paragraph shall be used solely
6 34 for the purpose indicated and that the moneys shall not be
6 35 transferred for any other purpose. In addition, it is the



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

7 1 intent of the general assembly that the department shall  
7 2 consult with the community colleges in the areas in which the  
7 3 institutions are located to utilize moneys appropriated in  
7 4 this lettered paragraph to fund the high school completion,  
7 5 high school equivalency diploma, adult literacy, and adult  
7 6 basic education programs in a manner so as to maintain these  
7 7 programs at the institutions.

7 8 To maximize the funding for educational programs, the  
7 9 department shall establish guidelines and procedures to  
7 10 prioritize the availability of educational and vocational  
7 11 training for inmates based upon the goal of facilitating an  
7 12 inmate's successful release from the correctional institution.

7 13 The director of the department of corrections may transfer  
7 14 moneys from Iowa prison industries for use in educational  
7 15 programs for inmates.

7 16 Notwithstanding section 8.33, moneys appropriated in this  
7 17 lettered paragraph that remain unobligated or unexpended at  
7 18 the close of the fiscal year shall not revert but shall remain  
7 19 available for expenditure only for the purpose designated in  
7 20 this lettered paragraph until the close of the succeeding  
7 21 fiscal year.

7 22 c. For the development of the Iowa corrections offender  
7 23 network (ICON) data system:

7 24 ..... \$ 427,700

7 25 d. For offender mental health and substance abuse  
7 26 treatment:

7 27 ..... \$ 25,000

7 28 e. For viral hepatitis prevention and treatment:

7 29 ..... \$ 188,000

7 30 f. For a transitional housing pilot project for offenders  
7 31 on parole who are in the early stages of recovery from  
7 32 substance abuse:

7 33 ..... \$ 20,000

7 34 The department of corrections shall contract with a private  
7 35 nonprofit substance abuse treatment provider in a city with a



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

8 1 population exceeding sixty-five thousand but not exceeding  
8 2 seventy thousand to implement the pilot project. The  
8 3 department shall file a report with the co-chairpersons and  
8 4 ranking members of the appropriations subcommittee on the  
8 5 justice system and the legislative services agency by February  
8 6 1, 2008, detailing the number of offenders served by the pilot  
8 7 project, the recidivism rate, a description of the type of  
8 8 services received by the offenders, and the number of prison  
8 9 bed days saved by the pilot project.

8 10 2. It is the intent of the general assembly that the  
8 11 department of corrections shall continue to operate the  
8 12 correctional farms under the control of the department at the  
8 13 same or greater level of participation and involvement as  
8 14 existed as of January 1, 2007, shall not enter into any rental  
8 15 agreement or contract concerning any farmland under the  
8 16 control of the department that is not subject to a rental  
8 17 agreement or contract as of January 1, 2007, without prior  
8 18 legislative approval, and shall further attempt to provide job  
8 19 opportunities at the farms for inmates. The department shall  
8 20 attempt to provide job opportunities at the farms for inmates  
8 21 by encouraging labor-intensive farming or gardening where  
8 22 appropriate, using inmates to grow produce and meat for  
8 23 institutional consumption, researching the possibility of  
8 24 instituting food canning and cook-and-chill operations, and  
8 25 exploring opportunities for organic farming and gardening,  
8 26 livestock ventures, horticulture, and specialized crops.

8 27 3. The department of corrections shall submit a report to  
8 28 the general assembly by January 1, 2008, concerning moneys  
8 29 recouped from inmate earnings for the reimbursement of  
8 30 operational expenses of the applicable facility during the  
8 31 fiscal year beginning July 1, 2006, for each correctional  
8 32 institution and judicial district department of correctional  
8 33 services. In addition, each correctional institution and  
8 34 judicial district department of correctional services shall  
8 35 continue to submit a report to the legislative services agency  
9 1 on a monthly basis concerning moneys recouped from inmate  
9 2 earnings pursuant to sections 904.702, 904.809, and 905.14.

9 3 4. It is the intent of the general assembly that as a  
9 4 condition of receiving the appropriation provided in  
9 5 subsection 1, the department shall not enter into any  
9 6 agreement with a private sector nongovernmental entity for the  
9 7 purpose of housing inmates committed to the custody of the  
9 8 director of the department, without express authorization of  
9 9 the general assembly to do so.

9 10 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
9 11 SERVICES.

9 12 1. There is appropriated from the general fund of the  
9 13 state to the department of corrections for the fiscal year  
9 14 beginning July 1, 2007, and ending June 30, 2008, for the  
9 15 treatment and supervision of probation and parole violators  
9 16 who have been released from the department of corrections  
9 17 violator program, the following amounts, or so much thereof as  
9 18 is necessary, to be allocated as follows:

- 9 19 a. For the first judicial district department of
- 9 20 correctional services:
- 9 21 ..... \$ 12,012,728



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

9 22     b. For the second judicial district department of  
9 23 correctional services:  
9 24 ..... \$ 9,526,073  
9 25     c. For the third judicial district department of  
9 26 correctional services:  
9 27 ..... \$ 5,664,144  
9 28     d. For the fourth judicial district department of  
9 29 correctional services:  
9 30 ..... \$ 5,054,664  
9 31     e. For the fifth judicial district department of  
9 32 correctional services, including funding for electronic  
9 33 monitoring devices for use on a statewide basis:  
9 34 ..... \$ 17,115,974  
9 35     f. For the sixth judicial district department of



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

10 1 correctional services:  
 10 2 ..... \$ 12,203,009  
 10 3     The sixth judicial district department of correctional  
 10 4 services shall maintain a youth leadership model program to  
 10 5 help at-risk youth. As a part of the program, the district  
 10 6 department may recruit college or high school students in the  
 10 7 judicial district to work with at-risk youth. The student  
 10 8 workers shall be recruited regardless of gender and be  
 10 9 recommended by their respective schools as good role models,  
 10 10 including but not limited to students who possess capabilities  
 10 11 in one or more of the following areas of ability:  
 10 12 intellectual capacity, athletics, visual arts, or performing  
 10 13 arts.  
 10 14     g. For the seventh judicial district department of  
 10 15 correctional services:  
 10 16 ..... \$ 6,713,412  
 10 17     h. For the eighth judicial district department of  
 10 18 correctional services:  
 10 19 ..... \$ 6,794,585  
 10 20     2. Each judicial district department of correctional  
 10 21 services, within the funding available, shall continue  
 10 22 programs and plans established within that district to provide  
 10 23 for intensive supervision, sex offender treatment, diversion  
 10 24 of low-risk offenders to the least restrictive sanction  
 10 25 available, job development, and expanded use of intermediate  
 10 26 criminal sanctions.  
 10 27     3. Each judicial district department of correctional  
 10 28 services shall provide alternatives to prison consistent with  
 10 29 chapter 901B. The alternatives to prison shall ensure public  
 10 30 safety while providing maximum rehabilitation to the offender.  
 10 31 A judicial district department may also establish a day  
 10 32 program.  
 10 33     4. The governor's office of drug control policy shall  
 10 34 consider federal grants made to the department of corrections  
 10 35 for the benefit of each of the eight judicial district



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

11 1 departments of correctional services as local government  
11 2 grants, as defined pursuant to federal regulations.  
11 3 5. The department of corrections shall continue to  
11 4 contract with a judicial district department of correctional  
11 5 services to provide for the rental of electronic monitoring  
11 6 equipment which shall be available statewide.  
11 7 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF  
11 8 APPROPRIATIONS. Notwithstanding section 8.39, within the  
11 9 funds appropriated in this Act to the department of  
11 10 corrections, the department may reallocate the funds  
11 11 appropriated and allocated as necessary to best fulfill the  
11 12 needs of the correctional institutions, administration of the  
11 13 department, and the judicial district departments of  
11 14 correctional services. However, in addition to complying with  
11 15 the requirements of sections 904.116 and 905.8 and providing  
11 16 notice to the legislative services agency, the department of  
11 17 corrections shall also provide notice to the department of  
11 18 management, prior to the effective date of the revision or  
11 19 reallocation of an appropriation made pursuant to this  
11 20 section. The department shall not reallocate an appropriation  
11 21 or allocation for the purpose of eliminating any program.  
11 22 Sec. 7. INTENT == REPORTS.  
11 23 1. The department in cooperation with townships, the Iowa  
11 24 cemetery associations, and other nonprofit or governmental  
11 25 entities may use inmate labor during the fiscal year beginning  
11 26 July 1, 2007, to restore or preserve rural cemeteries and  
11 27 historical landmarks. The department in cooperation with the  
11 28 counties may also use inmate labor to clean up roads, major  
11 29 water sources, and other water sources around the state.  
11 30 2. Each month the department shall provide a status report  
11 31 regarding private-sector employment to the legislative  
11 32 services agency beginning on July 1, 2007. The report shall  
11 33 include the number of offenders employed in the private  
11 34 sector, the combined number of hours worked by the offenders,  
11 35 and the total amount of allowances, and the distribution of



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

12 1 allowances pursuant to section 904.702, including any moneys  
12 2 deposited in the general fund of the state.

12 3     Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
12 4 corrections shall submit a report on electronic monitoring to  
12 5 the general assembly, to the co-chairpersons and the ranking  
12 6 members of the joint appropriations subcommittee on the  
12 7 justice system, and to the legislative services agency by  
12 8 January 15, 2008. The report shall specifically address the  
12 9 number of persons being electronically monitored and break  
12 10 down the number of persons being electronically monitored by  
12 11 offense committed. The report shall also include a comparison  
12 12 of any data from the prior fiscal year with the current year.

12 13     Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 14     1. As used in this section, unless the context otherwise  
12 15 requires, "state agency" means the government of the state of  
12 16 Iowa, including but not limited to all executive branch  
12 17 departments, agencies, boards, bureaus, and commissions, the  
12 18 judicial branch, the general assembly and all legislative  
12 19 agencies, institutions within the purview of the state board  
12 20 of regents, and any corporation whose primary function is to  
12 21 act as an instrumentality of the state.

12 22     2. State agencies are hereby encouraged to purchase  
12 23 products from Iowa state industries, as defined in section  
12 24 904.802, when purchases are required and the products are  
12 25 available from Iowa state industries. State agencies shall  
12 26 obtain bids from Iowa state industries for purchases of office  
12 27 furniture during the fiscal year beginning July 1, 2007,  
12 28 exceeding \$5,000 or in accordance with applicable  
12 29 administrative rules related to purchases for the agency.

12 30     Sec. 10. STATE PUBLIC DEFENDER. There is appropriated  
12 31 from the general fund of the state to the office of the state  
12 32 public defender of the department of inspections and appeals  
12 33 for the fiscal year beginning July 1, 2007, and ending June  
12 34 30, 2008, the following amounts, or so much thereof as is  
12 35 necessary, to be allocated as follows for the purposes



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

13 1 designated:

13 2 1. For salaries, support, maintenance, and miscellaneous

13 3 purposes, and for not more than the following full-time

13 4 equivalent positions:

13 5 .....	\$ 20,845,271
13 6 .....	FTEs 202.00

13 7 As a condition of receiving moneys under this subsection

13 8 the state public defender shall make recommendations about

13 9 containing the costs incurred by the office of the state

13 10 public defender and court-appointed attorneys for providing

13 11 legal representation of indigent persons. The state public

13 12 defender shall report the recommendations to the

13 13 co-chairpersons and ranking members of the joint

13 14 appropriations subcommittee on the justice system, and to the

13 15 legislative services agency by December 15, 2007.

13 16 2. For the fees of court-appointed attorneys for indigent

13 17 adults and juveniles, in accordance with section 232.141 and

13 18 chapter 815:

13 19 .....	\$ 28,282,538
-------------	---------------

13 20 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 21 1. There is appropriated from the general fund of the

13 22 state to the Iowa law enforcement academy for the fiscal year

13 23 beginning July 1, 2007, and ending June 30, 2008, the

13 24 following amount, or so much thereof as is necessary, to be

13 25 used for the purposes designated:

13 26 For salaries, support, maintenance, miscellaneous purposes,

13 27 including jailer training and technical assistance, and for

13 28 not more than the following full-time equivalent positions:

13 29 .....	\$ 1,218,985
13 30 .....	FTEs 30.05

13 31 It is the intent of the general assembly that the Iowa law

13 32 enforcement academy may provide training of state and local

13 33 law enforcement personnel concerning the recognition of and

13 34 response to persons with Alzheimer's disease.

13 35 The Iowa law enforcement academy may temporarily exceed and



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

14 1 draw more than the amount appropriated and incur a negative  
 14 2 cash balance as long as there are receivables equal to or  
 14 3 greater than the negative balance and the amount appropriated  
 14 4 in this subsection is not exceeded at the close of the fiscal  
 14 5 year.

14 6 2. The Iowa law enforcement academy may select at least  
 14 7 five automobiles of the department of public safety, division  
 14 8 of state patrol, prior to turning over the automobiles to the  
 14 9 department of administrative services to be disposed of by  
 14 10 public auction and the Iowa law enforcement academy may  
 14 11 exchange any automobile owned by the academy for each  
 14 12 automobile selected if the selected automobile is used in  
 14 13 training law enforcement officers at the academy. However,  
 14 14 any automobile exchanged by the academy shall be substituted  
 14 15 for the selected vehicle of the department of public safety  
 14 16 and sold by public auction with the receipts being deposited  
 14 17 in the depreciation fund to the credit of the department of  
 14 18 public safety, division of state patrol.

14 19 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
 14 20 general fund of the state to the board of parole for the  
 14 21 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 14 22 the following amount, or so much thereof as is necessary, to  
 14 23 be used for the purposes designated:

14 24 For salaries, support, maintenance, miscellaneous purposes,  
 14 25 and for not more than the following full-time equivalent  
 14 26 positions:

14 27 .....	\$	1,177,849
14 28 .....	FTEs	17.50

14 29 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
 14 30 appropriated from the general fund of the state to the  
 14 31 department of public defense for the fiscal year beginning  
 14 32 July 1, 2007, and ending June 30, 2008, the following amounts,  
 14 33 or so much thereof as is necessary, to be used for the  
 14 34 purposes designated:

14 35 1. MILITARY DIVISION



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

15 1 For salaries, support, maintenance, miscellaneous purposes,  
 15 2 and for not more than the following full-time equivalent  
 15 3 positions:  
 15 4 ..... \$ 6,003,767  
 15 5 ..... FTEs 316.85  
 15 6 The military division may temporarily exceed and draw more  
 15 7 than the amount appropriated and incur a negative cash balance  
 15 8 as long as there are receivables of federal funds equal to or  
 15 9 greater than the negative balance and the amount appropriated  
 15 10 in this subsection is not exceeded at the close of the fiscal  
 15 11 year.  
 15 12 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION  
 15 13 a. For salaries, support, maintenance, miscellaneous  
 15 14 purposes, and for not more than the following full-time  
 15 15 equivalent positions:  
 15 16 ..... \$ 2,101,033  
 15 17 ..... FTEs 35.00  
 15 18 b. For the Iowa civil air patrol:  
 15 19 ..... \$ 120,000  
 15 20 It is the intent of the general assembly that the homeland  
 15 21 security and emergency management division work in conjunction  
 15 22 with the department of public safety, to the extent possible,  
 15 23 when gathering and analyzing information related to potential  
 15 24 domestic or foreign security threats, and when monitoring such  
 15 25 threats.  
 15 26 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
 15 27 appropriated from the general fund of the state to the  
 15 28 department of public safety for the fiscal year beginning July  
 15 29 1, 2007, and ending June 30, 2008, the following amounts, or  
 15 30 so much thereof as is necessary, to be used for the purposes  
 15 31 designated:  
 15 32 1. For the department's administrative functions,  
 15 33 including the criminal justice information system, and for not  
 15 34 more than the following full-time equivalent positions:  
 15 35 ..... \$ 4,097,900



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

16 1 ..... FTEs 37.00  
 16 2 2. For the division of criminal investigation, including  
 16 3 the state's contribution to the peace officers' retirement,  
 16 4 accident, and disability system provided in chapter 97A in the  
 16 5 amount of 17 percent of the salaries for which the funds are  
 16 6 appropriated, to meet federal fund matching requirements, and  
 16 7 for not more than the following full-time equivalent  
 16 8 positions:  
 16 9 ..... \$ 20,512,962  
 16 10 ..... FTEs 289.50  
 16 11 The department of public safety, with the approval of the  
 16 12 department of management, may employ no more than two special  
 16 13 agents and four gaming enforcement officers for each  
 16 14 additional riverboat regulated after July 1, 2007, and one  
 16 15 special agent for each racing facility which becomes  
 16 16 operational during the fiscal year which begins July 1, 2007.  
 16 17 One additional gaming enforcement officer, up to a total of  
 16 18 four per riverboat, may be employed for each riverboat that  
 16 19 has extended operations to 24 hours and has not previously  
 16 20 operated with a 24-hour schedule. Positions authorized in  
 16 21 this paragraph are in addition to the full-time equivalent  
 16 22 positions otherwise authorized in this subsection.  
 16 23 3. For the criminalistics laboratory fund created in  
 16 24 section 691.9:  
 16 25 ..... \$ 342,000  
 16 26 4. a. For the division of narcotics enforcement,  
 16 27 including the state's contribution to the peace officers'  
 16 28 retirement, accident, and disability system provided in  
 16 29 chapter 97A in the amount of 17 percent of the salaries for  
 16 30 which the funds are appropriated, to meet federal fund  
 16 31 matching requirements, and for not more than the following  
 16 32 full-time equivalent positions:  
 16 33 ..... \$ 5,963,415  
 16 34 ..... FTEs 87.00  
 16 35 b. For the division of narcotics enforcement for



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**

Senate File 575 - Introduced continued

17 1 undercover purchases:  
 17 2 ..... \$ 123,343  
 17 3 5. a. For the division of state fire marshal, including  
 17 4 the state's contribution to the peace officers' retirement,  
 17 5 accident, and disability system provided in chapter 97A in the  
 17 6 amount of 17 percent of the salaries for which the funds are  
 17 7 appropriated, and for not more than the following full-time  
 17 8 equivalent positions:  
 17 9 ..... \$ 3,157,454  
 17 10 ..... FTEs 47.00  
 17 11 b. For the division of state fire marshal, for fire  
 17 12 protection services as provided through the state fire service  
 17 13 and emergency response council as created in the department,  
 17 14 and for not more than the following full-time equivalent  
 17 15 positions:  
 17 16 ..... \$ 804,110  
 17 17 ..... FTEs 10.00  
 17 18 6. For the division of state patrol, for salaries,  
 17 19 support, maintenance, workers' compensation costs, and  
 17 20 miscellaneous purposes, including the state's contribution to  
 17 21 the peace officers' retirement, accident, and disability  
 17 22 system provided in chapter 97A in the amount of 17 percent of  
 17 23 the salaries for which the funds are appropriated, and for not  
 17 24 more than the following full-time equivalent positions:  
 17 25 ..... \$ 48,126,059  
 17 26 ..... FTEs 533.00  
 17 27 It is the intent of the general assembly that members of  
 17 28 the state patrol be assigned to patrol the highways and roads  
 17 29 in lieu of assignments for inspecting school buses for the  
 17 30 school districts.  
 17 31 7. For deposit in the sick leave benefits fund established  
 17 32 under section 80.42, for all departmental employees eligible  
 17 33 to receive benefits for accrued sick leave under the  
 17 34 collective bargaining agreement:  
 17 35 ..... \$ 316,179



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

18 1       8. For costs associated with the training and equipment  
18 2 needs of volunteer fire fighters:  
18 3 ..... \$       699,587  
18 4       Notwithstanding section 8.33, moneys appropriated in this  
18 5 subsection that remain unencumbered or unobligated at the  
18 6 close of the fiscal year shall not revert but shall remain  
18 7 available for expenditure only for the purpose designated in  
18 8 this subsection until the close of the succeeding fiscal year.  
18 9       Notwithstanding section 8.39, within the funds appropriated  
18 10 in this section the department of public safety may reallocate  
18 11 funds as necessary to best fulfill the needs provided for in  
18 12 the appropriation. However, the department shall not  
18 13 reallocate an appropriation made to the department in this  
18 14 section unless notice of the reallocation is given to the  
18 15 legislative services agency and the department of management  
18 16 prior to the effective date of the reallocation. The notice  
18 17 shall include information about the rationale for reallocating  
18 18 the appropriation. The department shall not reallocate an  
18 19 appropriation made in this section for the purpose of  
18 20 eliminating any program.  
18 21       Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated  
18 22 from the general fund of the state to the Iowa state civil  
18 23 rights commission for the fiscal year beginning July 1, 2007,  
18 24 and ending June 30, 2008, the following amount, or so much  
18 25 thereof as is necessary, to be used for the purposes  
18 26 designated:  
18 27       For salaries, support, maintenance, miscellaneous purposes,  
18 28 and for not more than the following full-time equivalent  
18 29 positions:  
18 30 ..... \$   1,412,647  
18 31 ..... FTEs       29.00  
18 32       The Iowa state civil rights commission may enter into a  
18 33 contract with a nonprofit organization to provide legal  
18 34 assistance to resolve civil rights complaints.  
18 35       Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
19 1 DIVISION == E911. There is appropriated from the wireless  
19 2 E911 emergency communications fund in section 34A.7A to the  
19 3 homeland security and emergency management division of the  
19 4 department of public defense for the fiscal year beginning  
19 5 July 1, 2007, and ending June 30, 2008, the following amount,  
19 6 or so much thereof as is necessary, to be used for the  
19 7 purposes designated:  
19 8       For distribution on an equal basis to each public safety  
19 9 answering point for wireless E911 phase 2 upgrades and  
19 10 equipment purchases:  
19 11 ..... \$       496,000  
19 12       Each joint E911 service board shall report to the E911  
19 13 program manager, the wireless E911 phase 2 upgrade and  
19 14 equipment expenditures for each public safety answering point  
19 15 within the board's E911 service area by December 15, 2007.  
19 16 The E911 program manager shall compile the reports from each  
19 17 joint E911 service board into one expenditure report and  
19 18 provide the expenditure report to the co-chairpersons and  
19 19 ranking members of the joint appropriations subcommittee on  
19 20 the justice system and the legislative services agency by  
19 21 January 15, 2008.



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

19 22       Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
19 23 DIVISION. There is appropriated from the wireless E911  
19 24 emergency communications fund created in section 34A.7A to the  
19 25 administrator of the homeland security and emergency  
19 26 management division of the department of public defense for  
19 27 the fiscal year beginning July 1, 2007, and ending June 30,  
19 28 2008, an amount not exceeding \$200,000 to be used for  
19 29 implementation, support, and maintenance of the functions of  
19 30 the administrator and program manager under chapter 34A and to  
19 31 employ the auditor of the state to perform an annual audit of  
19 32 the wireless E911 emergency communications fund.  
19 33       Sec. 18. IOWA LAW ENFORCEMENT ACADEMY == FEES.  
19 34 Notwithstanding section 80B.11B, the Iowa law enforcement  
19 35 academy may charge more than one-half the cost of providing



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate File 575 - Introduced continued

20 1 the basic training course if a majority of the Iowa law  
20 2 enforcement academy council authorizes charging more than one=  
20 3 half of the cost of providing basic training. This section is  
20 4 repealed on June 30, 2008.

20 5 Sec. 19. STATE PATROL VEHICLES == DIGITAL CAMERA STUDY.  
20 6 The department of public safety shall study and make  
20 7 recommendations regarding the benefits as well as the  
20 8 disadvantages of converting the recording equipment in the  
20 9 state patrol enforcement motor vehicles to digital camera  
20 10 recording technology for use in such vehicles. The study  
20 11 shall include an estimate of the cost of converting to the  
20 12 technology, an assessment of issues related to data storage  
20 13 and the rules of evidence, implementation concerns, and if a  
20 14 conversion is recommended, a timeline for acquiring and  
20 15 deploying the digital camera recording technology in the motor  
20 16 vehicles of the state patrol. The department of public safety  
20 17 shall report the department's recommendations to the  
20 18 co-chairpersons and ranking members of the joint  
20 19 appropriations subcommittee on the justice system and the  
20 20 legislative services agency by December 15, 2007.

20 21 Sec. 20. STATE EMPLOYEE TELECOMMUTING == POLICY  
20 22 DEVELOPMENT == IMPLEMENTATION.

20 23 1. The director of a department or state agency to which  
20 24 appropriations are made pursuant to the provisions of this Act  
20 25 shall assess the extent to which job classifications or  
20 26 individual employment positions with the department or agency  
20 27 might be effectively performed from an employee's residence or  
20 28 other remote location through telecommuting, thereby  
20 29 increasing office space within the department or agency and  
20 30 reducing administrative costs. The assessment shall include  
20 31 an estimate of the number of department or agency employees  
20 32 whose job responsibilities could be effectively performed on a  
20 33 telecommuting basis, projected costs of establishing and  
20 34 maintaining work stations at an employee's residence or other  
20 35 remote location and providing telecommuter support,



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate File 575 - Introduced continued

21 1 anticipated savings to the department or agency through a  
21 2 reduction in the office-based workforce, and anticipated time  
21 3 and cost savings to telecommuting employees. A report  
21 4 summarizing the assessment shall be submitted to the director  
21 5 of the department of administrative services, and the members  
21 6 of the general assembly, by November 1, 2007.

21 7 2. Based on the assessment conducted pursuant to  
21 8 subsection 1, the director shall develop a telecommuter  
21 9 employment policy for the department or agency and a timeline  
21 10 for initial policy implementation and plans for expanding the  
21 11 number of telecommuting employees. Specific office-based  
21 12 workforce reduction percentages shall be left to the  
21 13 discretion of the director, but the director shall implement a  
21 14 policy transferring some number of office-based employees to  
21 15 telecommuter status by January 1, 2008. The director shall  
21 16 report to the director of the department of administrative  
21 17 services and the members of the general assembly on an annual  
21 18 basis beginning January 1, 2009, the number of telecommuting  
21 19 employees, cost savings achieved by the department or agency,  
21 20 and plans for continued transfer of office-based employees to  
21 21 telecommuter status.

21 22 Sec. 21. Section 34A.7A, subsection 2, paragraph f,  
21 23 subparagraph (2), unnumbered paragraph 1, Code 2007, is  
21 24 amended to read as follows:

21 25 Upon retirement of outstanding obligations referred to in  
21 26 paragraph "e", the amount allocated under this paragraph "f"  
21 27 shall be ~~twenty-four~~ twenty-five percent of the total amount  
21 28 of surcharge generated per calendar quarter allocated as  
21 29 follows:

21 30 Sec. 22. NEW SECTION. 455B.112A ENVIRONMENTAL CRIMES  
21 31 INVESTIGATION AND PROSECUTION FUND.

21 32 1. An environmental crimes investigation and prosecution  
21 33 fund is created as a separate fund in the state treasury to be  
21 34 administered by the attorney general. Moneys credited to the  
21 35 fund shall include court-ordered fines and restitution awarded



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

22 1 to the attorney general as part of a judgment in an  
22 2 environmental criminal case.

22 3     2. For each fiscal year not more than twenty thousand  
22 4 dollars is appropriated from the fund to the department of  
22 5 justice to be used for the investigation and prosecution of  
22 6 environmental crimes, including the reimbursement of expenses  
22 7 incurred by county, municipal, and other local government  
22 8 agencies cooperating with the attorney general in the  
22 9 investigation and prosecution of environmental crimes.

22 10     3. Not more than twenty thousand dollars shall be credited  
22 11 to the fund in a fiscal year and any moneys in excess of this  
22 12 amount shall be credited to the general fund of the state.

22 13     4. Notwithstanding section 8.33, moneys credited to the  
22 14 fund shall not revert to any other fund. Notwithstanding  
22 15 section 12C.7, interest or earnings deposited in the fund  
22 16 shall be credited to the fund.

22 17     Sec. 23. NEW SECTION. 553.19 ANTITRUST FUND.

22 18     1. An antitrust fund is created as a separate fund in the  
22 19 state treasury to be administered by the attorney general.  
22 20 Moneys credited to the fund shall include amounts received as  
22 21 a result of a state or federal civil antitrust judgment or  
22 22 settlement which are based on damages sustained by the state,  
22 23 civil penalties, costs, or attorney fees, and amounts which  
22 24 are specifically directed to the credit of the fund by the  
22 25 judgment or settlement, and amounts which are designated by  
22 26 the judgment or settlement for use by the attorney general for  
22 27 antitrust enforcement or education. Amounts based upon  
22 28 damages sustained by individuals or entities outside of state  
22 29 government not designated for antitrust enforcement purposes  
22 30 or amounts based upon actual damages awarded to the state  
22 31 which would not otherwise be deposited in the general fund of  
22 32 the state shall not be credited to the fund.

22 33     2. For each fiscal year, not more than five hundred  
22 34 thousand dollars is appropriated from the fund to the  
22 35 department of justice to be used for enforcement of this



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

23 1 chapter and chapter 551, and for enforcement of federal  
23 2 antitrust laws and for public education about state and  
23 3 federal antitrust laws.  
23 4 3. Notwithstanding section 8.33, moneys credited to the  
23 5 fund shall not revert to any other fund. Notwithstanding  
23 6 section 12C.7, interest or earnings on the moneys in the fund  
23 7 shall be credited to the fund.

23 8 Sec. 24. NEW SECTION. 714.16C CONSUMER EDUCATION AND  
23 9 LITIGATION FUND.

23 10 1. A consumer education and litigation fund is created as  
23 11 a separate fund in the state treasury to be administered by  
23 12 the attorney general. Moneys credited to the fund shall  
23 13 include amounts received as a result of a state or federal  
23 14 civil consumer fraud judgment or settlement, civil penalties,  
23 15 costs, or attorney fees, and amounts which are specifically  
23 16 directed to the credit of the fund by the judgment or  
23 17 settlement, and amounts which are designated by the judgment  
23 18 or settlement for use by the attorney general for consumer  
23 19 litigation or education purposes. Moneys designated for  
23 20 consumer reimbursement shall not be credited to the fund,  
23 21 except to the extent that such moneys are permitted to be used  
23 22 for enforcement of section 714.16.

23 23 2. For each fiscal year, not more than one million one  
23 24 hundred twenty-five thousand dollars is appropriated from the  
23 25 fund to the department of justice to be used for public  
23 26 education relating to consumer fraud and for enforcement of  
23 27 section 714.16 and federal consumer laws, and not more than  
23 28 seventy-five thousand dollars is appropriated from the fund to  
23 29 the department of justice to be used for investigation,  
23 30 prosecution, and consumer education relating to consumer and  
23 31 criminal fraud committed against older Iowans.

23 32 3. Notwithstanding section 8.33, moneys credited to the  
23 33 fund shall not revert to any other fund. Notwithstanding  
23 34 section 12C.7, interest or earnings on the moneys in the fund  
23 35 shall be credited to the fund.



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate File 575 - Introduced continued

24 1 Sec. 25. Section 815.7, Code 2007, is amended to read as  
24 2 follows:

24 3 815.7 FEES TO ATTORNEYS.

24 4 1. An attorney who has not entered into a contract  
24 5 authorized under section 13B.4 and who is appointed by the  
24 6 court to represent any person pursuant to section 814.11 or  
24 7 815.10 shall be entitled to reasonable compensation and  
24 8 expenses.

24 9 2. For appointments made on or after July 1, 1999, through  
24 10 June 30, 2006, the reasonable compensation shall be calculated  
24 11 on the basis of sixty dollars per hour for class "A" felonies,  
24 12 fifty-five dollars per hour for class "B" felonies, and fifty  
24 13 dollars per hour for all other cases.

24 14 3. For appointments made on or after July 1, 2006, through  
24 15 June 30, 2007, the reasonable compensation shall be calculated  
24 16 on the basis of sixty-five dollars per hour for class "A"  
24 17 felonies, sixty dollars per hour for all other felonies, sixty  
24 18 dollars per hour for misdemeanors, and fifty-five dollars per  
24 19 hour for all other cases.

24 20 4. For appointments made on or after July 1, 2007, the  
24 21 reasonable compensation shall be calculated on the basis of  
24 22 seventy dollars per hour for class "A" felonies, sixty-five  
24 23 dollars per hour for class "B" felonies, and sixty dollars per  
24 24 hour for all other cases.

24 25 5. The expenses shall include any sums as are necessary  
24 26 for investigations in the interest of justice, and the cost of  
24 27 obtaining the transcript of the trial record and briefs if an  
24 28 appeal is filed. The attorney need not follow the case into  
24 29 another county or into the appellate court unless so directed  
24 30 by the court. If the attorney follows the case into another  
24 31 county or into the appellate court, the attorney shall be  
24 32 entitled to compensation as provided in this section. Only  
24 33 one attorney fee shall be so awarded in any one case except  
24 34 that in class "A" felony cases, two may be authorized.

24 35 EXPLANATION



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

25 1 This bill makes appropriations from the general fund of the  
25 2 state for fiscal year 2007=2008 to the departments of justice,  
25 3 corrections, public defense, and public safety, and the Iowa  
25 4 law enforcement academy, office of consumer advocate, office  
25 5 of the state public defender, board of parole, and Iowa state  
25 6 civil rights commission.

25 7 The bill appropriates moneys from the wireless E911  
25 8 emergency communications fund to the homeland security and  
25 9 emergency management division for distribution on an equal  
25 10 basis to each public safety answering point for wireless E911  
25 11 phase 2 upgrades and expenditures. The bill also requires a  
25 12 joint E911 service board to report public safety answering  
25 13 point expenditures to the E911 program manager and the E911  
25 14 program manager shall compile the expenditure reports into one  
25 15 expenditure report and submit the report to the appropriate  
25 16 legislative committees.

25 17 The bill also appropriates moneys, not to exceed \$200,000,  
25 18 from the wireless E911 emergency communications fund to the  
25 19 homeland security and emergency management division for  
25 20 implementation, support, and maintenance of the functions of  
25 21 the administrator and program manager of the E911 emergency  
25 22 system.

25 23 The bill provides that upon the retirement of any  
25 24 outstanding wireless E911 phase 1 obligation 25 percent of the  
25 25 total amount of the E911 surcharge generated per calendar  
25 26 quarter shall be allocated to the joint E911 service boards  
25 27 and the department of public safety for public safety  
25 28 answering points within the service area of each joint E911  
25 29 board and the department of public safety. Current law  
25 30 allocates 24 percent of the total amount of the E911 surcharge  
25 31 generated per calendar quarter to the joint E911 service  
25 32 boards and the department of public safety.

25 33 The bill addresses Code section 80B.11B to provide that for  
25 34 FY 2007=2008 the Iowa law enforcement academy may charge a  
25 35 department of the state, a member of a police force, or any



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

26 1 political subdivision of the state more than one-half of the  
26 2 cost to provide the basic training course for a law  
26 3 enforcement officer, provided a majority of the Iowa law  
26 4 enforcement council approves such a charge. Current law  
26 5 prohibits the Iowa law enforcement academy from charging more  
26 6 than one-half of the cost of providing the basic training  
26 7 course.

26 8 The bill establishes an environmental crimes investigation  
26 9 and prosecution fund in new Code section 455B.112A as a  
26 10 separate fund in the state treasury to be administered by the  
26 11 attorney general. Moneys credited to the fund include  
26 12 court-ordered fines and restitution awarded to the attorney  
26 13 general as part of a judgment in an environmental criminal  
26 14 case. The bill provides that not more than \$20,000 is  
26 15 appropriated from the fund to the department of justice to be  
26 16 used for the investigation and prosecution of environmental  
26 17 crimes. The bill provides that not more than \$20,000 shall be  
26 18 credited to the fund in a fiscal year and any moneys in excess  
26 19 of this amount shall be credited to the general fund of the  
26 20 state.

26 21 Under current law, the funds appropriated to the department  
26 22 of justice reoccur in session law each year and are contingent  
26 23 upon the environmental crime fund receiving an amount at least  
26 24 equal to the contributions, court-ordered restitution as part  
26 25 of judgments, and consent decrees entered as part of an  
26 26 environmental enforcement action.

26 27 The bill establishes an antitrust fund in new Code section  
26 28 553.19 as a separate fund in the state treasury to be  
26 29 administered by the attorney general. The bill provides that  
26 30 moneys credited to the fund shall include amounts received as  
26 31 a result of a state or federal civil antitrust judgment or  
26 32 settlement which are based on damages sustained by the state,  
26 33 civil penalties, costs, or attorney fees, and amounts which  
26 34 are specifically directed to the credit of the fund by the  
26 35 judgment or settlement, and amounts which are designated by



**Iowa General Assembly**  
**Daily Bills, Amendments & Study Bills**  
**April 02, 2007**

Senate File 575 - Introduced continued

27 1 the judgment or settlement for use by the attorney general for  
27 2 antitrust enforcement or education. The bill provides that  
27 3 not more than \$500,000 is appropriated from the fund to the  
27 4 department of justice to be used in antitrust enforcement.

27 5 Under current law, the funds appropriated from the general  
27 6 fund of the state to the department of justice for antitrust  
27 7 enforcement reoccur in session law each year and are  
27 8 contingent upon the general fund of the state receiving an  
27 9 amount at least equal to the amount received by the state or  
27 10 political subdivision of the state by an antitrust enforcement  
27 11 judgment or settlement, and the funds appropriated to the  
27 12 department for antitrust enforcement are not to exceed  
27 13 \$200,000.

27 14 The bill establishes a consumer education and litigation  
27 15 fund in new Code section 714.16C as a separate fund in the  
27 16 state treasury to be administered by the attorney general.  
27 17 The bill provides that moneys credited to the fund include  
27 18 amounts received as a result of a state or federal civil  
27 19 consumer fraud judgment or settlement, civil penalties, costs,  
27 20 or attorney fees, and amounts which are specifically directed  
27 21 to the credit of the fund by the judgment or settlement, and  
27 22 amounts which are specifically directed to the credit of the  
27 23 fund by the judgment or settlement, and amounts which are  
27 24 designated by the judgment or settlement for use by the  
27 25 attorney general for consumer litigation or education  
27 26 purposes. The bill provides that not more than \$1,125,000 is  
27 27 appropriated from the fund to the department of justice for  
27 28 consumer fraud education and enforcement, and not more than  
27 29 \$75,000 is appropriated from the fund to the department for  
27 30 education, investigation, and prosecution relating to consumer  
27 31 and criminal fraud against older Iowans.

27 32 Under current law, the funds appropriated to the department  
27 33 of justice for consumer fraud reoccur in session law each year  
27 34 and are contingent upon the general fund of the state  
27 35 receiving an amount at least equal to the amount received by



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007

Senate File 575 - Introduced continued

28 1 the state or political subdivision of the state through a  
28 2 fraud judgment or settlement.  
28 3 The bill amends Code section 815.7 to raise the hourly rate  
28 4 for indigent representation from \$65 to \$70 for class "A"  
28 5 felonies, \$60 to \$65 for class "B" felonies, and maintains the  
28 6 hourly rate for all other felonies and misdemeanors at \$60.  
28 7 The bill also raises the hourly rate for all other cases  
28 8 requiring attorney representation from \$55 to \$60.  
28 9 The bill provides that the department of corrections may  
28 10 reallocate appropriated funds between the institutions of the  
28 11 department of corrections, the department's administration,  
28 12 and the judicial district departments of correctional  
28 13 services. The bill provides the department, prior to the  
28 14 effective date of any reallocation, must provide notice to the  
28 15 department of management, the legislative services agency, and  
28 16 the district board of any judicial district department of  
28 17 correctional services affected by the reallocation.  
28 18 The bill provides that the department of public safety may  
28 19 also reallocate the funds appropriated to the department  
28 20 between the divisions of the department. The bill provides  
28 21 that the department, prior to the effective date of any  
28 22 reallocation, must provide notice of the reallocation to the  
28 23 department of management and the legislative services agency.  
28 24 The bill requires the attorney general to establish a pilot  
28 25 project with a nonprofit agency in the sixth judicial district  
28 26 that focuses primarily on the representation of children in  
28 27 dissolution of marriage proceedings.  
28 28 The director of a department or state agency receiving an  
28 29 appropriation under the bill shall assess the extent to which  
28 30 job classifications or individual employment positions might  
28 31 be effectively performed from the employee's residence or  
28 32 other remote location through telecommuting in order to reduce  
28 33 costs. The bill requires the director to submit a report  
28 34 summarizing the assessment to the general assembly by November  
28 35 1, 2007.  
29 1 The bill requires the department of public safety to study  
29 2 and make recommendations to the general assembly regarding the  
29 3 benefits as well as disadvantages of converting recording  
29 4 equipment in state patrol motor vehicles to digital camera  
29 5 recording technology.  
29 6 LSB 1131SV 82  
29 7 jm: jp/ je/5



**Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 02, 2007**