



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 03, 2007**

House Amendment 1558

PAG LIN

1 1 Amend Senate File 406, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, by inserting after line 21 the
 1 4 following:
 1 5 <Sec. _____. Section 351.37, Code 2007, is amended
 1 6 to read as follows:
 1 7 351.37 DOGS RUNNING AT LARGE == IMPOUNDMENT OR
 1 8 DESTRUCTION == DISPOSITION.

1 9 1. A dog shall be apprehended and impounded by a
 1 10 local board of health or law enforcement official, or
 1 11 the dog may be destroyed by the law enforcement
 1 12 official, if the dog is running at large and the dog
 1 13 is not wearing a valid rabies vaccination tag or a
 1 14 rabies vaccination certificate is not presented to the
 1 15 local board of health or law enforcement official.

1 16 2. ~~The~~ After the dog is impounded or destroyed,
 1 17 the local board of health or law enforcement official
 1 18 shall provide written notice to the owner if the local
 1 19 board of health or law enforcement official can
 1 20 reasonably determine the owner's name and current
 1 21 address by accessing a tag or other device that is on
 1 22 or a part of the dog. The notice shall be sent within
 1 23 two days after the dog has been impounded or
 1 24 destroyed. ~~The~~ If the dog is impounded the notice
 1 25 shall provide that if the owner does not redeem the
 1 26 dog within seven days from the date that the notice is
 1 27 delivered, the dog may be humanely destroyed or
 1 28 otherwise disposed of in accordance with law. For
 1 29 purposes of this section, notice is delivered when the
 1 30 local board of health or law enforcement official
 1 31 mails the notice which may be by regular mail. An
 1 32 owner may redeem ~~a~~ an impounded dog by having it
 1 33 immediately vaccinated and paying the cost of
 1 34 impoundment.

1 35 3. If the owner of the impounded dog fails to
 1 36 redeem the dog within seven days from the date of the
 1 37 delivery of the notice to the dog's owner as provided
 1 38 in this section, the impounded dog may be disposed of
 1 39 in accordance with law. If the impounded dog is
 1 40 destroyed, it must be destroyed by euthanasia as
 1 41 defined in section 162.2.>

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 1 45 BAUDLER of Adair
 1 46 SF 406.701 82
 1 47 da/gg/8818

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House Amendment 1559

PAG LIN

1 1 Amend the amendment, H=1552, to House File 469, as
1 2 follows:
1 3 #1. Page 1, line 29, by striking the word <of> and
1 4 inserting the following: <to be in>.
1 5 #2. Page 1, line 30, by striking the words <in
1 6 response to> and inserting the following: <within two
1 7 years of>.
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1 11 RAECKER of Polk
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1 15 STRUYK of Pottawattamie
1 16 HF 469.502 82
1 17 ak/je/7449
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House Amendment 1560

PAG LIN

1 1 Amend the amendment, H=1552, to House File 469, as
1 2 follows:
1 3 #1. Page 1, by striking lines 28 and 29 and
1 4 inserting the following: <under this section only if
1 5 a school district is in>.
1 6
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1 9 RAECKER of Polk
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1 11
1 12
1 13 QUIRK of Chickasaw
1 14 HF 469.202 82
1 15 ak/es/7448
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House Amendment 1561

PAG LIN

1 1 Amend Senate File 348, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, lines 3 and 4, by striking the words
 1 4 <on an excursion gambling boat or at a racetrack
 1 5 enclosure> and inserting the following: ~~<on an~~
 1 6 ~~excursion gambling boat>~~.
 1 7 #2. Page 1, lines 12 and 13, by striking the words
 1 8 <on an excursion gambling boat or at a racetrack
 1 9 enclosure> and inserting the following: ~~<on an~~
 1 10 ~~excursion gambling boat>~~.
 1 11 #3. Page 1, lines 27 and 28, by striking the words
 1 12 <on an excursion gambling boat ~~are~~ or at a racetrack
 1 13 enclosure> and inserting the following: ~~<an excursion~~
 1 14 ~~gambling boat are>~~.
 1 15 #4. Page 1, lines 32 and 33, by striking the words
 1 16 <on an excursion gambling ~~boats~~ boat or at a racetrack
 1 17 enclosure> and inserting the following: ~~<on excursion~~
 1 18 ~~gambling boats>~~.
 1 19 #5. Page 3, line 8, by inserting after the word
 1 20 <approved> the following: <or defeated>.
 1 21 #6. Page 3, line 9, by inserting after the words
 1 22 <favor of> and inserting the following: <or against>.
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 1 25
 1 26 COMMITTEE ON STATE GOVERNMENT
 1 27 JOCHUM of Dubuque, Chairperson
 1 28 SF 348.302 82
 1 29 ec/cf/8707
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House Amendment 1562

PAG LIN

1 1 Amend Senate File 540, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 7, by inserting after line 33 the
 1 4 following:
 1 5 <Sec. _____. Section 633.410, subsection 2, Code
 1 6 2007, is amended to read as follows:
 1 7 2. Notwithstanding subsection 1, claims for debts
 1 8 created under section 249A.5, subsection 2, relating
 1 9 to the recovery of medical assistance payments shall
 1 10 be barred under this section unless filed with the
 1 11 clerk within ~~the later to occur of~~ fifteen months
 1 12 after the date of the second publication of the notice
 1 13 to creditors, or if the personal representative of the
 1 14 estate has actual knowledge of a medical assistance
 1 15 debt of the decedent, within two months after service
 1 16 of notice by ordinary mail, on the form prescribed in
 1 17 section 633.231 for intestate estates or on the form
 1 18 prescribed in section 633.304A for testate estates, to
 1 19 the entity designated by the department of human
 1 20 services to receive notice.>
 1 21 #2. By renumbering as necessary.
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 1 25 UPMEYER of Hancock
 1 26 SF 540.703 82
 1 27 rh/gg/8556

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House Amendment 1563

PAG LIN

1 1 Amend the amendment, H=1557, to Senate File 277, as
 1 2 amended, passed, and reprinted by the Senate, as
 1 3 follows:
 1 4 #1. Page 1, by striking lines 3 through 31.
 1 5 #2. Page 1, by inserting after line 35 the
 1 6 following:
 1 7 <<Sec. ____ . Section 256.44, subsection 1,
 1 8 paragraph a, Code 2007, is amended to read as follows:
 1 9 a. If a teacher registers for national board for
 1 10 professional teaching standards certification ~~prior to~~
 1 11 ~~June 30~~ by December 31, 2007, a one-time initial
 1 12 reimbursement award in the amount of up to one-half of
 1 13 the registration fee paid by the teacher for
 1 14 registration for certification by the national board
 1 15 for professional teaching standards. The teacher
 1 16 shall apply to the department ~~of education~~ within one
 1 17 year of registration, submitting to the department any
 1 18 documentation the department requires. A teacher who
 1 19 receives an initial reimbursement award shall receive
 1 20 a one-time final registration award in the amount of
 1 21 the remaining national board registration fee paid by
 1 22 the teacher if the teacher notifies the department of
 1 23 the teacher's certification achievement and submits
 1 24 any documentation requested by the department.>
 1 25 #3. Page 1, by striking lines 41 through 43 and
 1 26 inserting the following: <January 1, 1999, and
 1 27 ~~January 1, 2006~~ December 31, 2007, and achieves
 1 28 certification within ~~three years from the date of~~
 1 29 ~~initial score notification~~ the timelines and policies
 1 30 established by the national board for professional
 1 31 teaching standards, an annual award in>.
 1 32 #4. Page 2, by striking lines 7 through 9.
 1 33 #5. Page 4, line 41, by striking the words
 1 34 <REPORTS AND FINAL STUDY> and inserting the following:
 1 35 <INTERIM AND FINAL REPORTS>.
 1 36 #6. By renumbering as necessary.
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 1 40 WINCKLER of Scott
 1 41 SF 277.315 82
 1 42 kh/cf/8170
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House Amendment 1564

PAG LIN

1 1 Amend the amendment, H=1557, to Senate File 277, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 2, by inserting after line 42 the
1 5 following:
1 6 <#____. Page 12, by inserting after line 22 the
1 7 following:
1 8 <Sec. _____. Section 284.7, Code 2007, is amended by
1 9 adding the following new subsection:
1 10 NEW SUBSECTION. 7. By January 15, 2009, for the
1 11 school year beginning July 1, 2009, the state board
1 12 shall adopt rules to implement the career II teacher
1 13 and advanced teacher levels in accordance with this
1 14 section. The rules shall include a career ladder
1 15 component rewarding teachers for accomplishing student
1 16 achievement goals that result in year-end academic
1 17 growth for the majority of students receiving
1 18 instruction from the teachers. In developing the
1 19 rules, the department shall include input from
1 20 education stakeholders including but not limited to
1 21 school districts selected as career ladder pilots
1 22 pursuant to section 284.14A, if enacted by this Act,
1 23 and the institute for tomorrow's workforce.>>
1 24 #2. By striking page 4, line 49, through page 5,
1 25 line 4, and inserting the following: <and
1 26 implementation pilots.>>
1 27 #3. By renumbering as necessary.
1 28
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1 30
1 31 MAY of Dickinson
1 32 SF 277.713 82
1 33 kh/gg/8160
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House Amendment 1565

PAG LIN

1 1 Amend Senate File 277, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking page 13, line 26, through page 15,
1 4 line 25.
1 5 #2. By striking page 17, line 30, through page 18,
1 6 line 12.
1 7 #3. By renumbering as necessary.
1 8
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1 11 BOAL of Polk
1 12 SF 277.712 82
1 13 kh/gg/8162
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House Amendment 1566

PAG LIN

1 1 Amend Senate File 277, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 14, by striking lines 17 and 18 and
1 4 inserting the following: <subject=area shortages, ~~or~~;
1 5 improving the racial or ethnic diversity on local
1 6 teaching staffs; and funds to prepare a>.
1 7 #2. Page 14, lines 19 and 20, by striking the
1 8 words <area, or> and inserting the following: <area;
1 9 and>.

1 10 #3. By renumbering as necessary.
1 11
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1 13
1 14 BOAL of Polk
1 15 SF 277.225 82
1 16 kh/es/8163
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House Amendment 1567

PAG LIN

1 1 Amend the amendment, H=1557, to Senate File 277, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:

1 4 #1. Page 1, by inserting after line 46 the
1 5 following:

1 6 <#___. Page 3, by striking lines 3 through 9.>

1 7 #2. Page 1, line 47, by striking the words and
1 8 figure <after line 9> and inserting the following:
1 9 <before line 10>.

1 10 #3. Page 2, by inserting after line 6 the
1 11 following:

1 12 <#___. Page 3, by inserting after line 34 the
1 13 following:

1 14 <Sec. ___. Section 279.13, subsection 1, Code
1 15 2007, is amended to read as follows:

1 16 1. a. Contracts with teachers, which for the
1 17 purpose of this section means all licensed employees
1 18 of a school district and nurses employed by the board,
1 19 excluding superintendents, assistant superintendents,
1 20 principals, and assistant principals, shall be in
1 21 writing and shall state the number of contract days,
1 22 the annual compensation to be paid, and any other
1 23 matters as may be mutually agreed upon. The contract
1 24 may include employment for a term not exceeding the
1 25 ensuing school year, except as otherwise authorized.

1 26 b. Prior to entering into an initial contract with
1 27 a teacher who holds a license other than an initial
1 28 license issued by the board of educational examiners
1 29 under chapter 272, the school district shall request
1 30 the division of criminal investigation of the
1 31 department of public safety to conduct a background
1 32 investigation of the applicant. The school district
1 33 shall require the teacher to submit a completed
1 34 fingerprint packet, which shall be used to facilitate
1 35 a national criminal history check. The school
1 36 district shall submit the packet to the division of
1 37 criminal investigation of the department of public
1 38 safety which shall conduct a thorough background
1 39 investigation of the teacher. The superintendent of a
1 40 school district or the superintendent's designee shall
1 41 have access to and shall review the sex offender
1 42 registry information under section 692A.13, the
1 43 central registry for child abuse information
1 44 established under section 235A.14, and the central
1 45 registry for dependent adult abuse information
1 46 established under section 235B.5 for information
1 47 regarding applicants for employment as a teacher. The
1 48 school district may charge the teacher a fee for the
1 49 background investigation, which shall not exceed the
1 50 fee charged by the division of criminal investigation



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House Amendment 1567 continued

2 1 for conducting the background investigation.
2 2 c. The contract is invalid if the teacher is under
2 3 contract with another board of directors to teach
2 4 during the same time period until a release from the
2 5 other contract is achieved. The contract shall be
2 6 signed by the president of the board, or by the
2 7 superintendent if the board has adopted a policy
2 8 authorizing the superintendent to sign teaching
2 9 contracts, when tendered, and after it is signed by
2 10 the teacher, the contract shall be filed with the
2 11 secretary of the board before the teacher enters into
2 12 performance under the contract.>>
2 13 #4. By renumbering as necessary.
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2 16
2 17 DOLECHECK of Ringgold
2 18 SF 277.314 82
2 19 kh/cf/8161



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House Amendment 1568

PAG LIN

1 1 Amend House File 818 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 726.6, subsection 1, Code
1 5 2007, is amended by adding the following new
1 6 paragraph:
1 7 NEW PARAGRAPH. i. By act or omission a newborn
1 8 child's mother caused an illegal drug to be present in
1 9 the newborn child's body and the drug's presence is a
1 10 direct and foreseeable consequence of the act or
1 11 omission. Unless the presence of the illegal drug
1 12 caused death or serious injury to the newborn child,
1 13 the drug's presence shall be considered to have caused
1 14 bodily injury to the newborn child. For the purposes
1 15 of this paragraph, "newborn child" means an infant who
1 16 is three days of age or younger.
1 17 Sec. 2. Section 726.6, subsection 6, Code 2007, is
1 18 amended to read as follows:
1 19 6. A person who commits child endangerment
1 20 resulting in bodily injury to a child or minor or
1 21 child endangerment in violation of subsection 1,
1 22 paragraph "g" or "i", that does not result in a
1 23 serious injury, is guilty of a class "D" felony.>
1 24 #2. Title page, lines 2 and 3, by striking the
1 25 words <in a criminal proceeding> and inserting the
1 26 following: <and establishing a child endangerment
1 27 offense relating to the presence of an illegal drug in
1 28 a newborn's body, and providing a penalty>.
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1 32 PAULSEN of Linn
1 33 HF 818.701 82
1 34 jm/gg/8734
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House Amendment 1569

PAG LIN

1 1 Amend the amendment, H=1557, to Senate File 277, as
 1 2 amended, passed, and reprinted by the Senate, as
 1 3 follows:
 1 4 #1. Page 2, by inserting after line 14 the
 1 5 following:
 1 6 <#____. Page 5, line 4, by striking the words <may
 1 7 shall> and inserting the following: <may>.>
 1 8 #2. Page 2, by striking lines 27 through 32 and
 1 9 inserting the following:
 1 10 <#____. Page 6, by striking lines 4 through 9.>
 1 11 #3. Page 2, by striking lines 33 through 42 and
 1 12 inserting the following:
 1 13 <#____. Page 9, by striking lines 12 and 13 and
 1 14 inserting the following: <use of the funds is limited
 1 15 to providing two additional contract days or the
 1 16 equivalent for professional development for teachers,
 1 17 including providing for additional salaries for>.
 1 18 #</strike>____. Page 9, by striking lines 18 through 20 and
 1 19 inserting the following: <development plans. Each
 1 20 school district shall use the funds for quality
 1 21 professional development related to the student
 1 22 learning goals of the school district, making every
 1 23 reasonable effort>.>
 1 24 #4. Page 2, by inserting after line 42 the
 1 25 following:
 1 26 <#____. Page 11, by striking lines 3 and 4.
 1 27 #</strike>____. Page 12, lines 23 and 24, by striking the
 1 28 words and figures <subsections 1 and 2, Code 2007,
 1 29 are> and inserting the following: <subsection 1, Code
 1 30 2007, is>.
 1 31 #</strike>____. By striking page 12, line 35, through page
 1 32 13, line 1, and inserting the following: <development
 1 33 plan; and shall include supporting documentation>.
 1 34 #</strike>____. Page 13, by striking lines 5 through 19.>
 1 35 #5. Page 3, by inserting after line 1 the
 1 36 following:
 1 37 <#____. Page 17, by striking lines 2 through 4 and
 1 38 inserting the following: <extracurricular activities.
 1 39 School districts shall distribute funds to teachers
 1 40 based on individual teacher per diem amounts. These
 1 41 funds shall not supplant existing funding for>.>
 1 42 #6. By renumbering as necessary.
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 1 46 TYMESON of Madison
 1 47 SF 277.715 82
 1 48 kh/gg/8169
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House Amendment 1570

PAG LIN

1 1 Amend the amendment, H=1557, to Senate File 277, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 2, line 14, by inserting after the figure
1 5 <279.13> the following: <or by the department of
1 6 human services at the state training school, the Iowa
1 7 juvenile home, or the state mental health institutes
1 8 located in Cherokee and Independence>.
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1 12 GRANZOW of Hardin
1 13 SF 277.514 82
1 14 kh/je/8171
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House Amendment 1571

PAG LIN

1 1 Amend Senate File 339, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 21, by inserting after the word
1 4 <culverts> the following: <if such capital projects
1 5 assist in economic development which creates jobs and
1 6 wealth>.
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1 10 HOFFMAN of Crawford
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1 14 THOMAS of Clayton
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1 18 PAULSEN of Linn
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1 20 SF 339.502 82
1 21 eg/je/8729
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House Amendment 15713

PAG LIN

1 1 Amend Senate File 339, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 21, by inserting after the word
1 4 <culverts> the following: <if such capital projects
1 5 assist in economic development which creates jobs and
1 6 wealth>.
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1 10 HOFFMAN of Crawford
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1 14 THOMAS of Clayton
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1 18 PAULSEN of Linn
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1 20 SF 339.502 82
1 21 eg/je/8729
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House Amendment 1572

PAG LIN

1 1 Amend the amendment, H=1438, to House File 817 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 47 the
1 4 following:
1 5 <#____. Page 3, by inserting after line 28 the
1 6 following:
1 7 <Sec. _____. Section 260C.14, subsection 2, Code
1 8 2007, is amended to read as follows:
1 9 2. Have authority to determine tuition rates for
1 10 instruction.
1 11 a. Tuition for residents of Iowa shall not exceed
1 12 the lowest tuition rate per semester, or the
1 13 equivalent, charged by an institution of higher
1 14 education under the state board of regents for a
1 15 full-time resident student. However, except for
1 16 students enrolled under chapter 261C, if a local
1 17 school district pays tuition for a resident pupil of
1 18 high school age, the limitation on tuition for
1 19 residents of Iowa shall not apply, the amount of
1 20 tuition shall be determined by the board of directors
1 21 of the community college with the consent of the local
1 22 school board, and the pupil shall not be included in
1 23 the full-time equivalent enrollment of the community
1 24 college for the purpose of computing general aid to
1 25 the community college.
1 26 b. Tuition for nonresidents of Iowa shall not be
1 27 less than the marginal cost of instruction of a
1 28 student attending the college.
1 29 c. A lower tuition for nonresidents may be
1 30 permitted under a reciprocal tuition agreement between
1 31 a merged area and an educational institution in
1 32 another state, if the agreement is approved by the
1 33 director.
1 34 d. The board shall grant full remission of tuition
1 35 and fees charged for not more than one hundred
1 36 twenty-eight semester credit hours or eight semesters
1 37 of undergraduate study, or the trimester or quarter
1 38 equivalent, whichever is longer, for the spouse, the
1 39 unremarried surviving spouse, or a child of a veteran
1 40 if the veteran has a service-connected disability or
1 41 disabilities with a combined rating by the United
1 42 States department of veterans affairs of thirty
1 43 percent or greater, or if the veteran died either in
1 44 the line of duty or as a result of a service-connected
1 45 disability. To be eligible for remission, a child
1 46 must be at least seventeen years old but not yet
1 47 twenty-six years old. For purposes of this
1 48 subparagraph, "child" means any biological child,
1 49 adopted child, stepchild, or any other child who is a
1 50 member of the veteran's household, or any nonmarital



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House Amendment 1572 continued

2 1 child if the veteran acknowledges paternity or
2 2 paternity has been otherwise established. The state
2 3 department of veterans affairs shall verify that the
2 4 veteran is a resident of this state for purposes of
2 5 receiving benefits under chapter 29A, or was a
2 6 resident of this state at the time of death, and was a
2 7 resident of this state at the time of entry into the
2 8 United States armed forces or the Iowa national guard
2 9 or reserve forces of the United States. The
2 10 limitation on credit hours and semesters of study
2 11 shall be applied cumulatively within the community
2 12 college system.

2 13 e. The board may designate that a portion of the
2 14 tuition moneys collected from students be used for
2 15 student aid purposes.

2 16 Sec. _____. Section 262.9, subsection 29, Code 2007,
2 17 is amended to read as follows:

2 18 29. ~~Direct~~ Develop and adopt rules which direct
2 19 the institutions of higher education under its control
2 20 to ~~adopt~~ do the following:

2 21 a. Adopt a policy to offer not less than the
2 22 following options to a student who is a member of the
2 23 Iowa national guard or reserve forces of the United
2 24 States and who is ordered to state ~~military service~~
2 25 active duty or federal service ~~or duty~~, as defined in
2 26 section 29A.1:

2 27 ~~a.~~ (1) Withdraw from the student's entire
2 28 registration and receive a full refund of tuition and
2 29 mandatory fees.

2 30 ~~b.~~ (2) Make arrangements with the student's
2 31 instructors for course grades, or for incompletes that
2 32 shall be completed by the student at a later date. If
2 33 such arrangements are made, the student's registration
2 34 shall remain intact and tuition and mandatory fees
2 35 shall be assessed for the courses in full.

2 36 ~~c.~~ (3) Make arrangements with only some of the
2 37 student's instructors for grades, or for incompletes
2 38 that shall be completed by the student at a later
2 39 date. If such arrangements are made, the registration
2 40 for those courses shall remain intact and tuition and
2 41 mandatory fees shall be assessed for those courses.
2 42 Any course for which arrangements cannot be made for
2 43 grades or incompletes shall be considered dropped and
2 44 the tuition and mandatory fees for the course
2 45 refunded.

2 46 b. Grant full remission of tuition and fees
2 47 charged for not more than one hundred twenty-eight
2 48 semester credit hours or eight semesters of
2 49 undergraduate study, or the trimester or quarter
2 50 equivalent, whichever is longer, or for not more than



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3 1 fifty graduate semester hours of coursework or the
3 2 trimester or quarter equivalent for the spouse, the
3 3 unremarried surviving spouse, or a child of a veteran
3 4 if the veteran has a service-connected disability or
3 5 disabilities with a combined rating by the United
3 6 States department of veterans affairs of thirty
3 7 percent or greater, or if the veteran died either in
3 8 the line of duty or as a result of a service-connected
3 9 disability. To be eligible for remission, a child
3 10 must be at least seventeen years old but not yet
3 11 twenty-six years old. For purposes of this
3 12 subparagraph, "child" means any biological child,
3 13 adopted child, stepchild, or any other child who is a
3 14 member of the veteran's household, or any nonmarital
3 15 child if the veteran acknowledges paternity or
3 16 paternity has been otherwise established. The state
3 17 department of veterans affairs shall verify that the
3 18 veteran is a resident of this state for purposes of
3 19 receiving benefits under chapter 29A, or was a
3 20 resident of this state at the time of death, and was a
3 21 resident of this state at the time of entry into the
3 22 United States armed forces or the Iowa national guard
3 23 or reserve forces of the United States. The
3 24 limitation on credit hours and semesters of study
3 25 shall be applied cumulatively among the institutions
3 26 of higher education governed by the board.>>
3 27 #2. Page 2, by inserting after line 5 the
3 28 following:
3 29 <#___. Title page, line 4, by inserting after the
3 30 word <affairs,> the following: <providing tuition
3 31 assistance,>.>
3 32 #3. By renumbering as necessary.
3 33
3 34
3 35
3 36 WORTHAN of Buena Vista
3 37 HF 817.203 82
3 38 ec/es/8710C



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House Amendment 1573

PAG LIN

1 1 Amend the amendment, H=1438, to House File 817 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 47 the
1 4 following:
1 5 <#____. Page 3, by inserting after line 28 the
1 6 following:
1 7 <Sec. ____ . Section 260C.14, subsection 2, Code
1 8 2007, is amended to read as follows:
1 9 2. Have authority to determine tuition rates for
1 10 instruction.
1 11 a. Tuition for residents of Iowa shall not exceed
1 12 the lowest tuition rate per semester, or the
1 13 equivalent, charged by an institution of higher
1 14 education under the state board of regents for a
1 15 full-time resident student. However, except for
1 16 students enrolled under chapter 261C, if a local
1 17 school district pays tuition for a resident pupil of
1 18 high school age, the limitation on tuition for
1 19 residents of Iowa shall not apply, the amount of
1 20 tuition shall be determined by the board of directors
1 21 of the community college with the consent of the local
1 22 school board, and the pupil shall not be included in
1 23 the full-time equivalent enrollment of the community
1 24 college for the purpose of computing general aid to
1 25 the community college.
1 26 b. Tuition for nonresidents of Iowa shall not be
1 27 less than the marginal cost of instruction of a
1 28 student attending the college.
1 29 c. A lower tuition for nonresidents may be
1 30 permitted under a reciprocal tuition agreement between
1 31 a merged area and an educational institution in
1 32 another state, if the agreement is approved by the
1 33 director.
1 34 d. The board shall grant full remission of
1 35 nonresident tuition and fees charged for not more than
1 36 one hundred twenty-eight semester credit hours or
1 37 eight semesters of undergraduate study, or the
1 38 trimester or quarter equivalent, whichever is longer,
1 39 less the amount of any fees paid under 10 U.S.C. }
1 40 2107(c) or 38 U.S.C. } 3104(a)(7)(A), if applicable,
1 41 for a student who is a veteran and who has received
1 42 hazardous duty pay. The department of veterans
1 43 affairs shall verify that the veteran received
1 44 hazardous duty pay and is a resident of this state for
1 45 purposes of receiving benefits under chapter 29A, and
1 46 was a resident of this state at the time of entry into
1 47 the United States armed forces or the Iowa national
1 48 guard or reserve forces of the United States. For
1 49 purposes of this lettered paragraph, "veteran" means
1 50 the same as defined in section 35.1, or a resident of



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2 1 this state who served in the armed forces of the
2 2 United States, served in active federal service, and
2 3 was discharged under honorable conditions. The
2 4 limitation on credit hours and semesters of study
2 5 shall be applied cumulatively within the community
2 6 college system.

2 7 e. The board may designate that a portion of the
2 8 tuition moneys collected from students be used for
2 9 student aid purposes.

2 10 Sec. _____. Section 262.9, subsection 29, Code 2007,
2 11 is amended to read as follows:

2 12 29. ~~Direct~~ Develop and adopt rules which direct
2 13 the institutions of higher education under its control
2 14 to ~~adopt~~ do the following:

2 15 a. Adopt a policy to offer not less than the
2 16 following options to a student who is a member of the
2 17 Iowa national guard or reserve forces of the United
2 18 States and who is ordered to state ~~military service~~
2 19 active duty or federal service ~~or duty~~, as defined in
2 20 section 29A.1:

2 21 ~~a.~~ (1) Withdraw from the student's entire
2 22 registration and receive a full refund of tuition and
2 23 mandatory fees.

2 24 ~~b.~~ (2) Make arrangements with the student's
2 25 instructors for course grades, or for incompletes that
2 26 shall be completed by the student at a later date. If
2 27 such arrangements are made, the student's registration
2 28 shall remain intact and tuition and mandatory fees
2 29 shall be assessed for the courses in full.

2 30 ~~c.~~ (3) Make arrangements with only some of the
2 31 student's instructors for grades, or for incompletes
2 32 that shall be completed by the student at a later
2 33 date. If such arrangements are made, the registration
2 34 for those courses shall remain intact and tuition and
2 35 mandatory fees shall be assessed for those courses.
2 36 Any course for which arrangements cannot be made for
2 37 grades or incompletes shall be considered dropped and
2 38 the tuition and mandatory fees for the course
2 39 refunded.

2 40 b. Grant full remission of nonresident tuition and
2 41 fees charged for not more than one hundred
2 42 twenty-eight semester credit hours or eight semesters
2 43 of undergraduate study, or the trimester or quarter
2 44 equivalent, whichever is longer, or for not more than
2 45 fifty graduate semester hours of coursework or the
2 46 trimester or quarter equivalent, less the amount of
2 47 any fees paid under 10 U.S.C. } 2107(c) or 38 U.S.C.
2 48 } 3104(a)(7)(A), if applicable, for a student who is a
2 49 veteran and who has received hazardous duty pay. The
2 50 department of veterans affairs shall verify that the



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3 1 veteran received hazardous duty pay and is a resident
3 2 of this state for purposes of receiving benefits under
3 3 chapter 29A, and was a resident of this state at the
3 4 time of entry into the United States armed forces or
3 5 the Iowa national guard or reserve forces of the
3 6 United States. For purposes of this lettered
3 7 paragraph, "veteran" means the same as defined in
3 8 section 35.1, or a resident of this state who served
3 9 in the armed forces of the United States, served in
3 10 active federal service, and was discharged under
3 11 honorable conditions. The limitation on credit hours
3 12 and semesters of study shall be applied cumulatively
3 13 among the institutions of higher education governed by
3 14 the board.>>
3 15 #2. Page 2, by inserting after line 5 the
3 16 following:
3 17 <#____. Title page, line 4, by inserting after the
3 18 word <affairs,> the following: <providing tuition
3 19 assistance,>.>
3 20 #3. By renumbering as necessary.
3 21
3 22
3 23
3 24 WORTHAN of Buena Vista
3 25 HF 817.202 82
3 26 ec/es/8710A



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House Amendment 1574

PAG LIN

1 1 Amend House File 888 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 717F.1 DEFINITIONS.
1 5 As used in this chapter, unless the context
1 6 otherwise requires:
1 7 1. "Agricultural animal" means the same as defined
1 8 in section 717A.1.
1 9 2. "Assistive animal" means the same as defined in
1 10 section 216C.11.
1 11 3. a. "Circus" means a person who is all of the
1 12 following:
1 13 (1) The holder of a class "C" license issued by
1 14 the United States department of agriculture as
1 15 provided in 9 C.F.R., pt. 2, subpt. A.
1 16 (2) Is temporarily in this state as an exhibitor
1 17 as defined in 9 C.F.R., pt. 1, for purposes of
1 18 providing skilled performances by dangerous wild
1 19 animals, clowns, or acrobats for public entertainment.
1 20 b. "Circus" does not include a person, regardless
1 21 of whether the person is a holder of a class "C"
1 22 license as provided in paragraph "a", who does any of
1 23 the following:
1 24 (1) Keeps a dangerous wild animal which is a
1 25 member of the order carnivora within the family
1 26 felidae or the family ursidae, as described in this
1 27 section.
1 28 (2) Uses the dangerous wild animal for any of the
1 29 following purposes:
1 30 (a) A presentation to children at a public or
1 31 nonpublic school as defined in section 280.2.
1 32 (b) Entertainment that involves an activity in
1 33 which a member of the public is in close proximity to
1 34 the dangerous wild animal, including but not limited
1 35 to a contest or a photographic opportunity.
1 36 4. "Custody" means to possess, control, keep, or
1 37 harbor a dangerous wild animal in this state by a
1 38 public agency.
1 39 5. a. "Dangerous wild animal" means any of the
1 40 following:
1 41 (1) A member of the family canidae of the order
1 42 carnivora, including but not limited to wolves,
1 43 coyotes, and jackals. However, a dangerous wild
1 44 animal does not include a domestic dog.
1 45 (2) A member of the family hyaenidae of the order
1 46 of carnivora, including but not limited to hyenas.
1 47 (3) A member of the family felidae of the order
1 48 carnivora, including but not limited to lions, tigers,
1 49 cougars, leopards, cheetahs, ocelots, and servals.
1 50 However, a dangerous wild animal does not include a



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- 2 1 domestic cat.
- 2 2 (4) A member of the family ursidae of the order
2 3 carnivora, including bears and pandas.
- 2 4 (5) A member of the family rhinocerotidae order
2 5 perissodactyla, which is a rhinoceros.
- 2 6 (6) A member of the order proboscidea, which are
2 7 any species of elephant.
- 2 8 (7) A member of the order of primates other than
2 9 humans, and including the following families:
2 10 callitrichiidae, cebidae, cercopithecidae,
2 11 cheirogaleidae, daubentoniidae, galagonidae,
2 12 hominidae, hylobatidae, indridae, lemuridae, loridae,
2 13 megaladapidae, or tarsiidae. A member includes but is
2 14 not limited to marmosets, tamarins, monkeys, lemurs,
2 15 galagos, bushbabies, great apes, gibbons, lesser apes,
2 16 indris, sifakas, and tarsiers.
- 2 17 (8) A member of the order crocodylia, including
2 18 but not limited to alligators, caimans, crocodiles,
2 19 and gharials.
- 2 20 (9) A member of the family varanidae of the order
2 21 squamata, which are limited to water monitors and
2 22 crocodile monitors.
- 2 23 (10) A member of the order squamata which is any
2 24 of the following:
- 2 25 (a) A member of the family varanidae, which are
2 26 limited to water monitors and crocodile monitors.
- 2 27 (b) A member of the family atractaspidae,
2 28 including but not limited to mole vipers and burrowing
2 29 asps.
- 2 30 (c) A member of the family helodermatidae,
2 31 including but not limited to beaded lizards and gila
2 32 monsters.
- 2 33 (d) A member of the family elapidae, voperidae,
2 34 crotalidae, atractaspidae, or hydrophidae which are
2 35 venomous, including but not limited to cobras, mambas,
2 36 coral snakes, kraits, adders, vipers, rattlesnakes,
2 37 copperheads, pit vipers, keelbacks, cottonmouths, and
2 38 sea snakes.
- 2 39 (e) A member of the superfamily henophidia, which
2 40 are limited to reticulated pythons, anacondas, and
2 41 African rock pythons.
- 2 42 b. "Dangerous wild animal" includes an animal
2 43 which is the offspring of an animal provided in
2 44 paragraph "a", and another animal provided in that
2 45 paragraph or any other animal. It also includes
2 46 animals which are the offspring of each subsequent
2 47 generation. However, a dangerous wild animal does not
2 48 include the offspring of a domestic dog and a wolf, or
2 49 the offspring from each subsequent generation in which
2 50 at least one parent is a domestic dog.



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- 3 1 6. "Department" means the department of
3 2 agriculture and land stewardship.
- 3 3 7. "Electronic identification device" means a
3 4 device which when installed is designed to store
3 5 information regarding an animal or the animal's owner
3 6 in a digital format which may be accessed by a
3 7 computer for purposes of reading or manipulating the
3 8 information.
- 3 9 8. "Possess" means to own, keep, or control a
3 10 dangerous wild animal, or supervise or provide for the
3 11 care and feeding of a dangerous wild animal, including
3 12 any activity relating to confining, handling,
3 13 breeding, transporting, or exhibiting the dangerous
3 14 wild animal.
- 3 15 9. "Public agency" means the same as defined in
3 16 section 28E.2.
- 3 17 10. "Research facility" means any of the
3 18 following:
- 3 19 a. A federal research facility as provided in 9
3 20 C.F.R. ch. I.
- 3 21 b. A research facility that is required to be
3 22 registered by the United States department of
3 23 agriculture pursuant to 9 C.F.R. ch. I.
- 3 24 c. A research facility which is certified by the
3 25 department of agriculture and land stewardship as
3 26 provided in section 162.10.
- 3 27 11. "Wildlife sanctuary" means an organization
3 28 exempt from taxation pursuant to section 501(c) of the
3 29 Internal Revenue Code that operates a place of refuge
3 30 where abused, neglected, unwanted, impounded,
3 31 abandoned, orphaned, or displaced wildlife are
3 32 provided care for their lifetime, if all of the
3 33 following apply:
- 3 34 a. The organization does not buy, sell, trade,
3 35 auction, lease, loan, or breed any animal of which the
3 36 organization is an owner.
- 3 37 b. The organization is accredited by the American
3 38 sanctuary association, the association of sanctuaries,
3 39 or another similar organization recognized by the
3 40 department.
- 3 41 Sec. 2. NEW SECTION. 717F.2 RULEMAKING ==
3 42 CHAPTER 28E AGREEMENTS == ASSISTANCE OF ANIMAL WARDEN.
- 3 43 1. The department shall administer this chapter by
3 44 doing all of the following:
- 3 45 a. Adopting rules as provided in chapter 17A for
3 46 the administration and enforcement of this chapter.
- 3 47 b. Entering into agreements with public agencies
3 48 pursuant to chapter 28E as the department determines
3 49 necessary for the administration and enforcement of
3 50 this chapter.



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4 1 2. An animal warden as defined in section 162.2
4 2 shall assist the department in seizing and maintaining
4 3 custody of dangerous wild animals.
4 4 Sec. 3. NEW SECTION. 717F.3 DANGEROUS WILD
4 5 ANIMALS == PROHIBITIONS.
4 6 Except as otherwise provided in this chapter, a
4 7 person shall not do any of the following:
4 8 1. Own or possess a dangerous wild animal.
4 9 2. Cause or allow a dangerous wild animal owned by
4 10 a person or in the person's possession to breed.
4 11 3. Transport a dangerous wild animal into this
4 12 state.
4 13 Sec. 4. NEW SECTION. 717F.4 OWNING OR POSSESSING
4 14 DANGEROUS WILD ANIMALS ON THE EFFECTIVE DATE OF THIS
4 15 ACT.
4 16 A person who owns or possesses a dangerous wild
4 17 animal on the effective date of this Act may continue
4 18 to own or possess the dangerous wild animal subject to
4 19 all of the following:
4 20 1. The person must be eighteen years old or older.
4 21 2. a. The person must not have been convicted of
4 22 an offense involving the abuse or neglect of an animal
4 23 pursuant to a law of this state or another state,
4 24 including but not limited to chapter 717, 717B, 717C,
4 25 or 717D or an ordinance adopted by a city or county.
4 26 b. The department, another state, or the federal
4 27 government must not have suspended an application for
4 28 a permit or license or revoked a permit or license
4 29 required to operate a commercial establishment for the
4 30 care, breeding, or sale of animals, including as
4 31 provided in chapter 162.
4 32 c. The person must not have been convicted of a
4 33 felony for an offense committed within the last ten
4 34 years, as provided by this Code, under the laws of
4 35 another state, or under federal law.
4 36 d. The person must not have been convicted of a
4 37 misdemeanor or felony for an offense committed within
4 38 the last ten years involving a controlled substance as
4 39 defined in section 124.101 in this state, under the
4 40 laws of another state, or under federal law.
4 41 3. Within sixty days after the effective date of
4 42 this Act, the person must have an electronic
4 43 identification device implanted beneath the skin or
4 44 hide of the dangerous wild animal, unless a licensed
4 45 veterinarian states in writing that the implantation
4 46 would endanger the comfort or health of the dangerous
4 47 wild animal. In such case, an electronic
4 48 identification device may be otherwise attached to the
4 49 dangerous wild animal as required by the department.
4 50 4. Not later than December 31, 2007, the person



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5 1 must notify the department using a registration form
5 2 prepared by the department. The registration form
5 3 shall include all of the following information:
5 4 a. The person's name, address, and telephone
5 5 number.
5 6 b. A sworn affidavit that the person meets the
5 7 requirements necessary to own or possess a dangerous
5 8 wild animal as provided in this section.
5 9 c. A complete inventory of each dangerous wild
5 10 animal which the person owns or possesses. The
5 11 inventory shall include all of the following
5 12 information:
5 13 (1) The number of the dangerous wild animals
5 14 according to species.
5 15 (2) The manufacturer and manufacturer's number of
5 16 the electronic device implanted in or attached to each
5 17 dangerous wild animal.
5 18 (3) The location where each dangerous wild animal
5 19 is kept. The person must notify the department in
5 20 writing within ten days of a change of address or
5 21 location where the dangerous wild animal is kept.
5 22 (4) The approximate age, sex, color, weight,
5 23 scars, and any distinguishing marks of each dangerous
5 24 wild animal.
5 25 (5) The name, business mailing address, and
5 26 business telephone number of the licensed veterinarian
5 27 who is responsible for providing care to the dangerous
5 28 wild animal. The information shall include a
5 29 statement signed by the licensed veterinarian
5 30 certifying that the dangerous wild animal is in good
5 31 health.
5 32 (6) A color photograph of the dangerous wild
5 33 animal.
5 34 (7) A copy of a current liability insurance policy
5 35 as required in this section. The person shall send a
5 36 copy of the current liability policy to the department
5 37 each year.
5 38 5. The person must pay the department a
5 39 registration fee as provided in section 717F.8.
5 40 6. The person must maintain health and ownership
5 41 records for the dangerous wild animal for the life of
5 42 the dangerous wild animal.
5 43 7. The person must confine the dangerous wild
5 44 animal in a primary enclosure as required by the
5 45 department on the person's premises. The person must
5 46 not allow the dangerous wild animal outside of the
5 47 primary enclosure unless the dangerous wild animal is
5 48 moved pursuant to any of the following:
5 49 a. To receive veterinary care from a licensed
5 50 veterinarian.



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- 6 1 b. To comply with the directions of the department
6 2 or an animal warden.
- 6 3 c. To transfer ownership and possession of the
6 4 dangerous wild animal to a wildlife sanctuary or
6 5 provide for its destruction by euthanasia as required
6 6 by the department.
- 6 7 8. The person must display at least one sign on
6 8 the person's premises where the dangerous wild animal
6 9 is kept warning the public that the dangerous wild
6 10 animal is confined there. The sign must include a
6 11 symbol warning children of the presence of the
6 12 dangerous wild animal.
- 6 13 9. The person must immediately notify an animal
6 14 warden or other local law enforcement official of any
6 15 escape of a dangerous wild animal.
- 6 16 10. The person must maintain liability insurance
6 17 coverage in an amount of not less than one hundred
6 18 thousand dollars with a deductible of not more than
6 19 two hundred fifty dollars, for each occurrence of
6 20 property damage, bodily injury, or death caused by
6 21 each dangerous wild animal kept by the person.
- 6 22 11. The person who owns or possesses the dangerous
6 23 wild animal is strictly liable for any damages,
6 24 injury, or death caused by the dangerous wild animal.
6 25 The person must reimburse the department or other
6 26 public agency for actual expenses incurred by
6 27 capturing and maintaining custody of the dangerous
6 28 wild animal.
- 6 29 12. If the person is no longer able to care for
6 30 the dangerous wild animal, all of the following apply:
- 6 31 a. The person must so notify the department,
6 32 stating the planned disposition of the dangerous wild
6 33 animal.
- 6 34 b. The person must dispose of the dangerous wild
6 35 animal by transferring ownership and possession to a
6 36 wildlife sanctuary or providing for its destruction by
6 37 euthanasia as required by the department.
- 6 38 Sec. 5. NEW SECTION. 717F.5 SEIZURE, CUSTODY,
6 39 AND DISPOSAL OF DANGEROUS WILD ANIMALS.
- 6 40 1. a. Except as provided in paragraph "b", the
6 41 department shall seize a dangerous wild animal which
6 42 is in the possession of a person if the person is not
6 43 in compliance with the requirements of this chapter.
- 6 44 b. Upon request, the department may provide that
6 45 the person retain possession of the dangerous wild
6 46 animal for not more than fourteen days, upon
6 47 conditions required by the department. During that
6 48 period, the person shall take all necessary actions to
6 49 comply with this chapter. The department shall
6 50 inspect the premises where the dangerous wild animal



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7 1 is kept during reasonable times to ensure that the
7 2 person is complying with the conditions.
7 3 2. If the person fails to comply with the
7 4 conditions of the department at any time or is not in
7 5 compliance with this chapter following the
7 6 fourteen-day period, the department shall seize the
7 7 dangerous wild animal.
7 8 a. The dangerous wild animal shall be considered
7 9 to be a threatened animal which has been rescued as
7 10 provided in chapter 717B. The court may authorize the
7 11 return of the dangerous wild animal to the person from
7 12 whom the dangerous wild animal was seized if the court
7 13 finds all of the following:
7 14 (1) The person is capable of providing the care
7 15 required for the dangerous wild animal.
7 16 (2) There is a substantial likelihood that the
7 17 person will provide the care required for the
7 18 dangerous wild animal.
7 19 (3) The dangerous wild animal has not been abused,
7 20 neglected, or tortured, as provided in chapter 717B.
7 21 b. If the court orders a permanent disposition of
7 22 the dangerous wild animal, the dangerous wild animal
7 23 shall be subject to disposition as provided in section
7 24 717B.4 and the responsible party shall be assessed
7 25 costs associated with its seizure, custody, and
7 26 disposition as provided in that section. The
7 27 department may find long-term placement for the
7 28 dangerous wild animal with a wildlife sanctuary or
7 29 institution accredited or certified by the American
7 30 zoo and aquarium association.
7 31 Sec. 6. NEW SECTION. 717F.6 CAUSE OF THE ESCAPE
7 32 OF A DANGEROUS WILD ANIMAL == PROHIBITION.
7 33 A person shall not intentionally cause a dangerous
7 34 wild animal to escape from its place of confinement,
7 35 including as provided in section 717F.4.
7 36 Sec. 7. NEW SECTION. 717F.7 EXEMPTIONS.
7 37 This chapter does not apply to any of the
7 38 following:
7 39 1. An institution accredited or certified by the
7 40 American zoo and aquarium association.
7 41 2. A wildlife sanctuary.
7 42 3. A person who has been issued a falconry license
7 43 by the department of natural resources pursuant to
7 44 section 483A.1.
7 45 4. A person who owns or possesses a dangerous wild
7 46 animal as an agricultural animal. The person shall
7 47 not transfer the dangerous wild animal to another
7 48 person, unless the person to whom the dangerous wild
7 49 animal is transferred will own or possess it as an
7 50 agricultural animal or the person is a wildlife



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- 8 1 sanctuary.
- 8 2 5. A person who owns or possesses a dangerous wild
8 3 animal as an assistive animal. The person shall not
8 4 transfer the dangerous wild animal to another person,
8 5 unless the person to whom the dangerous wild animal is
8 6 transferred will own or possess it as an assistive
8 7 animal or the person is a wildlife sanctuary.
- 8 8 6. A person who harvests the dangerous wild animal
8 9 as a hunter or trapper pursuant to state law and as
8 10 regulated by the department of natural resources.
- 8 11 7. A person who has been issued a wildlife
8 12 rehabilitation permit by the department of natural
8 13 resources pursuant to section 481A.65.
- 8 14 8. A circus that obtains a permit from a city in
8 15 which it will be temporarily operating, if the city
8 16 issues permits.
- 8 17 9. A city.
- 8 18 10. A nonprofit corporation governed under chapter
8 19 504 that is an organization described in section
8 20 501(c)(3) of the Internal Revenue Code and that is
8 21 exempt from taxation under section 501(a) of the
8 22 Internal Revenue Code if the nonprofit corporation was
8 23 a party to a contract executed with a city prior to
8 24 the effective date of this Act to provide for the
8 25 exhibition of dangerous wild animals at a municipal
8 26 zoo. The nonprofit corporation shall not transfer the
8 27 dangerous wild animal to another person, unless the
8 28 person to whom the dangerous wild animal is
8 29 transferred is a wildlife sanctuary.
- 8 30 11. The state fair as provided in chapter 173 or
8 31 any fair as provided in chapter 174.
- 8 32 12. A research facility.
- 8 33 13. A location operated by a person licensed to
8 34 practice veterinary medicine pursuant to chapter 169.
- 8 35 14. A pound as defined in section 162.2.
- 8 36 15. An animal shelter as defined in section 162.2.
- 8 37 16. A county conservation board as provided in
8 38 chapter 350.
- 8 39 17. An employee of the department responsible for
8 40 the administration of this chapter, an animal warden
8 41 as defined in section 162.2, or an animal care
8 42 provider or law enforcement officer as defined in
8 43 section 717B.1.
- 8 44 18. A person temporarily transporting a dangerous
8 45 wild animal through this state if the transit time is
8 46 not more than ninety-six hours and the dangerous wild
8 47 animal is maintained within a confined area sufficient
8 48 to prevent its escape or injuring members of the
8 49 traveling public.
- 8 50 19. A public agency which maintains permanent
9 1 custody of a dangerous wild animal, if the person to
9 2 whom the public agency assigns the duty to manage the
9 3 custody of the dangerous wild animal complies with the
9 4 provisions of section 717F.4.
- 9 5 20. A person who keeps a dangerous wild animal
9 6 pursuant to all of the following conditions:



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9 7 a. The person is licensed by the United States
9 8 department of agriculture as provided in 9 C.F.R. ch.
9 9 I.

9 10 b. The person is registered by the department of
9 11 agriculture and land stewardship. Upon a complaint
9 12 filed with the department of agriculture and land
9 13 stewardship, the department may inspect the premises
9 14 or investigate the practices of the registered person
9 15 and suspend or revoke the registration for the same
9 16 causes and in the same manner as provided in section
9 17 162.12.

9 18 Sec. 8. NEW SECTION. 717F.8 DANGEROUS WILD
9 19 ANIMAL REGISTRATION FEES.

9 20 The department may charge a registration fee for
9 21 each dangerous wild animal owned or possessed by a
9 22 person required to be registered pursuant to section
9 23 717F.4.

9 24 1. The department shall collect an annual
9 25 registration fee which is an original registration fee
9 26 or a renewal of an original registration fee. The
9 27 amount of the renewal registration fee is one-half of
9 28 the amount of the original registration fee. Moneys
9 29 collected in registration fees shall be deposited in
9 30 the dangerous wild animal registration fund created in
9 31 section 717F.9.

9 32 2. The amount of the original registration fees
9 33 shall be as follows:

9 34 a. Five hundred dollars for a member of the order
9 35 proboscidea, which are any species of elephant.

9 36 b. Five hundred dollars for a member of the family
9 37 rhinocero tidae order perissodactyla, which is a
9 38 rhinoceros.

9 39 c. Three hundred dollars for a member of the
9 40 family ursidae of the order carnivora, which is
9 41 limited to bears.

9 42 d. For a member of the family felidae of the order
9 43 carnivora, all of the following:

9 44 (1) Three hundred dollars for a member of the
9 45 subfamily pantherinae, limited to leopards other than
9 46 snow leopards, lions, and tigers; and for a member of
9 47 the subfamily felinae limited to pumas, jaguars, and
9 48 cougars.

9 49 (2) Two hundred dollars for a member of the
9 50 subfamily felinae limited to bobcats, clouded



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House Amendment 1574 continued

10 1 leopards, cheetahs, and lynx.
10 2 (3) One hundred dollars for a member of the
10 3 subfamily felinae limited to caracals, desert cats,
10 4 Geoffroy's cats, jungle cats, margays, ocelots,
10 5 servals, and wild cats.
10 6 e. For a member of the order of primates other
10 7 than humans, all of the following:
10 8 (1) Three hundred dollars for a member commonly
10 9 referred to as an ape, belonging to the hylobatidae
10 10 family such as gibbons and siamangs, or to the
10 11 pongidae family including gorillas, orangutans, or
10 12 chimpanzees.
10 13 (2) One hundred fifty dollars for a member
10 14 commonly referred to as an old world monkey, belonging
10 15 to the family cercopithecidae, including but not
10 16 limited to macaques, rhesus, mangabeys, mandrills,
10 17 guenons, patas monkeys, langurs, and proboscis
10 18 monkeys.
10 19 (3) Fifty dollars for a member commonly referred
10 20 to as a new world monkey belonging to the family
10 21 cebidae, including but not limited to cebids,
10 22 including capuchin monkeys, howlers, woolly monkeys,
10 23 squirrel monkeys, night monkeys, titis, uakaris, or to
10 24 the family callitrichidae, including but not limited
10 25 to marmosets and tamarins.
10 26 f. One hundred dollars for a member of the order
10 27 crocodilia, including but not limited to alligators,
10 28 caimans, crocodiles, and gharials.
10 29 g. Fifty dollars for a member of the family
10 30 varanidae of the order squamata, which are limited to
10 31 water monitors and crocodile monitors.
10 32 h. Fifty dollars for a member of the family
10 33 atractaspidae, including but not limited to mole
10 34 vipers and burrowing asps.
10 35 i. Fifty dollars for a member of the family
10 36 helodermatidae, including but not limited to beaded
10 37 lizards and gila monsters.
10 38 j. Fifty dollars for a member of the family
10 39 elapidae, voperidae, crotalidae, atractaspidae, or
10 40 hydrophidae which are venomous, including but not
10 41 limited to cobras, mambas, coral snakes, kraits,
10 42 adders, vipers, rattlesnakes, copperheads, pit vipers,
10 43 keelbacks, cottonmouths, and sea snakes.
10 44 k. One hundred dollars for a member of the
10 45 superfamily henophidia, which are limited to
10 46 reticulated pythons, anacondas, and African rock
10 47 pythons.
10 48 Sec. 9. NEW SECTION. 717F.9 DANGEROUS WILD
10 49 ANIMAL REGISTRATION FUND.
10 50 1. A dangerous wild animal registration fund is



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11 1 created in the state treasury under the control of the
11 2 department. The fund is composed of moneys
11 3 appropriated by the general assembly and moneys
11 4 available to and obtained or accepted by the
11 5 department from the United States or private sources
11 6 for placement in the fund. The fund shall include
11 7 moneys deposited into the fund from registration fees
11 8 collected by the department pursuant to section
11 9 717F.8.

11 10 2. Moneys in the dangerous wild animal
11 11 registration fund are appropriated to the department
11 12 exclusively to administer and enforce the provisions
11 13 of this chapter. The moneys shall not be transferred,
11 14 used, obligated, appropriated, or otherwise encumbered
11 15 except as provided in this subsection.

11 16 3. Section 8.33 shall not apply to moneys in the
11 17 dangerous wild animal registration fund.
11 18 Notwithstanding section 12C.7, moneys earned as income
11 19 or interest from the fund shall remain in the fund
11 20 until expended as provided in this section.

11 21 Sec. 10. NEW SECTION. 717F.10 ENFORCEMENT.

11 22 The department is the principal agency charged with
11 23 enforcing the provisions of this chapter. An animal
11 24 warden as defined in section 162.2, or an animal care
11 25 provider or law enforcement officer as defined in
11 26 section 717B.1, shall enforce this chapter as directed
11 27 by the department.

11 28 Sec. 11. NEW SECTION. 717F.11 CIVIL PENALTY.

11 29 A person owning or possessing a dangerous wild
11 30 animal who violates a provision of this chapter is
11 31 subject to a civil penalty of not less than two
11 32 hundred dollars and not more than two thousand dollars
11 33 for each dangerous wild animal involved in the
11 34 violation. Each day that a violation continues shall
11 35 be considered as a separate offense. The civil
11 36 penalties shall be deposited into the general fund of
11 37 the state.

11 38 Sec. 12. NEW SECTION. 717F.12 INJUNCTIVE RELIEF.

11 39 The courts of this state may prevent and restrain
11 40 violations of this chapter through the issuance of an
11 41 injunction. The attorney general or a county attorney
11 42 may institute suits on behalf of the state to prevent
11 43 and restrain violations of this chapter.

11 44 Sec. 13. NEW SECTION. 717F.13 CRIMINAL
11 45 PENALTIES.

11 46 A person who intentionally causes a dangerous wild
11 47 animal to escape in violation of this chapter is
11 48 guilty of an aggravated misdemeanor.

11 49 Sec. 14. INTENT OF THE GENERAL ASSEMBLY ==
11 50 ELIMINATION OF FULL=TIME EQUIVALENT POSITIONS. It is



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12 1 the intent of the general assembly that any additional
12 2 full-time equivalent positions authorized to be filled
12 3 by the department of agriculture and land stewardship
12 4 relating to the regulation of persons required to
12 5 register with the department as a condition of owning
12 6 or possessing a dangerous wild animal pursuant to
12 7 section 717F.4, as enacted in this Act, be eliminated
12 8 once the regulation is no longer necessary.>

12 9

12 10

12 11

12 12 T. TAYLOR of Linn

12 13 HF 888.503 82

12 14 da/je/8826



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House Amendment 1575

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1 1 Amend the amendment, H=1557, to Senate File 277, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 2, line 31, by inserting after the word
1 5 <education> the following: <and subject to the
1 6 approval of the school board>.
1 7
1 8
1 9
1 10 T. OLSON of Linn
1 11
1 12
1 13
1 14 DANDEKAR of Linn
1 15 SF 277.515 82
1 16 kh/je/8176
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House File 892 - Introduced

HOUSE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 814)
(SUCCESSOR TO HF 411)

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

A BILL FOR

- 1 An Act creating a film, television, and video project promotion
- 2 program, providing tax credits and income exclusions, and
- 3 including effective and retroactive applicability dates.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5 TLSB 1515HZ 82
- 6 tm/cf/24



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1 1 Section 1. NEW SECTION. 15.391 SHORT TITLE.
1 2 This part shall be known as the "Film, Television, and
1 3 Video Project Promotion Program".
1 4 Sec. 2. NEW SECTION. 15.392 PURPOSE.
1 5 The purpose of the film, television, and video project
1 6 promotion program is to assist legitimate film, television,
1 7 and video producers in the production of film, television, and
1 8 video projects in the state and to increase the fiscal impact
1 9 on the state's economy of film, television, and video projects
1 10 produced in the state. The program includes assistance in the
1 11 production of advertising projects in a film, television, or
1 12 video medium.
1 13 Sec. 3. NEW SECTION. 15.393 FILM, TELEVISION, AND VIDEO
1 14 PROJECT PROMOTION PROGRAM == TAX CREDITS AND EXCLUSION.
1 15 1. The department shall establish and administer a film,
1 16 television, and video project promotion program that provides
1 17 for the registration of projects to be shot on location in the
1 18 state. A project that is registered under the program is
1 19 entitled to the assistance provided in subsection 2. A fee
1 20 shall not be charged for registering. The department shall
1 21 not register a project unless the department determines that
1 22 all of the following are met:
1 23 a. The project is a legitimate effort to produce an entire
1 24 film, television, or video episode or a film, television, or
1 25 video segment in the state.
1 26 b. The project will include expenditures of at least one
1 27 hundred thousand dollars in the state and have an economic
1 28 impact on the economy of the state or locality sufficient to
1 29 justify assistance under the program.
1 30 c. The project will further tourism, economic development,
1 31 and population retention or growth in the state or locality.
1 32 d. Other criteria established by rule relating to the
1 33 economic impact and promotional aspects of the project on the
1 34 state or locality.
1 35 2. A project registered with the department under the



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2 1 program is eligible for the following assistance:
2 2 a. (1) For tax years beginning on or after January 1,
2 3 2007, a qualified expenditure tax credit shall be allowed
2 4 against the taxes imposed in chapter 422, divisions II, III,
2 5 and V, and in chapter 432, and against the moneys and credits
2 6 tax imposed in section 533.24, for a portion of a taxpayer's
2 7 qualified expenditures in a project registered under the
2 8 program. The tax credit shall equal twenty-five percent of
2 9 the qualified expenditures on a project. An individual may
2 10 claim a tax credit under this paragraph "a" of a partnership,
2 11 limited liability company, S corporation, estate, or trust
2 12 electing to have income taxed directly to the individual. The
2 13 amount claimed by the individual shall be based upon the pro
2 14 rata share of the individual's earnings from the partnership,
2 15 limited liability company, S corporation, estate, or trust.
2 16 Any tax credit in excess of the taxpayer's liability for the
2 17 tax year may be credited to the tax liability for the
2 18 following five years or until depleted, whichever is earlier.
2 19 A tax credit shall not be carried back to a tax year prior to
2 20 the tax year in which the taxpayer claims the tax credit.
2 21 (2) A qualified expenditure by a taxpayer is a payment to
2 22 an Iowa resident or an Iowa-based business for the sale,
2 23 rental, or furnishing of tangible personal property or for
2 24 services directly related to the registered project including
2 25 but not limited to aircraft, vehicles, equipment, materials,
2 26 supplies, accounting, animals and animal care, artistic and
2 27 design services, graphics, construction, data and information
2 28 services, delivery and pickup services, graphics, labor and
2 29 personnel, lighting, makeup and hairdressing, film, music,
2 30 photography, sound, video and related services, printing,
2 31 research, site fees and rental, travel related to Iowa distant
2 32 locations, trash removal and cleanup, and wardrobe. For the
2 33 purposes of this subparagraph, "labor and personnel" does not
2 34 include the director, producers, or cast members other than
2 35 extras and stand-ins. The department of revenue, in



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3 1 consultation with the department of economic development,
3 2 shall by rule establish a list of eligible expenditures.
3 3 (3) After verifying the eligibility for a tax credit under
3 4 this paragraph "a", the department of economic development
3 5 shall issue a film, television, and video project promotion
3 6 program tax credit certificate to be attached to the person's
3 7 tax return. The tax credit certificate shall contain the
3 8 taxpayer's name, address, tax identification number, the date
3 9 of project completion, the amount of credit, other information
3 10 required by the department of revenue, and a place for the
3 11 name and tax identification number of a transferee and the
3 12 amount of the tax credit being transferred. Tax credit
3 13 certificates issued under this paragraph "a" may be
3 14 transferred to any person or entity. Within ninety days of
3 15 transfer, the transferee shall submit the transferred tax
3 16 credit certificate to the department of revenue along with a
3 17 statement containing the transferee's name, tax identification
3 18 number, and address, and the denomination that each
3 19 replacement tax credit certificate is to carry and any other
3 20 information required by the department of revenue. Within
3 21 thirty days of receiving the transferred tax credit
3 22 certificate and the transferee's statement, the department of
3 23 revenue shall issue one or more replacement tax credit
3 24 certificates to the transferee. Each replacement tax credit
3 25 certificate must contain the information required for the
3 26 original tax credit certificate and must have the same
3 27 expiration date that appeared in the transferred tax credit
3 28 certificate. Tax credit certificate amounts of less than the
3 29 minimum amount established by rule of the department of
3 30 economic development shall not be transferable. A tax credit
3 31 shall not be claimed by a transferee under this paragraph "a"
3 32 until a replacement tax credit certificate identifying the
3 33 transferee as the proper holder has been issued. The
3 34 transferee may use the amount of the tax credit transferred
3 35 against the taxes imposed in chapter 422, divisions II, III,



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4 1 and V, and in chapter 432, and against the moneys and credits
4 2 tax imposed in section 533.24, for any tax year the original
4 3 transferor could have claimed the tax credit. Any
4 4 consideration received for the transfer of the tax credit
4 5 shall not be included as income under chapter 422, divisions
4 6 II, III, and V, under chapter 432, or against the moneys and
4 7 credits tax imposed in section 533.24. Any consideration paid
4 8 for the transfer of the tax credit shall not be deducted from
4 9 income under chapter 422, divisions II, III, and V, under
4 10 chapter 432, or against the moneys and credits tax imposed in
4 11 section 533.24.

4 12 (4) A taxpayer claiming a tax credit under this paragraph
4 13 "a", a business in which such taxpayer has an equity interest,
4 14 and a business in which such taxpayer participates in its
4 15 management is not eligible to receive the adjusted gross
4 16 income reduction under paragraph "c".

4 17 b. (1) For tax years beginning on or after January 1,
4 18 2007, an investment tax credit shall be allowed against the
4 19 taxes imposed in chapter 422, divisions II, III, and V, and in
4 20 chapter 432, and against the moneys and credits tax imposed in
4 21 section 533.24, for a portion of a taxpayer's investment in a
4 22 project registered under the program. The tax credit shall
4 23 equal twenty-five percent of the investment in the project.
4 24 An individual may claim a tax credit under this paragraph of a
4 25 partnership, limited liability company, S corporation, estate,
4 26 or trust electing to have income taxed directly to the
4 27 individual. The amount claimed by the individual shall be
4 28 based upon the pro rata share of the individual's earnings
4 29 from the partnership, limited liability company, S
4 30 corporation, estate, or trust. Any tax credit in excess of
4 31 the taxpayer's liability for the tax year may be credited to
4 32 the tax liability for the following five years or until
4 33 depleted, whichever is earlier. A tax credit shall not be
4 34 carried back to a tax year prior to the tax year in which the
4 35 taxpayer claims the tax credit. A taxpayer shall not claim a



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5 1 tax credit under this paragraph "b" for qualified expenditures
5 2 for which a tax credit is claimed under paragraph "a".
5 3 (2) After verifying the eligibility for a tax credit under
5 4 this paragraph "b", the department of economic development
5 5 shall issue a film, television, and video project promotion
5 6 program tax credit certificate to be attached to the person's
5 7 tax return. The tax credit certificate shall contain the
5 8 taxpayer's name, address, tax identification number, the date
5 9 of project completion, the amount of credit, other information
5 10 required by the department of revenue, and a place for the
5 11 name and tax identification number of a transferee and the
5 12 amount of the tax credit being transferred. Tax credit
5 13 certificates issued under this paragraph "b" may be
5 14 transferred to any person or entity. Within ninety days of
5 15 transfer, the transferee shall submit the transferred tax
5 16 credit certificate to the department of revenue along with a
5 17 statement containing the transferee's name, tax identification
5 18 number, and address, and the denomination that each
5 19 replacement tax credit certificate is to carry and any other
5 20 information required by the department of revenue. Within
5 21 thirty days of receiving the transferred tax credit
5 22 certificate and the transferee's statement, the department of
5 23 revenue shall issue one or more replacement tax credit
5 24 certificates to the transferee. Each replacement tax credit
5 25 certificate must contain the information required for the
5 26 original tax credit certificate and must have the same
5 27 expiration date that appeared in the transferred tax credit
5 28 certificate. Tax credit certificate amounts of less than the
5 29 minimum amount established by rule of the department of
5 30 economic development shall not be transferable. A tax credit
5 31 shall not be claimed by a transferee under this paragraph "b"
5 32 until a replacement tax credit certificate identifying the
5 33 transferee as the proper holder has been issued. The
5 34 transferee may use the amount of the tax credit transferred
5 35 against the taxes imposed in chapter 422, divisions II, III,



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6 1 and V, and in chapter 432, and against the moneys and credits
6 2 tax imposed in section 533.24, for any tax year the original
6 3 transferor could have claimed the tax credit. Any
6 4 consideration received for the transfer of the tax credit
6 5 shall not be included as income under chapter 422, divisions
6 6 II, III, and V, under chapter 432, or against the moneys and
6 7 credits tax imposed in section 533.24. Any consideration paid
6 8 for the transfer of the tax credit shall not be deducted from
6 9 income under chapter 422, divisions II, III, and V, under
6 10 chapter 432, or against the moneys and credits tax imposed in
6 11 section 533.24.

6 12 c. For tax years beginning on or after January 1, 2007, a
6 13 reduction in adjusted gross income for purposes of taxes
6 14 imposed in chapter 422, divisions II and III, for payments
6 15 received from the sale, rental, or furnishing of tangible
6 16 personal property or services directly related to the
6 17 production of a project registered under this section which
6 18 meets the criteria of a qualified expenditure under paragraph
6 19 "a", subparagraph (2).

6 20 3. The department shall promote the program and the
6 21 assistance available under the program on an internet website.

6 22 4. A project that depicts or describes any obscene
6 23 material, as defined in section 728.1, shall not be eligible
6 24 to receive assistance under this section.

6 25 Sec. 4. Section 422.7, Code 2007, is amended by adding the
6 26 following new subsection:

6 27 NEW SUBSECTION. 50. Subtract, to the extent included, an
6 28 amount equal to any income received from the sale, rental, or
6 29 furnishing of tangible personal property or services directly
6 30 related to the production of a project registered under
6 31 section 15.393 which meets the criteria of a qualified
6 32 expenditure under section 15.393, subsection 2, paragraph "a",
6 33 subparagraph (2).

6 34 Sec. 5. NEW SECTION. 422.11T FILM QUALIFIED EXPENDITURE
6 35 TAX CREDIT.



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7 1 The taxes imposed under this division, less the credits
7 2 allowed under sections 422.12 and 422.12B, shall be reduced by
7 3 a qualified expenditure tax credit authorized pursuant to
7 4 section 15.393, subsection 2, paragraph "a".

7 5 Sec. 6. NEW SECTION. 422.11U FILM INVESTMENT TAX CREDIT.

7 6 The taxes imposed under this division, less the credits
7 7 allowed under sections 422.12 and 422.12B, shall be reduced by
7 8 an investment tax credit authorized pursuant to section
7 9 15.393, subsection 2, paragraph "b".

7 10 Sec. 7. Section 422.33, Code 2007, is amended by adding
7 11 the following new subsections:

7 12 NEW SUBSECTION. 24. The taxes imposed under this division
7 13 shall be reduced by a qualified expenditure tax credit
7 14 authorized pursuant to section 15.393, subsection 2, paragraph
7 15 "a".

7 16 NEW SUBSECTION. 25. The taxes imposed under this division
7 17 shall be reduced by an investment tax credit authorized
7 18 pursuant to section 15.393, subsection 2, paragraph "b".

7 19 Sec. 8. Section 422.35, Code 2007, is amended by adding
7 20 the following new subsection:

7 21 NEW SUBSECTION. 23. Subtract, to the extent included, an
7 22 amount equal to any income received from the sale, rental, or
7 23 furnishing of tangible personal property or services directly
7 24 related to the production of a project registered under
7 25 section 15.393 which meets the criteria of a qualified
7 26 expenditure under section 15.393, subsection 2, paragraph "a",
7 27 subparagraph (2).

7 28 Sec. 9. Section 422.60, Code 2007, is amended by adding
7 29 the following new subsections:

7 30 NEW SUBSECTION. 13. The taxes imposed under this division
7 31 shall be reduced by a qualified expenditure tax credit
7 32 authorized pursuant to section 15.393, subsection 2, paragraph
7 33 "a".

7 34 NEW SUBSECTION. 14. The taxes imposed under this division
7 35 shall be reduced by an investment tax credit authorized



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8 1 pursuant to section 15.393, subsection 2, paragraph "b".
8 2 Sec. 10. NEW SECTION. 432.12J FILM QUALIFIED EXPENDITURE
8 3 TAX CREDIT.

8 4 The tax imposed under this chapter shall be reduced by a
8 5 qualified expenditure tax credit authorized pursuant to
8 6 section 15.393, subsection 2, paragraph "a".

8 7 Sec. 11. NEW SECTION. 432.12K FILM INVESTMENT TAX
8 8 CREDIT.

8 9 The tax imposed under this chapter shall be reduced by an
8 10 investment tax credit authorized pursuant to section 15.393,
8 11 subsection 2, paragraph "b".

8 12 Sec. 12. Section 533.24, Code 2007, is amended by adding
8 13 the following new subsections:

8 14 NEW SUBSECTION. 11. The moneys and credits tax imposed
8 15 under this section shall be reduced by a qualified expenditure
8 16 tax credit authorized pursuant to section 15.393, subsection
8 17 2, paragraph "a".

8 18 NEW SUBSECTION. 12. The moneys and credits tax imposed
8 19 under this section shall be reduced by an investment tax
8 20 credit authorized pursuant to section 15.393, subsection 2,
8 21 paragraph "b".

8 22 Sec. 13. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
8 23 This Act, being deemed of immediate importance, takes effect
8 24 upon enactment and is retroactively applicable to January 1,
8 25 2007, for tax years beginning on and after that date.

8 26 EXPLANATION

8 27 This bill creates a film, television, and video project
8 28 promotion program, provides for tax credits and income
8 29 exclusions, and includes effective and retroactive
8 30 applicability dates.

8 31 The bill requires the department of economic development to
8 32 establish and administer a film, television, and video project
8 33 promotion program that will provide for the registration of
8 34 projects that are to be shot on location in the state. The
8 35 bill prohibits the department from registering a film project
9 1 unless the department determines that the project is a
9 2 legitimate effort to produce an entire film, television, or
9 3 video episode, or a film, television, or video segment in the
9 4 state; the project will include expenditures of at least
9 5 \$100,000 in the state and have an economic impact on the
9 6 economy of the state or locality sufficient to justify
9 7 assistance under the program; the project will further tourism
9 8 and population retention or growth in the state or locality;
9 9 and the project satisfies any other criteria established by
9 10 rule by the department.

9 11 The bill provides that a project registered with the
9 12 department under the program is eligible for the following
9 13 assistance:

9 14 1. QUALIFIED EXPENDITURE TAX CREDIT. The bill allows a
9 15 qualified expenditure tax credit for 25 percent of a
9 16 taxpayer's qualified expenditures in a project registered
9 17 under the program. The tax credit is allowed against personal
9 18 and corporate income tax liabilities, franchise tax
9 19 liabilities for financial institutions, insurance premium tax
9 20 liabilities, and credit union moneys and credits tax
9 21 liabilities. The bill provides that a qualified expenditure



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9 22 is a payment to an Iowa resident or an Iowa-based business for
9 23 the sale, rental, or furnishing of tangible personal property
9 24 or for services directly related to the registered project.
9 25 The bill provides that any tax credit in excess of the
9 26 taxpayer's liability for the tax year may be credited to the
9 27 tax liability for the following five years or until depleted,
9 28 whichever is earlier. The bill prohibits a tax credit from
9 29 being carried back to a tax year prior to the tax year in
9 30 which the taxpayer claims the tax credit and provides that a
9 31 tax credit shall not be transferable to any other taxpayer.
9 32 The bill provides that a taxpayer claiming this tax credit, a
9 33 business in which such taxpayer has an equity interest, and a
9 34 business in which such taxpayer participates in its management
9 35 is not eligible to receive the adjusted gross income reduction



Iowa General Assembly
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House File 892 - Introduced continued

10 1 incentive. The bill provides that the tax credit is
10 2 transferable to another taxpayer.

10 3 2. INVESTMENT TAX CREDIT. The bill allows an investment
10 4 tax credit for 25 percent of a taxpayer's investment in a
10 5 project registered under the program. The tax credit is
10 6 allowed against personal and corporate income tax liabilities,
10 7 franchise tax liabilities for financial institutions,
10 8 insurance premium tax liabilities, and credit union moneys and
10 9 credits tax liabilities. The bill provides that any tax
10 10 credit in excess of the taxpayer's liability for the tax year
10 11 may be credited to the tax liability for the following five
10 12 years or until depleted, whichever is earlier. The bill
10 13 provides that a tax credit shall not be carried back to a tax
10 14 year prior to the tax year in which the taxpayer claims the
10 15 tax credit. The bill provides that the tax credit is
10 16 transferable to another taxpayer. The bill prohibits an
10 17 investment tax credit from being claimed for qualified
10 18 expenditures for which a qualified expenditure tax credit is
10 19 claimed.

10 20 3. EXEMPTION FROM INCOME. The bill allows a person to
10 21 subtract from adjusted gross income for purposes of personal
10 22 and corporate income taxes an amount equal to any income
10 23 received from the sale, rental, or furnishing of tangible
10 24 personal property or services directly related to the
10 25 production of a project registered under the bill which meets
10 26 the criteria of a qualified expenditure.

10 27 The bill takes effect upon enactment and is retroactively
10 28 applicable to January 1, 2007, for tax years beginning on and
10 29 after that date.

10 30 LSB 1515HZ 82
10 31 tm:rj/cf/24



Iowa General Assembly
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House Resolution 38 - Introduced

PAG LIN

1 1 HOUSE RESOLUTION NO.
1 2 BY CLUTE
1 3 A Resolution declaring May 2007 Amyotrophic Lateral
1 4 Sclerosis (ALS) Awareness Month.
1 5 WHEREAS, amyotrophic lateral sclerosis, or ALS, is
1 6 better known as Lou Gehrig's disease; and
1 7 WHEREAS, ALS is a fatal neurodegenerative disease
1 8 characterized by degeneration of cell bodies of the
1 9 lower motor neurons in the gray matter of the anterior
1 10 horns of the spinal cord; and
1 11 WHEREAS, the initial symptom of ALS is weakness of
1 12 the skeletal muscles, especially those of the
1 13 extremities; and
1 14 WHEREAS, as ALS progresses, the patient experiences
1 15 difficulty in swallowing, talking, and breathing; and
1 16 WHEREAS, ALS eventually causes muscles to atrophy
1 17 and the patient becomes a functional quadriplegic; and
1 18 WHEREAS, ALS does not affect a patient's mental
1 19 capacity, so that the patient remains alert and aware
1 20 of his or her loss of motor functions and the
1 21 inevitable outcome of continued deterioration and
1 22 death; and
1 23 WHEREAS, on average, patients diagnosed with ALS
1 24 only survive two to five years from the time of
1 25 diagnosis; and
1 26 WHEREAS, research indicates that military veterans
1 27 are at a 50 percent greater risk of developing ALS
1 28 than those who have not served in the military; and
1 29 WHEREAS, ALS has no known cause, means of
1 30 prevention, or cure; and



**Iowa General Assembly
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House Resolution 38 - Introduced continued

2 1 WHEREAS, Amyotrophic Lateral Sclerosis Awareness
2 2 Month increases the public's awareness of ALS
2 3 patients' circumstances and acknowledges the terrible
2 4 impact this disease has not only on the patient but on
2 5 the patient's family and the community and recognizes
2 6 the research being done to eradicate this horrible
2 7 disease; NOW THEREFORE,
2 8 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 9 That the House of Representatives proclaims May 2007
2 10 as Amyotrophic Lateral Sclerosis Awareness Month in
2 11 Iowa.
2 12 LSB 2852HH 82
2 13 jr:nh/je/5



Iowa General Assembly
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House Resolution 39 - Introduced

PAG LIN

1 1 HOUSE RESOLUTION NO.
1 2 BY HEDDENS and WESSEL=KROESCHELL
1 3 A Resolution recognizing the federal Morrill
1 4 Act and celebrating the renovation of Morrill
1 5 Hall at Iowa State University.
1 6 WHEREAS, the federal Morrill Act, sponsored by
1 7 United States Senator Justin Morrill of Vermont and
1 8 signed by President Abraham Lincoln in 1862, was the
1 9 most important federal legislative act for higher
1 10 education of the 19th century, giving states like Iowa
1 11 the means to provide affordable higher education
1 12 opportunities to every citizen; and
1 13 WHEREAS, Senator Morrill stated that "[t]he
1 14 land-grant colleges were founded on the idea that a
1 15 higher and broader education should be placed in every
1 16 State within the reach of those whose destiny assigns
1 17 them to, or who may have the courage to choose ...
1 18 locations where the wealth of nations is produced,
1 19 where advanced civilization unfolds its comforts, and
1 20 where a much larger number of the people need wider
1 21 educational advantages, and impatiently await their
1 22 possession"; and
1 23 WHEREAS, in 1862, the great State of Iowa became
1 24 the first state to accept the terms of the Morrill
1 25 Act; and
1 26 WHEREAS, the Iowa State College of Agriculture and
1 27 Mechanic Arts founded in 1858 and now the Iowa State
1 28 University of Science and Technology became, in 1864,
1 29 the first institution in the United States designated
1 30 as a land-grant institution; and



**Iowa General Assembly
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House Resolution 39 - Introduced continued

2 1 WHEREAS, 215 institutions are now members of the
2 2 National Association of State Universities and
2 3 Land=Grant Colleges, educating nearly 3 million
2 4 students located in all 50 states; and
2 5 WHEREAS, Morrill Hall at Iowa State University,
2 6 since its construction in 1891, has stood as a proud
2 7 symbol honoring Senator Morrill and honoring Iowa's
2 8 commitment to public higher education; and
2 9 WHEREAS, more than 2,700 private donors contributed
2 10 more than \$7.4 million and Iowa's taxpayers
2 11 contributed almost \$2.8 million of the \$10.2 million
2 12 cost to renovate Morrill Hall; and
2 13 WHEREAS, Morrill Hall, after a two=year renovation,
2 14 will now continue its service in fulfilling Iowa State
2 15 University's land=grant mission of teaching, research,
2 16 and outreach by housing the Center for Excellence in
2 17 Learning and Teaching, the Center for Textiles and
2 18 Clothing, three modern classrooms, and the
2 19 world=renowned Christian Petersen Art Collection; and
2 20 WHEREAS, the rededication of Morrill Hall begins a
2 21 yearlong celebration of Iowa State University's
2 22 sesquicentennial; NOW THEREFORE,
2 23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 24 That the House of Representatives recognizes and
2 25 honors the achievements of the federal Morrill Act in
2 26 making higher education available to millions of
2 27 Americans over the past century and a half; and
2 28 BE IT FURTHER RESOLVED, That the House of
2 29 Representatives applauds the completion of the
2 30 renovation of Morrill Hall as an important symbol of



**Iowa General Assembly
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House Resolution 39 - Introduced continued

3 1 the commitment of the State of Iowa to the ideals of
3 2 the land-grant colleges and universities; and
3 3 BE IT FURTHER RESOLVED, That the House of
3 4 Representatives thanks the taxpayers of Iowa and the
3 5 more than 2,700 private donors who have given of their
3 6 own resources to renovate Morrill Hall and return it
3 7 to the people of Iowa as an important education
3 8 facility.
3 9 LSB 2877HH 82
3 10 jr:rj/je/5.3



Iowa General Assembly
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Senate Amendment 3231

PAG LIN

1 1 Amend Senate File 564 as follows:
1 2 #1. Page 3, by inserting after line 30 the
1 3 following:
1 4 <___. "Research facility" means any of the
1 5 following:
1 6 a. A federal research facility as provided in 9
1 7 C.F.R. ch. I.
1 8 b. A research facility that is required to be
1 9 registered by the United States department of
1 10 agriculture pursuant to 9 C.F.R. ch. I.
1 11 c. A research facility which is certified by the
1 12 department of agriculture and land stewardship as
1 13 provided in section 162.10.>
1 14 #2. Page 8, line 14, by striking the word
1 15 <ten=day> and inserting the following:
1 16 <fourteen=day>.
1 17 #3. Page 8, line 35, by inserting after the word
1 18 <accredited> the following: <or certified>.
1 19 #4. Page 9, line 8, by inserting after the word
1 20 <accredited> the following: <or certified>.
1 21 #5. Page 9, line 12, by inserting after the word
1 22 <department> the following: <of natural resources>.
1 23 #6. Page 9, line 16, by striking the words
1 24 <transferred the dangerous wild animal> and inserting
1 25 the following: <to whom the dangerous wild animal is
1 26 transferred>.
1 27 #7. Page 9, line 22, by striking the words
1 28 <transferred the dangerous wild animal> and inserting
1 29 the following: <to whom the dangerous wild animal is
1 30 transferred>.
1 31 #8. Page 9, line 28, by inserting after the word
1 32 <department> the following: <of natural resources>.
1 33 #9. Page 10, line 3, by inserting after the word
1 34 <zoo.> the following: <The nonprofit corporation
1 35 shall not transfer the dangerous wild animal to
1 36 another person, unless the person to whom the
1 37 dangerous wild animal is transferred is a wildlife
1 38 sanctuary.>
1 39 #10. Page 10, by striking lines 6 through 9 and
1 40 inserting the following:
1 41 <___. A research facility.>
1 42 #11. Page 10, by inserting after line 28, the
1 43 following:
1 44 <___. A person who keeps a dangerous wild animal
1 45 pursuant to all of the following conditions:
1 46 a. The person is licensed by the United States
1 47 department of agriculture as provided in 9 C.F.R. ch.
1 48 I.
1 49 b. The person is registered by the department of
1 50 agriculture and land stewardship. Upon a complaint



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Senate Amendment 3231 continued

2 1 filed with the department of agriculture and land
2 2 stewardship, the department may inspect the premises
2 3 or investigate the practices of the registered person
2 4 and suspend or revoke the registration for the same
2 5 causes and in the same manner as provided in section
2 6 162.12.>
2 7 #12. Page 13, line 28, by striking the word
2 8 <shall> and inserting the following: <may>.
2 9 #13. By renumbering as necessary.
2 10
2 11
2 12
2 13 Dr. JOE M. SENG
2 14
2 15
2 16
2 17 WILLIAM DOTZLER
2 18
2 19
2 20
2 21 STEVE KETTERING
2 22
2 23
2 24
2 25 PAUL McKINLEY
2 26 SF 564.302 82
2 27 da/cf/8583A



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Senate Amendment 3232

PAG LIN

1 1 Amend Senate File 562 as follows:
 1 2 #1. Page 14, by inserting after line 19 the
 1 3 following:
 1 4 <Sec. ____ . Section 428A.8, unnumbered paragraphs 1
 1 5 and 2, Code 2007, are amended to read as follows:
 1 6 On or before the tenth day of each month the county
 1 7 recorder shall determine and pay to the treasurer of
 1 8 state ~~eighty-two and three-fourths~~ sixty-five percent
 1 9 of the receipts from the real estate transfer tax
 1 10 collected during the preceding month and the treasurer
 1 11 of state shall deposit ~~ninety-five~~ ninety percent of
 1 12 the receipts in the general fund of the state and
 1 13 transfer ~~five~~ ten percent of the receipts to the
 1 14 shelter assistance fund created in section 15.349.
 1 15 The county recorder shall deposit the remaining
 1 16 ~~seventeen and one-fourth~~ thirty-five percent of the
 1 17 receipts in the county general fund.>
 1 18 #2. Title page, by striking line 1 and inserting
 1 19 the following: <An Act relating to real property by
 1 20 modifying the disposition of real estate transfer tax
 1 21 revenues and making appropriations to the department
 1 22 of>.
 1 23 #3. By renumbering as necessary.
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 1 26
 1 27 JAMES F. HAHN
 1 28 SF 562.502 82
 1 29 tm/je/8431
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Senate Amendment 3233

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1 1 Amend Senate File 562 as follows:
1 2 #1. Page 5, by striking line 16 and inserting the
1 3 following:
1 4 <..... $ 6,922,654>
1 5 #2. Page 5, line 31, by striking the figure
1 6 <1,046,000> and inserting the following: <1,546,000>.
1 7 #3. Page 5, line 32, by inserting after the word
1 8 <programs> the following: <with $500,000 allocated
1 9 for purposes of providing grants to main street
1 10 communities for revitalization projects. A recipient
1 11 of a revitalization grant shall not receive more than
1 12 $50,000 and the recipient must demonstrate the ability
1 13 to provide one=to=one match moneys>.
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1 17 JEFF ANGELO
1 18 STEVE KETTERING
1 19 SF 562.202 82
1 20 tm/es/8428
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Senate Amendment 3234

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 1, line 4, by striking the figure <19>
1 3 and inserting the following: <24>.
1 4
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1 6
1 7 JACK HATCH
1 8 SF 573.501 82
1 9 av/je/8906
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Senate Amendment 3235

PAG LIN

1 1 Amend Senate File 457 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 80F.1 PEACE OFFICER,
1 5 PUBLIC SAFETY, AND EMERGENCY PERSONNEL BILL OF RIGHTS.
1 6 1. As used in this section, unless the context
1 7 otherwise requires:
1 8 a. "Complaint" means a formal written allegation
1 9 signed by the complainant or a written statement by an
1 10 officer receiving an oral complaint stating the
1 11 complainant's allegation.
1 12 b. "Formal administrative investigation" means an
1 13 investigative process ordered by a commanding officer
1 14 of an agency or commander's designee during which the
1 15 questioning of an officer is intended to gather
1 16 evidence to determine the merit of a complaint which
1 17 may be the basis for seeking removal, discharge, or
1 18 suspension, or other disciplinary action against the
1 19 officer.
1 20 c. "Informal inquiry" means a meeting by
1 21 supervisory or command personnel with an officer who
1 22 is the subject of an allegation, for the purpose of
1 23 resolving the allegation or determining whether a
1 24 formal administrative investigation should be
1 25 commenced.
1 26 d. "Interview" means the questioning of an officer
1 27 who is the subject of a complaint pursuant to the
1 28 formal administrative investigation procedures of the
1 29 investigating agency, if such a complaint may be the
1 30 basis for seeking removal, discharge, or suspension,
1 31 or other disciplinary action against the officer.
1 32 "Interview" does not include questioning as part of
1 33 any informal inquiry or questioning related to minor
1 34 infractions of agency rules which will not result in
1 35 removal, discharge, suspension, or other disciplinary
1 36 action against the officer.
1 37 e. "Officer" means a certified law enforcement
1 38 officer, fire fighter, emergency medical technician,
1 39 corrections officer, detention officer, jailer,
1 40 communications officer, or any other law enforcement
1 41 officer certified by the Iowa law enforcement academy
1 42 and employed by a municipality, county, or state
1 43 agency.
1 44 f. "Statement" means the statement of the officer
1 45 who is the subject of an allegation in response to a
1 46 complaint.
1 47 2. This section is not applicable to a criminal
1 48 investigation of an officer.
1 49 3. A formal administrative investigation of an
1 50 officer shall be commenced and completed in a



Iowa General Assembly
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Senate Amendment 3235 continued

2 1 reasonable period of time and an officer shall be
2 2 immediately notified of the results of the
2 3 investigation when the investigation is completed.
2 4 4. An officer shall not be compelled to submit to
2 5 a polygraph examination against the will of the
2 6 officer except as otherwise provided in section 730.4,
2 7 subsection 3.
2 8 5. An officer who is the subject of a complaint,
2 9 except a complaint against the officer alleging
2 10 domestic abuse, may obtain a copy of the complaint
2 11 prior to an interview pursuant to procedures
2 12 established in the applicable collective bargaining
2 13 agreement. However, if the applicable collective
2 14 bargaining agreement does not specify such procedures,
2 15 or if the officer is not covered by a collective
2 16 bargaining agreement, the officer shall be provided
2 17 with a copy of the complaint, except a complaint
2 18 against the officer alleging domestic abuse.
2 19 6. An officer being interviewed shall be advised
2 20 by the interviewer that the officer shall answer the
2 21 questions and be advised that the answers shall not be
2 22 used against the officer in any subsequent criminal
2 23 proceeding.
2 24 7. An interview of an officer who is the subject
2 25 of the complaint shall be electronically recorded.
2 26 8. The officer shall have the right to have legal
2 27 counsel or a union representative, or both, present
2 28 during the interview of the officer, at the expense of
2 29 that officer.
2 30 9. If a formal administrative investigation
2 31 results in the removal, discharge, or suspension, or
2 32 other disciplinary action against an officer, copies
2 33 of any witness statements and the investigative
2 34 agency's report shall be timely provided to the
2 35 officer, upon the request of the officer.
2 36 10. An interview shall be conducted at any
2 37 facility of the investigating agency.
2 38 11. If an interview is conducted while an officer
2 39 is off duty, the officer shall be compensated as
2 40 provided by law, or as provided in the applicable
2 41 collective bargaining agreement.
2 42 12. If a complaint is determined by the
2 43 investigating officer to be intentionally false, the
2 44 investigating officer shall be responsible for filing
2 45 the necessary paperwork with the county attorney's
2 46 office in order for the county attorney to make a
2 47 determination as to whether to charge the person with
2 48 making a false report in violation of section 718.6.
2 49 13. Except as otherwise provided by law, an
2 50 officer shall have the right to bring a civil suit



Iowa General Assembly
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Senate Amendment 3235 continued

3 1 against any person, agency, organization, business, or
3 2 any other legal entity for damages, including
3 3 pecuniary damages, arising out of the filing of a
3 4 false complaint against the officer.

3 5 14. Notwithstanding any other provision of state
3 6 law to the contrary, an officer shall not be denied
3 7 the opportunity to be a candidate for any elected
3 8 office. An officer may be required, as a condition of
3 9 being a candidate, to take a leave of absence during
3 10 the campaign. If the officer is subject to chapter
3 11 341A and is a candidate for county sheriff, the
3 12 candidate, upon the candidate's request, shall
3 13 automatically be given a leave of absence without pay
3 14 as provided in section 341A.18.

3 15 15. An officer shall have the right, as any other
3 16 citizen, to engage in political activity except while
3 17 on duty. An officer shall not be required to engage
3 18 in political activity by the officer's agency, a
3 19 representative of the officer's agency, or any other
3 20 agency.

3 21 16. An officer shall not be discharged,
3 22 disciplined, or threatened with discharge or
3 23 discipline in retaliation for exercising the rights of
3 24 the officer enumerated in this section.

3 25 17. The rights enumerated in this section are in
3 26 addition to any other rights granted pursuant to a
3 27 collective bargaining agreement or other applicable
3 28 law.

3 29 18. A municipality, county, or state agency
3 30 employing an officer shall not publicly release the
3 31 officer's official photograph without the written
3 32 permission of the officer or without a request to
3 33 release pursuant to chapter 22.

3 34 19. If a formal administrative investigation
3 35 results in removal, discharge, suspension, or
3 36 disciplinary action against an officer, and the
3 37 officer alleges in writing a violation of the
3 38 provisions of this section, the municipality, county,
3 39 or state agency employing the officer shall hold in
3 40 abeyance for a period of ten days any punitive action
3 41 taken as a result of the investigation, including a
3 42 reprimand for any length of time. An allegation of a
3 43 violation of this section may be raised and given due
3 44 consideration in any properly authorized grievance or
3 45 appeal exercised by an officer, including but not
3 46 limited to a grievance or appeal exercised pursuant to
3 47 the terms of an applicable collective bargaining
3 48 agreement and an appeal right exercised under section
3 49 341A.12 or 400.20.>

3 50



**Iowa General Assembly
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Senate Amendment 3235 continued

- 4 1
- 4 2
- 4 3 HERMAN C. QUIRMBACH
- 4 4 SF 457.301 82
- 4 5 jm/cf/8727



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Senate Amendment 3236

PAG LIN

1 1 Amend Senate File 538 as follows:
 1 2 #1. Page 1, by striking lines 5 through 8 and
 1 3 inserting the following: <society resulting from
 1 4 injury to or death of a minor child and may recover
 1 5 for the expense and actual loss of services,
 1 6 companionship, and society resulting from the death of
 1 7 an adult child.
 1 8 Sec. ____ . Section 633.336, Code 2007, is amended
 1 9 to read as follows:
 1 10 633.336 DAMAGES FOR WRONGFUL DEATH.
 1 11 When a wrongful act produces death, damages
 1 12 recovered as a result of the wrongful act shall be
 1 13 disposed of as personal property belonging to the
 1 14 estate of the deceased; however, if the damages
 1 15 include damages for loss of services and support of a
 1 16 deceased spouse ~~and~~ parent, or child, the damages
 1 17 shall be apportioned by the court among the surviving
 1 18 spouse, ~~and~~ children, and parents of the decedent in a
 1 19 manner as the court may deem equitable consistent with
 1 20 the loss of services and support sustained by the
 1 21 surviving spouse, ~~and~~ children, and parents
 1 22 respectively. Any recovery by a parent for the death
 1 23 of a child shall be subordinate to the recovery, if
 1 24 any, of the spouse of a child of the decedent. If
 1 25 the decedent leaves a spouse, child, or parent,
 1 26 damages for wrongful death shall not be subject to
 1 27 debts and charges of the decedent's estate, except for
 1 28 amounts to be paid to the department of human services
 1 29 for payments made for medical assistance pursuant to
 1 30 chapter 249A, paid on behalf of the decedent from the
 1 31 time of the injury which gives rise to the decedent's
 1 32 death up until the date of the decedent's death.>
 1 33 #2. By renumbering as necessary.

1 34
 1 35
 1 36
 1 37 ROBERT M. HOGG
 1 38 SF 538.201 82
 1 39 rh/es/5596

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Iowa General Assembly
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Senate Amendment 3237

PAG LIN

1 1 Amend Senate File 574 as follows:
1 2 #1. Page 4, by striking lines 5 through 14.
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1 5
1 6 JOE BOLKCOM
1 7 SF 574.301 82
1 8 tm/cf/8456
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Senate Amendment 3238

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 4, line 20, by inserting after the word
1 3 <publicly.> the following: <The provisions of chapter
1 4 26 shall apply to all requests for proposals and
1 5 evaluations of proposals submitted pursuant to this
1 6 chapter.>
1 7
1 8
1 9
1 10 MARK ZIEMAN
1 11 DAVID JOHNSON
1 12 DAVID L. HARTSUCH
1 13 RON WIECK
1 14 PAUL McKINLEY
1 15 JAMES F. HAHN
1 16 SF 519.702 82
1 17 rn/gg/6469
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Senate Amendment 3239

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 5, line 24, by striking the words <debt
1 3 service,>.
1 4 #2. Page 6, line 26, by striking the word <may>
1 5 and inserting the following: <shall>.
1 6 #3. Page 6, line 30, by striking the word <or> and
1 7 inserting the following: <and>.
1 8
1 9
1 10
1 11 MARK ZIEMAN
1 12 DAVID JOHNSON
1 13 DAVID L. HARTSUCH
1 14 RON WIECK
1 15 PAUL McKINLEY
1 16 PAT WARD
1 17 JAMES F. HAHN
1 18 SF 519.201 82
1 19 rn/es/7976
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Iowa General Assembly
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Senate Amendment 3240

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. By striking page 8, line 28, through page 9,
1 3 line 6.
1 4
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1 6
1 7 MARK ZIEMAN
1 8 DAVID JOHNSON
1 9 DAVID L. HARTSUCH
1 10 RON WIECK
1 11 PAUL McKINLEY
1 12 JAMES F. HAHN
1 13 SF 519.301 82
1 14 rn/cf/7977
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3241

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 5, by striking lines 12 through 14.
1 3 #2. By renumbering, redesignating, and correcting
1 4 internal references as necessary.
1 5
1 6
1 7
1 8 MARK ZIEMAN
1 9 DAVID JOHNSON
1 10 DAVID L. HARTSUCH
1 11 RON WIECK
1 12 PAUL MCKINLEY
1 13 JAMES F. HAHN
1 14 SF 519.202 82
1 15 rn/es/7975
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3242

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 3, line 6, by striking the words <design
1 3 and>.
1 4 #2. Page 3, line 10, by inserting after the word
1 5 <upgrades.> the following: <The design component
1 6 shall be provided by an independent licensed architect
1 7 or an independent registered engineer who is selected
1 8 by the public entity, but who does not have a
1 9 contractual relationship with the qualified provider.>
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1 12
1 13 MARK ZIEMAN
1 14 DAVID L. HARTSUCH
1 15 PAUL McKINLEY
1 16 DAVID JOHNSON
1 17 RON WIECK
1 18 JAMES F. HAHN
1 19 SF 519.501 82
1 20 rn/je/8306
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 03, 2007

Senate Amendment 3243

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 1, lines 29 and 30, by striking the words
1 3 <including an addition to an existing facility,>.
1 4
1 5
1 6
1 7 MARK ZIEMAN
1 8 DAVID L. HARTSUCH
1 9 DAVID JOHNSON
1 10 PAUL MCKINLEY
1 11 RON WIECK
1 12 JAMES F. HAHN
1 13 SF 519.502 82
1 14 rn/je/7978
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3244

PAG LIN

1 1 Amend Senate File 562 as follows:
1 2 #1. Page 14, by inserting after line 19 the
1 3 following:
1 4 <Sec. ____ . NEW SECTION. 459.208 SEPARATION
1 5 DISTANCE == IOWA GREAT PLACES PROGRAM.
1 6 A person shall not construct or expand a structure
1 7 regulated under this chapter within two miles of a
1 8 city where an Iowa great places project has been
1 9 identified pursuant to section 303.3C, if the project
1 10 has received financial or technical assistance from
1 11 the state.>
1 12 #2. By renumbering as necessary.
1 13
1 14
1 15
1 16 BECKY SCHMITZ
1 17 SF 562.702 82
1 18 tm/gg/8446
1 19
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3245

PAG LIN

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1 1 Amend Senate File 562 as follows:
1 2 #1. Page 5, by striking line 16 and inserting the
1 3 following:
1 4 <..... $ 6,922,654>
1 5 #2. Page 5, line 34, by striking the figure
1 6 <3,794,443> and inserting the following: <4,294,443>.
1 7 #3. Page 11, by striking lines 21 and 22 and
1 8 inserting the following:
1 9 <..... $ 5,596,762
1 10 ..... FTEs 89.45>
1 11 #4. Page 11, by striking lines 28 through 31.
1 12
1 13
1 14
1 15 DAVID JOHNSON
1 16 MARY A. LUNDBY
1 17 JEFF ANGELO
1 18 NANCY J. BOETTGER
1 19 DAVE MULDER
1 20 HUBERT HOUSER
1 21 JOHN PUTNEY
1 22 JAMES F. HAHN
1 23 PAUL McKINLEY
1 24 RON WIECK
1 25 JAMES A. SEYMOUR
1 26 LARRY NOBLE
1 27 MARK ZIEMAN
1 28 BRAD ZAUN
1 29 E. THURMAN GASKILL
1 30 DAVID L. HARTSUCH
1 31 JERRY BEHN
1 32 LARRY McKIBBEN
1 33 SF 562.301 82
1 34 tm/cf/8457
1 35
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Iowa General Assembly
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Senate Amendment 3246

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 7, line 22, by inserting after the word
1 3 <contract.> the following: <The qualified provider
1 4 shall contract for the performance of an energy audit
1 5 from an independent third-party energy audit agency or
1 6 entity for each year that the performance guarantee
1 7 bond is in effect, and shall prepare and submit to the
1 8 public entity an annual report on the energy savings
1 9 realized as a result of the installation of the energy
1 10 conservation measures, facility improvement measures,
1 11 or facility technology infrastructure upgrades.>
1 12
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1 14
1 15 MARK ZIEMAN
1 16 JEFF ANGELO
1 17 LARRY McKIBBEN
1 18 RON WIECK
1 19 JOHN PUTNEY
1 20 JAMES F. HAHN
1 21 HUBERT HOUSER
1 22 SF 519.704 82
1 23 rn/gg/8311
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Iowa General Assembly
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Senate Amendment 3247

PAG LIN

1 1 Amend Senate File 253 as follows:
1 2 #1. Page 1, line 2, by striking the words
1 3 <NONCAPTIVE VERTEBRATE>.
1 4 #2. Page 1, lines 5 and 6, by striking the words
1 5 <noncaptive vertebrate wildlife species> and inserting
1 6 the following: <wildlife under the jurisdiction of
1 7 the department of natural resources>.
1 8 #3. Page 1, lines 9 and 10, by striking the words
1 9 <noncaptive vertebrate wildlife> and inserting the
1 10 following: <wildlife under the jurisdiction of the
1 11 department of natural resources>.
1 12 #4. Page 1, line 25, by striking the words
1 13 <noncaptive vertebrate wildlife> and inserting the
1 14 following: <wildlife under the jurisdiction of the
1 15 department of natural resources>.
1 16 #5. Title page, lines 1 and 2, by striking the
1 17 words <certain noncaptive vertebrate wildlife> and
1 18 inserting the following: <wildlife under the
1 19 jurisdiction of the department of natural resources>.
1 20
1 21
1 22
1 23 Dr. JOE M. SENG
1 24 SF 253.201 82
1 25 av/es/7606
1 26
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1 30
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3248

PAG LIN

1 1 Amend House File 793, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, by inserting after line 11 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 321.258A RED LIGHT
1 6 CAMERAS PROHIBITED.
1 7 The department or a local authority shall not place
1 8 or cause to be placed on or adjacent to a highway, or
1 9 maintain or employ the use of, a red light camera.
1 10 For purposes of this section, "red light camera" means
1 11 a device installed on or in proximity to an official
1 12 traffic control signal to produce recorded images for
1 13 the purpose of enforcement of traffic laws.>
1 14 #2. Title page, line 12, by inserting after the
1 15 word <liability,> the following: <use of red light
1 16 cameras for traffic enforcement,>.
1 17 #3. By renumbering as necessary.
1 18
1 19
1 20
1 21 PAT WARD
1 22 THOMAS G. COURTNEY
1 23 JEFF ANGELO
1 24 DAVID JOHNSON
1 25 JAMES F. HAHN
1 26 JOHN PUTNEY
1 27 RON WIECK
1 28 HF 793.701 82
1 29 dea/gg/8670
1 30
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Iowa General Assembly
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Senate Amendment 3249

PAG LIN

1 1 Amend House File 793, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 8, line 24, by striking the word
1 4 <unladen>.
1 5
1 6
1 7
1 8 THOMAS RIELLY
1 9
1 10
1 11
1 12 EUGENE S. FRAISE
1 13
1 14
1 15
1 16 JERRY BEHN
1 17
1 18
1 19
1 20 LARRY NOBLE
1 21 HF 793.1
1 22 dea/cc/26
1 23
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Iowa General Assembly
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Senate Amendment 3250

PAG LIN

1 1 Amend the amendment, S=3199, to Senate File 519, as
1 2 follows:
1 3 #1. Page 1, line 24, by inserting after the word
1 4 <submitted.> the following: <The written scope of
1 5 work and specifications shall be determined by a
1 6 professional engineer licensed under chapter 542B or
1 7 an architect registered under chapter 544A. The
1 8 engineer or architect shall be independent and not
1 9 affiliated with the public entity or the qualified
1 10 provider.>
1 11
1 12
1 13
1 14 JOHN PUTNEY
1 15 SF 519.503 82
1 16 rn/je/8312
1 17
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1 20
1 21
1 22
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Iowa General Assembly
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Senate Amendment 3251

PAG LIN

1 1 Amend the amendment, S=3235, to Senate File 457 as
1 2 follows:
1 3 #1. Page 1, line 39, by inserting after the word
1 4 <jailer,> the following: <probation or parole
1 5 officer,>.
1 6 #2. Page 2, line 10, by inserting after the word
1 7 <abuse> the following: <or sexual abuse>.
1 8 #3. Page 2, line 18, by inserting after the word
1 9 <abuse> the following: <or sexual abuse>.
1 10 #4. Page 3, line 42, by striking the words <for
1 11 any length of time>.
1 12
1 13
1 14
1 15 HERMAN C. QUIRMBACH
1 16 KEITH A. KREIMAN
1 17 SF 457.202 82
1 18 jm/es/8733
1 19
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Iowa General Assembly
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Senate Amendment 3252

PAG LIN

1 1 Amend Senate File 543 as follows:
1 2 #1. Page 2, by striking lines 1 through 9.
1 3 #2. Page 2, line 10, by striking the word <c.> and
1 4 inserting the following: <3. a.>
1 5 #3. Page 2, line 23, by striking the word <d.> and
1 6 inserting the follow: <b.>
1 7 #4. By renumbering as necessary.
1 8
1 9
1 10
1 11 MICHAEL E. GRONSTAL
1 12 SF 543.501 82
1 13 da/je/8824
1 14
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Iowa General Assembly
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Senate Amendment 3253

PAG LIN

1 1 Amend the amendment, S=3199, to Senate File 519, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 1 the
1 4 following:
1 5 <#____. Page 3, line 6, by striking the words
1 6 <design and>.>
1 7 #2. Page 1, by striking lines 2 through 6 and
1 8 inserting the following:
1 9 <#____. Page 3, line 10, by inserting after the
1 10 word <upgrades.> the following: <The design component
1 11 shall be provided by an independent licensed architect
1 12 or an independent registered engineer who is selected
1 13 by the public entity, but who does not have a
1 14 contractual relationship with the qualified
1 15 provider.>>
1 16
1 17
1 18
1 19 MARK ZIEMAN
1 20 SF 519.504 82
1 21 rn/je/8313
1 22
1 23
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Iowa General Assembly
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Senate Amendment 3254

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 7, line 22, by inserting after the word
1 3 <contract.> the following: <The qualified provider
1 4 shall contract for the performance of an energy audit
1 5 from an independent third-party energy audit agency or
1 6 entity for each year that the performance guarantee
1 7 bond is in effect, and shall prepare and submit to the
1 8 public entity an annual report on the energy savings
1 9 realized as a result of the installation of the energy
1 10 conservation measures, facility improvement measures,
1 11 or facility technology infrastructure upgrades.>
1 12
1 13
1 14
1 15 MARK ZIEMAN
1 16 SF 519.704 82
1 17 rn/gg/8311
1 18
1 19
1 20
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Iowa General Assembly
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Senate Amendment 3255

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 4, by striking line 13 and inserting the
1 3 following: <dealing in performance of the pharmacy
1 4 benefits manager's contractual obligations toward the
1 5 covered entity.>
1 6
1 7
1 8
1 9 MARK ZIEMAN
1 10 SF 512.507 82
1 11 pf/je/8067
1 12
1 13
1 14
1 15
1 16
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Iowa General Assembly
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Senate Amendment 3256

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 7, by striking lines 23 through 32 and
1 3 inserting the following: <entity the cost of both
1 4 drugs and any benefit or payment directly or
1 5 indirectly accruing to the pharmacy benefits manager
1 6 as a result of the substitution. A pharmacy benefits
1 7 manager is not required to disclose the information
1 8 required in this subsection to the covered entity
1 9 under any of the following circumstances:
1 10 a. The drug substitution is initiated for patient
1 11 safety reasons.
1 12 b. The currently prescribed drug is no longer
1 13 available in the market.
1 14 c. The substitution is required for coverage
1 15 reasons in which the prescribed drug is not covered
1 16 under the covered individual's formulary or the
1 17 covered entity's prescription drug benefit plan.>
1 18
1 19
1 20
1 21 MARK ZIEMAN
1 22 SF 512.509 82
1 23 pf/je/8072
1 24
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Iowa General Assembly
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Senate Amendment 3257

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 6, line 22, by striking the word <may>
1 3 and inserting the following: <and the pharmacy
1 4 benefits manager shall mutually>.
1 5
1 6
1 7
1 8 MARK ZIEMAN
1 9 SF 512.506 82
1 10 pf/je/8071
1 11
1 12
1 13
1 14
1 15
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Iowa General Assembly
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Senate Amendment 3258

PAG LIN

1 1 Amend Senate File 508 as follows:
1 2 #1. Page 1, line 14, by inserting after the word
1 3 <applicable.> the following: <The requirement of
1 4 coverage benefits for prosthetic devices does not
1 5 include myoelectric devices, prosthetic devices that
1 6 contain microprocessors, or prosthetic devices that
1 7 are designed exclusively for athletic purposes.>
1 8 #2. Page 2, by inserting after line 1 the
1 9 following:
1 10 <____. If coverage benefits required under this
1 11 section are provided pursuant to a managed care health
1 12 plan, the benefits may be managed by providing
1 13 prosthetic devices only through a vendor designated by
1 14 the third=party payor.>
1 15
1 16
1 17
1 18 RON WIECK
1 19
1 20
1 21
1 22 RICH OLIVE
1 23 SF 508.703 82
1 24 av/gg/8916
1 25
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Senate Amendment 3259

PAG LIN

1 1 Amend the amendment, S=3193, to Senate File 382 as
1 2 follows:
1 3 #1. Page 1, by striking lines 2 through 7 and
1 4 inserting the following:
1 5 <#____. Page 1, by striking lines 1 through 12.>
1 6 #2. By renumbering as necessary.
1 7
1 8
1 9
1 10 RON WIECK
1 11 SF 382.705 82
1 12 av/gg/8902
1 13
1 14
1 15
1 16
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Iowa General Assembly
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Senate Amendment 3260

PAG LIN

1 1 Amend the amendment, S=3193, to Senate File 382 as
1 2 follows:
1 3 #1. Page 1, by inserting after line 20, the
1 4 following:
1 5 <Sec. ____ . COST CONTROLS. If, as a result of
1 6 compliance with the provisions of this Act, total
1 7 costs to a covered group policy, contract, or plan
1 8 increase by at least two percent during the first year
1 9 after the effective date of this Act, or by at least
1 10 one percent during any subsequent year, such group
1 11 policy, contract, or plan shall not be required to
1 12 provide the coverage benefits specified in this Act
1 13 during the year following such increase in total
1 14 costs.>
1 15 #2. By renumbering as necessary.
1 16
1 17
1 18
1 19 RON WIECK
1 20 SF 382.301 82
1 21 av/cf/8903
1 22
1 23
1 24
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Senate Amendment 3261

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 3, line 22, by inserting after the word
1 3 <necessary.> the following: <The report shall include
1 4 a statement of any financial support received by the
1 5 commission or the health care data research advisory
1 6 council from outside sources, including but not
1 7 limited to corporations or private foundations.>
1 8
1 9
1 10
1 11 DAVID L. HARTSUCH
1 12 MARK ZIEMAN
1 13 BRAD ZAUN
1 14 PAUL McKINLEY
1 15 JAMES F. HAHN
1 16 DAVID JOHNSON
1 17 NANCY J. BOETTGER
1 18 JERRY BEHN
1 19 MARY A. LUNDBY
1 20 RON WIECK
1 21 STEVE KETTERING
1 22 SF 573.701 82
1 23 av/gg/8912
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Senate Amendment 3262

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. By striking page 3, line 31, through page 4,
1 3 line 12, and inserting the following:
1 4 <2. The members of the council shall be designated
1 5 by the director of public health and shall be
1 6 individuals who are sufficiently knowledgeable in
1 7 statistics, epidemiology, or other sciences as the
1 8 director determines is necessary to meet the health
1 9 care information needs of the commission.
1 10 3. The director of public health and the council
1 11 shall administer the provisions of this Act and in so
1 12 doing shall have but not be limited to the following
1 13 powers:
1 14 a. The power to contract for data analysis and
1 15 research services on a competitive bid basis.
1 16 b. The power to collect and aggregate public
1 17 health and insurance information.
1 18 c. The power to delegate data analysis and
1 19 research services to employees of the department of
1 20 human services.>
1 21
1 22
1 23
1 24 DAVID L. HARTSUCH
1 25 MARK ZIEMAN
1 26 BRAD ZAUN
1 27 PAUL McKINLEY
1 28 JAMES F. HAHN
1 29 DAVID JOHNSON
1 30 NANCY J. BOETTGER
1 31 JERRY BEHN
1 32 MARY A. LUNDBY
1 33 RON WIECK
1 34 STEVE KETTERING
1 35 SF 573.502 82
1 36 av/je/8911
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Senate Amendment 3263

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 1, lines 4 and 5, by striking the words
1 3 and figure <consisting of 19 members>.
1 4 #2. Page 1, line 21, by striking the word <Two>
1 5 and inserting the following: <Three>.
1 6 #3. Page 1, line 22, by inserting after the word
1 7 <society,> the following: <one a physician designated
1 8 by the Iowa osteopathic medical association,>.
1 9 #4. Page 1, by inserting after line 23, the
1 10 following:
1 11 <() One dentist designated by the Iowa dental
1 12 association.
1 13 () One podiatrist designated by the Iowa
1 14 podiatric medical society.
1 15 () One psychiatrist designated by the Iowa
1 16 psychiatric society.
1 17 () One chiropractor designated by the Iowa
1 18 chiropractic society.>
1 19 #5. Page 1, by striking line 28.
1 20 #6. By renumbering as necessary.
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1 24 DAVID L. HARTSUCH
1 25 BRAD ZAUN
1 26 PAUL McKINLEY
1 27 JAMES F. HAHN
1 28 JERRY BEHN
1 29 RON WIECK
1 30 STEVE KETTERING
1 31 SF 573.301 82
1 32 av/cf/8908
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Senate Amendment 3264

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 2, line 20, by striking the words
1 3 <Uninsured and underinsured> and inserting the
1 4 following: <Self=insured>.
1 5 #2. Page 2, lines 21 and 22, by striking the words
1 6 <uninsured and underinsured> and inserting the
1 7 following: <self=insured>.
1 8 #3. Page 2, line 22, by striking the words
1 9 <uninsured or>.
1 10 #4. Page 2, by striking lines 23 through 25 and
1 11 inserting the following: <self=insured and the most
1 12 effective and efficient means to protect the right of
1 13 self=insured individuals to acquire medical services
1 14 on the same terms, conditions, and price levels as
1 15 those obtained by third party payors. The commission
1 16 shall report upon the extent of medical price
1 17 discrimination involving individuals who are
1 18 self=insured, and shall make recommendations to reduce
1 19 or eliminate such discrimination.>
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1 23 DAVID L. HARTSUCH
1 24 MARK ZIEMAN
1 25 BRAD ZAUN
1 26 PAUL McKINLEY
1 27 JAMES F. HAHN
1 28 DAVE MULDER
1 29 DAVID JOHNSON
1 30 NANCY J. BOETTGER
1 31 JERRY BEHN
1 32 MARY A. LUNDBY
1 33 RON WIECK
1 34 STEVE KETTERING
1 35 SF 573.702 82
1 36 av/gg/8909
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Senate Amendment 3265

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 2, by striking lines 13 through 19 and
1 3 inserting the following:
1 4 <a. The number of Iowans who have been denied
1 5 health care due to an inability to pay for medical
1 6 services.
1 7 b. Health savings accounts and the impact of
1 8 increasing deductibles on utilization and health care
1 9 insurance costs.
1 10 c. The number of insurers offering health
1 11 insurance policies in the state and the effect on
1 12 health insurance rates.
1 13 d. The effect of malpractice and defensive
1 14 medicine on the cost of health care in Iowa.
1 15 e. The cost of mandated benefits under Iowa law.
1 16 f. The effect of restrictions on competition in
1 17 the medical marketplace including Iowa's certificate
1 18 of need program.
1 19 g. The prevalence of wrongful denial or
1 20 withholding of medical insurance claims and the impact
1 21 on health care costs to consumers.
1 22 h. The hidden cost of federal unfunded mandates
1 23 regarding the provision of health care to indigents.
1 24 i. The cost of uncompensated care provided to
1 25 illegal aliens.
1 26 j. The cost of overutilization of the medical
1 27 system by Medicaid enrollees including overutilization
1 28 of Iowa's emergency medical system for routine medical
1 29 care.
1 30 k. The cost of risky and addictive behavior among
1 31 Iowa's adolescent population.>
1 32 #2. By renumbering, redesignating, and correcting
1 33 internal references as necessary.

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1 37 DAVID L. HARTSUCH
1 38 MARK ZIEMAN
1 39 BRAD ZAUN
1 40 PAUL McKINLEY
1 41 JAMES F. HAHN
1 42 DAVID JOHNSON
1 43 NANCY J. BOETTGER
1 44 JERRY BEHN
1 45 MARY A. LUNDBY
1 46 RON WIECK
1 47 STEVE KETTERING
1 48 SF 573.503 82
1 49 av/je/8910

1 50



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Senate Amendment 3266

PAG LIN

1 1 Amend Senate File 538 as follows:
1 2 #1. Page 1, by striking lines 5 through 8 and
1 3 inserting the following: <society resulting from
1 4 injury to or death of a minor child and may recover
1 5 for the expense and actual loss of services,
1 6 companionship, and society resulting from the death of
1 7 an adult child.
1 8 Sec. _____. Section 633.336, Code 2007, is amended
1 9 to read as follows:
1 10 633.336 DAMAGES FOR WRONGFUL DEATH.
1 11 When a wrongful act produces death, damages
1 12 recovered as a result of the wrongful act shall be
1 13 disposed of as personal property belonging to the
1 14 estate of the deceased; however, if the damages
1 15 include damages for loss of services and support of a
1 16 deceased spouse, ~~and~~ parent, or child, the damages
1 17 shall be apportioned by the court among the surviving
1 18 spouse, ~~and~~ children, and parents of the decedent in a
1 19 manner as the court may deem equitable consistent with
1 20 the loss of services and support sustained by the
1 21 surviving spouse, ~~and~~ children, and parents
1 22 respectively. Any recovery by a parent for the death
1 23 of a child shall be subordinate to the recovery, if
1 24 any, of the spouse or a child of the decedent. If the
1 25 decedent leaves a spouse, child, or parent, damages
1 26 for wrongful death shall not be subject to debts and
1 27 charges of the decedent's estate, except for amounts
1 28 to be paid to the department of human services for
1 29 payments made for medical assistance pursuant to
1 30 chapter 249A, paid on behalf of the decedent from the
1 31 time of the injury which gives rise to the decedent's
1 32 death up until the date of the decedent's death.>
1 33 #2. By renumbering as necessary.
1 34
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1 36
1 37 ROBERT M. HOGG
1 38 SF 538.301 82
1 39 rh/cf/8560

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Senate Amendment 3267

PAG LIN

1 1 Amend Senate File 424 as follows:
1 2 #1. Page 2, by striking lines 9 through 12 and
1 3 inserting the following: <to choose care pursuant to
1 4 this subsection. The employee shall, in turn,
1 5 promptly notify the employer or the employer's insurer
1 6 of the physician chosen.>

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1 10 RON WIECK
1 11 MARY A. LUNDBY
1 12 JAMES A. SEYMOUR
1 13 PAUL McKINLEY
1 14 HUBERT HOUSER
1 15 JERRY BEHN
1 16 JEFF ANGELO
1 17 BRAD ZAUN
1 18 E. THURMAN GASKILL
1 19 STEVE KETTERING
1 20 JOHN PUTNEY
1 21 JAMES F. HAHN
1 22 DAVID L. HARTSUCH
1 23 LARRY NOBLE
1 24 PAT WARD
1 25 DAVID JOHNSON
1 26 MARK ZIEMAN
1 27 NANCY J. BOETTGER
1 28 LARRY McKIBBEN
1 29 DAVE MULDER
1 30 SF 424.501 82
1 31 av/je/8513

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Senate Amendment 3268

PAG LIN

1 1 Amend Senate File 424 as follows:
1 2 #1. Page 1, line 6, by inserting after the word <7
~~1 3 the>~~ the following: <The commissioner shall adopt
1 4 rules pursuant to chapter 17A setting maximum fees for
1 5 covered services under this chapter by a physician.>
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1 9 RON WIECK
1 10 MARY A. LUNDBY
1 11 JAMES A. SEYMOUR
1 12 PAUL MCKINLEY
1 13 HUBERT HOUSER
1 14 JERRY BEHN
1 15 JEFF ANGELO
1 16 BRAD ZAUN
1 17 E. THURMAN GASKILL
1 18 STEVE KETTERING
1 19 JOHN PUTNEY
1 20 JAMES F. HAHN
1 21 DAVID L. HARTSUCH
1 22 LARRY NOBLE
1 23 PAT WARD
1 24 DAVID JOHNSON
1 25 MARK ZIEMAN
1 26 NANCY J. BOETTGER
1 27 LARRY MCKIBBEN
1 28 DAVE MULDER
1 29 SF 424.502 82
1 30 av/je/8512
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Senate Amendment 3269

PAG LIN

1 1 Amend the amendment, S=3193, to Senate File 382 as
1 2 follows:
1 3 #1. Page 1, by striking lines 21 through 30 and
1 4 inserting the following:
1 5 <Sec. _____. INTERIM STUDY COMMITTEE ON HEALTH
1 6 BENEFIT MANDATES. The legislative council is
1 7 requested to establish an interim study committee on
1 8 health benefit mandates to study the costs and
1 9 benefits of enacting additional health benefit
1 10 mandates. The interim study committee shall submit a
1 11 report with findings and recommendations to the
1 12 general assembly on or before January 1, 2008.
1 13 The committee shall be composed of the following
1 14 members:
1 15 1. Two senators, one appointed by the majority
1 16 leader of the senate and one appointed by the minority
1 17 leader of the senate.
1 18 2. Two representatives, one appointed by the
1 19 speaker of the house of representatives and one
1 20 appointed by the minority leader of the house of
1 21 representatives.
1 22 3. One representative of the service employees
1 23 international union.
1 24 4. Three representatives of large employers
1 25 selected by the Iowa association of business and
1 26 industry.
1 27 5. Three representatives of small employers
1 28 selected by the national federation of independent
1 29 business.
1 30 6. Four representatives of the health insurance
1 31 industry selected by the federation of Iowa insurers.
1 32 The commissioner of insurance or a designee shall
1 33 serve as an ex officio member of the committee.>
1 34 #2. Page 1, by inserting after line 37 the
1 35 following:
1 36 <#____. Title page, line 2, by inserting after the
1 37 word <illness> the following: <, requesting an
1 38 interim study committee on health benefit mandates,>.>
1 39 #3. By renumbering as necessary.
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1 42
1 43 RON WIECK
1 44 SF 382.501 82
1 45 av/je/8920
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Senate Amendment 3270

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 1, line 1, by striking the word
1 3 <INTERIM>.
1 4 #2. Page 1, line 3, by striking the words <An
1 5 interim> and inserting the following: <A>.
1 6 #3. Page 3, line 17, by striking the figure <2007>
1 7 and inserting the following: <2008>.
1 8 #4. Page 3, by inserting after line 22 the
1 9 following:
1 10 <___. The commission is dissolved immediately
1 11 after the issuance of its final report.>
1 12 #5. Title page, line 1, by striking the word
1 13 <interim>.
1 14 #6. By renumbering as necessary.
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1 18 DAVID L. HARTSUCH
1 19 SF 573.504 82
1 20 av/je/8918
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Senate Amendment 3271

PAG LIN

1 1 Amend Senate File 573 as follows:
1 2 #1. Page 1, lines 4 and 5, by striking the words
1 3 and figure <consisting of 19 members>.
1 4 #2. Page 1, line 21, by striking the word <Two>
1 5 and inserting the following: <Three>.
1 6 #3. Page 1, line 22, by inserting after the word
1 7 <society,> the following: <one a physician designated
1 8 by the Iowa osteopathic medical association,>.
1 9 #4. Page 1, by inserting after line 23, the
1 10 following:
1 11 <() One dentist designated by the Iowa dental
1 12 association.
1 13 () One podiatrist designated by the Iowa
1 14 podiatric medical society.
1 15 () One psychiatrist designated by the Iowa
1 16 psychiatric society.
1 17 () One chiropractor designated by the Iowa
1 18 chiropractic society.>
1 19 #5. Page 1, by striking line 28.
1 20 #6. Page 2, by striking lines 3 through 9 and
1 21 inserting the following: <provided in section 2.10.>
1 22 #7. By renumbering as necessary.
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1 25
1 26 DAVID L. HARTSUCH
1 27 BRAD ZAUN
1 28 PAUL MCKINLEY
1 29 RON WIECK
1 30 JAMES F. HAHN
1 31 STEVE KETTERING
1 32 SF 573.703 82
1 33 av/gg/8919
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Senate Amendment 3272

PAG LIN

1 1 Amend Senate File 562 as follows:
1 2 #1. Page 14, by inserting after line 19 the
1 3 following:
1 4 <Sec. _____. Section 303.3C, Code 2007, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 4. A person shall not construct
1 7 or expand a structure regulated under chapter 459
1 8 within three miles of a city where an Iowa great
1 9 places project has been identified pursuant to this
1 10 section if the project has received financial or
1 11 technical assistance from the state.>
1 12 #2. By renumbering as necessary.
1 13
1 14
1 15
1 16 BECKY SCHMITZ
1 17 SF 562.503 82
1 18 tm/je/8463
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Iowa General Assembly
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Senate Amendment 3273

PAG LIN

1 1 Amend House File 566, as passed by the House, as
1 2 follows:
1 3 #1. By striking everything after the enacting
1 4 clause, and inserting the following:
1 5 <Section 1. Section 135.24, Code 2007, is amended
1 6 to read as follows:
1 7 135.24 VOLUNTEER HEALTH CARE PROVIDER PROGRAM
1 8 ESTABLISHED == IMMUNITY FROM CIVIL LIABILITY.
1 9 1. The director shall establish within the
1 10 department a program to provide to eligible hospitals,
1 11 clinics, free clinics, field dental clinics, or other
1 12 health care facilities, health care referral programs,
1 13 or charitable organizations, free medical, dental,
1 14 chiropractic, pharmaceutical, nursing, optometric,
1 15 psychological, social work, behavioral science,
1 16 podiatric, physical therapy, occupational therapy,
1 17 respiratory therapy, and emergency medical care
1 18 services given on a voluntary basis by health care
1 19 providers. A participating health care provider shall
1 20 register with the department and obtain from the
1 21 department a list of eligible, participating
1 22 hospitals, clinics, free clinics, field dental
1 23 clinics, or other health care facilities, health care
1 24 referral programs, or charitable organizations.
1 25 2. The department, in consultation with the
1 26 department of human services, shall adopt rules to
1 27 implement the volunteer health care provider program
1 28 which shall include the following:
1 29 a. Procedures for registration of health care
1 30 providers deemed qualified by the board of medical
1 31 examiners, the board of physician assistant examiners,
1 32 the board of dental examiners, the board of nursing,
1 33 the board of chiropractic examiners, the board of
1 34 psychology examiners, the board of social work
1 35 examiners, the board of behavioral science examiners,
1 36 the board of pharmacy examiners, the board of
1 37 optometry examiners, the board of podiatry examiners,
1 38 the board of physical and occupational therapy
1 39 examiners, the state board for respiratory care, and
1 40 the Iowa department of public health, as applicable.
1 41 b. Procedures for registration of free clinics and
1 42 field dental clinics.
1 43 c. Criteria for and identification of hospitals,
1 44 clinics, free clinics, field dental clinics, or other
1 45 health care facilities, health care referral programs,
1 46 or charitable organizations, eligible to participate
1 47 in the provision of free medical, dental,
1 48 chiropractic, pharmaceutical, nursing, optometric,
1 49 psychological, social work, behavioral science,
1 50 podiatric, physical therapy, occupational therapy,



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Senate Amendment 3273 continued

2 1 respiratory therapy, or emergency medical care
2 2 services through the volunteer health care provider
2 3 program. A free clinic, a field dental clinic, a
2 4 health care facility, a health care referral program,
2 5 a charitable organization, or a health care provider
2 6 participating in the program shall not bill or charge
2 7 a patient for any health care provider service
2 8 provided under the volunteer health care provider
2 9 program.

2 10 d. Identification of the services to be provided
2 11 under the program. The services provided may include,
2 12 but shall not be limited to, obstetrical and
2 13 gynecological medical services, psychiatric services
2 14 provided by a physician licensed under chapter 148,
2 15 150, or 150A, dental services provided under chapter
2 16 153, or other services provided under chapter 147A,
2 17 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154,
2 18 154B, 154C, 154D, or 155A.

2 19 3. A health care provider providing free care
2 20 under this section shall be considered an employee of
2 21 the state under chapter 669 and shall be afforded
2 22 protection as an employee of the state under section
2 23 669.21, provided that the health care provider has
2 24 done all of the following:

2 25 a. Registered with the department pursuant to
2 26 subsection 1.

2 27 b. Provided medical, dental, chiropractic,
2 28 pharmaceutical, nursing, optometric, psychological,
2 29 social work, behavioral science, podiatric, physical
2 30 therapy, occupational therapy, respiratory therapy, or
2 31 emergency medical care services through a hospital,
2 32 clinic, free clinic, field dental clinic, or other
2 33 health care facility, health care referral program, or
2 34 charitable organization listed as eligible and
2 35 participating by the department pursuant to subsection
2 36 1.

2 37 4. A free clinic providing free care under this
2 38 section shall be considered a state agency solely for
2 39 the purposes of this section and chapter 669 and shall
2 40 be afforded protection under chapter 669 as a state
2 41 agency for all claims arising from the provision of
2 42 free care by a health care provider registered under
2 43 subsection 3 who is providing services at the free
2 44 clinic in accordance with this section or from the
2 45 provision of free care by a health care provider who
2 46 is covered by adequate medical malpractice insurance
2 47 as determined by the department, if the free clinic
2 48 has registered with the department pursuant to
2 49 subsection 1.

2 50 4A. A field dental clinic providing free care



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Senate Amendment 3273 continued

3 1 under this section shall be considered a state agency
3 2 solely for the purposes of this section and chapter
3 3 669 and shall be afforded protection under chapter 669
3 4 as a state agency for all claims arising from the
3 5 provision of free care by a health care provider
3 6 registered under subsection 3 who is providing
3 7 services at the field dental clinic in accordance with
3 8 this section or from the provision of free care by a
3 9 health care provider who is covered by adequate
3 10 medical malpractice insurance as determined by the
3 11 department, if the field dental clinic has registered
3 12 with the department pursuant to subsection 1.

3 13 5. For the purposes of this section:

3 14 a. "Charitable organization" means a charitable
3 15 organization within the meaning of section 501(c)(3)
3 16 of the Internal Revenue Code which has as its primary
3 17 purpose the sponsorship or support of programs
3 18 designed to improve the quality, awareness, and
3 19 availability of chiropractic, dental, medical,
3 20 pharmaceutical, nursing, optometric, psychological,
3 21 social work, behavioral science, podiatric, physical
3 22 therapy, occupational therapy, respiratory therapy, or
3 23 emergency medical care services to children and to
3 24 serve as a funding mechanism for provision of
3 25 chiropractic, dental, medical, pharmaceutical,
3 26 nursing, optometric, psychological, social work,
3 27 behavioral science, podiatric, physical therapy,
3 28 occupational therapy, respiratory therapy, or
3 29 emergency medical care services, including but not
3 30 limited to immunizations, to children in this state.

3 31 b. "Field dental clinic" means a dental clinic
3 32 temporarily or periodically erected at a location
3 33 utilizing mobile dental equipment, instruments, or
3 34 supplies, as necessary, to provide dental services.

3 35 ~~b.~~ c. "Free clinic" means a facility, other than a
3 36 hospital or health care provider's office which is
3 37 exempt from taxation under section 501(c)(3) of the
3 38 Internal Revenue Code and which has as its sole
3 39 purpose the provision of health care services without
3 40 charge to individuals who are otherwise unable to pay
3 41 for the services.

3 42 ~~e.~~ d. "Health care provider" means a physician
3 43 licensed under chapter 148, 150, or 150A, a
3 44 chiropractor licensed under chapter 151, a physical
3 45 therapist licensed pursuant to chapter 148A, an
3 46 occupational therapist licensed pursuant to chapter
3 47 148B, a podiatrist licensed pursuant to chapter 149, a
3 48 physician assistant licensed and practicing under a
3 49 supervising physician pursuant to chapter 148C, a
3 50 licensed practical nurse, a registered nurse, or an



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Senate Amendment 3273 continued

4 1 advanced registered nurse practitioner licensed
4 2 pursuant to chapter 152 or 152E, a respiratory
4 3 therapist licensed pursuant to chapter 152B, a
4 4 dentist, dental hygienist, or dental assistant
4 5 registered or licensed to practice under chapter 153,
4 6 an optometrist licensed pursuant to chapter 154, a
4 7 psychologist licensed pursuant to chapter 154B, a
4 8 social worker licensed pursuant to chapter 154C, a
4 9 mental health counselor or a marital and family
4 10 therapist licensed pursuant to chapter 154D, a
4 11 pharmacist licensed pursuant to chapter 155A, or an
4 12 emergency medical care provider certified pursuant to
4 13 chapter 147A.>
4 14 #2. Title page, line 1, by striking the words <the
4 15 definition of a free clinic> and inserting the
4 16 following: <field dental clinics>.
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4 19
4 20 COMMITTEE ON HUMAN RESOURCES,
4 21 AMANDA RAGAN, CHAIRPERSON
4 22 HF 566.501 82
4 23 pf/je/7394



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Senate Amendment 3274

PAG LIN

1 1 Amend Senate File 519 as follows:
1 2 #1. Page 4, line 20, by inserting after the word
1 3 <publicly.> the following: <The provisions of chapter
1 4 26 shall apply to all energy conservation measures and
1 5 all requests for proposals and evaluations of
1 6 proposals submitted pursuant to this chapter.>
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1 10 MARK ZIEMAN
1 11 SF 519.705 82
1 12 rn/gg/7797
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Senate Amendment 3275

PAG LIN

1 1 Amend House File 849, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 29 the
1 4 following:
1 5 <Sec. _____. Section 8A.311, Code 2007, is amended
1 6 by adding the following new subsection:
1 7 NEW SUBSECTION. 21. a. The state, through the
1 8 department, shall give a preference to purchasing
1 9 equipment, supplies, or services from or awarding
1 10 public improvement contracts pursuant to subsection 11
1 11 to an Iowa-based business as provided under paragraph
1 12 "b", as appropriate, if the bid submitted is
1 13 comparable in price to those submitted by other
1 14 bidders and meets the required specifications.
1 15 However, before giving the preference, the department
1 16 shall confirm with the Iowa employer support of the
1 17 guard and reserve committee that the requirements of
1 18 paragraph "b" have been met by the Iowa-based
1 19 business.
1 20 b. To receive a preference as provided by this
1 21 subsection, the Iowa-based business employer shall
1 22 have adopted policies beyond those otherwise required
1 23 by law to support employees who are officers or
1 24 enlisted persons in the national guard and organized
1 25 reserves of the armed forces of the United States
1 26 consistent with standards adopted by the Iowa employer
1 27 support of the guard and reserve committee. To be
1 28 eligible for such preference, an employer shall submit
1 29 to the committee a copy of the applicable policies
1 30 adopted by the employer and shall sign and submit to
1 31 the committee a statement of support of persons in the
1 32 employ of the employer who serve in the national guard
1 33 and the reserves, recognizing the vital role of the
1 34 national guard and the reserves, and pledging all of
1 35 the following:
1 36 (1) To neither deny employment nor limit or reduce
1 37 job opportunities because of an employee's service in
1 38 the national guard or organized reserves of the armed
1 39 forces of the United States.
1 40 (2) To grant leaves of absence during a period of
1 41 military duty or training.
1 42 (3) To ensure that all employees are aware of the
1 43 employer's policies and the requirements of section
1 44 29A.43.>
1 45 #2. Page 2, line 33, by striking the word <DATE.>
1 46 and inserting the following: <DATES.
1 47 1.>
1 48 #3. Page 2, by inserting after line 35 the
1 49 following:
1 50 <2. The section of this Act amending section



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Senate Amendment 3275 continued

2 1 8A.311 takes effect January 1, 2008.>
2 2 #4. Title page, by striking line 2 and inserting
2 3 the following: <including an effective date
2 4 provision.>
2 5 #5. By renumbering as necessary.
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2 9 STEVE WARNSTADT
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2 13 DARYL BEALL
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2 17 JEFF DANIELSON
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2 21 THOMAS RIELLY
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2 25 TOM HANCOCK
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2 29 BRIAN SCHOENJAHN
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2 33 JOHN P. KIBBIE
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2 37 FRANK B. WOOD
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2 41 WILLIAM HECKROTH
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2 45 STACI APPEL
2 46 HF 849.502 82
2 47 ec/je/8715



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Senate Amendment 3276

PAG LIN

1 1 Amend Senate File 495 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. 2006 Iowa Acts, chapter 1145, section
1 5 4, subsection 1, unnumbered paragraph 1, is amended to
1 6 read as follows:
1 7 A watershed quality planning task force is
1 8 established within the department of natural resources
1 9 in cooperation with the Iowa department of agriculture
1 10 and land stewardship. By ~~June 30~~, January 1, 2008,
1 11 the task force shall report to the general assembly
1 12 its recommendations for a voluntary statewide water
1 13 quality program which is designed to achieve all of
1 14 the following goals:>
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1 17
1 18 FRANK B. WOOD
1 19 SF 495.701 82
1 20 tm/gg/8464
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Senate File 576 - Introduced

SENATE FILE
BY GRONSTAL

(COMPANION TO LSB 2849HH BY
McCARTHY)

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

A BILL FOR

- 1 An Act relating to locally administered human services programs
- 2 involving county mental health, mental retardation, and
- 3 developmental disabilities services funding and the
- 4 decategorization of the child welfare and juvenile justice
- 5 funding initiative by making an appropriation, authorizing
- 6 nonreversion of certain funding, and providing effective date
- 7 and retroactive applicability provisions.
- 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 9 TL5B 2849SS 82
- 10 jp/es/88



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Senate File 576 - Introduced continued

PAG LIN

1 1 DIVISION I

1 2 SUPPLEMENTARY ALLOWED GROWTH FUNDING FOR FY 2007=2008

1 3 Section 1. 2006 Iowa Acts, chapter 1185, section 1, is

1 4 amended by adding the following new subsection:

1 5 NEW SUBSECTION. 1A. There is appropriated from the

1 6 general fund of the state to the department of human services

1 7 for the fiscal year beginning July 1, 2007, and ending June

1 8 30, 2008, the following amount, or so much thereof as is

1 9 necessary, to be used for the purpose designated:

1 10 For distribution to counties that meet the requirements of

1 11 this subsection:

1 12 \$ 12,000,000

1 13 a. To be eligible to receive an allocation under this

1 14 subsection, a county must meet the following requirements:

1 15 (1) The county is levying the maximum amount allowed for

1 16 the county's mental health, mental retardation, and

1 17 developmental disabilities services fund under section

1 18 331.424A for taxes due and payable in the fiscal year

1 19 beginning July 1, 2007.

1 20 (2) In the fiscal year beginning July 1, 2006, the

1 21 county's mental health, mental retardation, and developmental

1 22 disabilities services fund ending balance under generally

1 23 accepted accounting principles was equal to or less than 15

1 24 percent of the county's actual gross expenditures for that

1 25 fiscal year.

1 26 b. A county's allocation of the amount appropriated in

1 27 this subsection shall be determined based upon the county's

1 28 proportion of the general population of the counties eligible

1 29 to receive an allocation under this subsection. The most

1 30 recent population estimates issued by the United States bureau

1 31 of the census shall be applied in determining population for

1 32 the purposes of this paragraph.

1 33 c. The allocations made pursuant to this subsection are

1 34 subject to the distribution provisions and withholding

1 35 requirements established in this section for the county mental



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2 1 health, mental retardation, and developmental disabilities
2 2 allowed growth factor adjustment for the fiscal year beginning
2 3 July 1, 2007.

2 4 DIVISION II
2 5 DATA REPORTING

2 6 Sec. 2. Section 225C.6A, subsection 2, paragraph c, Code
2 7 2007, is amended by adding the following new subparagraph:

2 8 NEW SUBPARAGRAPH. (3) Each county shall report to the
2 9 department annually on or before December 1, for the preceding
2 10 fiscal year the following information for each individual
2 11 served: demographic information, expenditure data, and data
2 12 concerning the services and other support provided to each
2 13 individual, as specified in administrative rule.

2 14 Sec. 3. Section 331.439, subsection 1, paragraph a, Code
2 15 2007, is amended to read as follows:

2 16 a. The county accurately reported by December 1 the
2 17 county's expenditures for mental health, mental retardation,
2 18 and developmental disabilities services and the information
2 19 required under section 225C.6A, subsection 2, paragraph "c",
2 20 for the previous fiscal year on forms prescribed by the
2 21 department of human services.

2 22 Sec. 4. INFORMATION TECHNOLOGY. The department of human
2 23 services shall meet with the Iowa state association of
2 24 counties to develop a joint proposal addressing the
2 25 information technology needed for counties to comply with the
2 26 data reporting requirements applicable under this division.
2 27 The joint proposal shall be submitted to the chairpersons and
2 28 ranking members of the general assembly's committees on human
2 29 resources and the joint appropriations subcommittee on health
2 30 and human services prior to the adjournment of the 2007
2 31 regular session of the general assembly.

2 32 Sec. 5. EFFECTIVE DATE == RETROACTIVE APPLICABILITY. This
2 33 division of this Act, being deemed of immediate importance,
2 34 takes effect upon enactment and is retroactively applicable to
2 35 December 1, 2006, and is applicable on and after that date. A



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Senate File 576 - Introduced continued

3 1 county that has not submitted the data specified in section
3 2 225C.6A for the preceding fiscal year as of the effective date
3 3 of this division, shall submit the data within twenty-five
3 4 business days of the effective date of this division.

3 5 DIVISION III

3 6 MENTAL HEALTH SERVICES SYSTEM IMPROVEMENT

3 7 Sec. 6. NEW SECTION. 225C.6B MENTAL HEALTH SERVICES
3 8 SYSTEM IMPROVEMENT == LEGISLATIVE INTENT == PLANNING AND
3 9 IMPLEMENTATION.

3 10 1. INTENT.

3 11 a. The general assembly intends for the state to implement
3 12 a comprehensive, continuous, and integrated state mental
3 13 health services plan in accordance with the requirements of
3 14 sections 225C.4 and 225C.6 and other provisions of this
3 15 chapter, by increasing the department's responsibilities in
3 16 the development, funding, oversight, and ongoing leadership of
3 17 mental health services in this state.

3 18 b. In order to further the purposes listed in sections
3 19 225C.1 and 225C.27 and in other provisions of this chapter,
3 20 the general assembly intends that efforts focus on the goal of
3 21 making available a comprehensive array of high-quality,
3 22 evidence-based consumer and family-centered mental health
3 23 services and other support in the least restrictive,
3 24 community-based setting appropriate for a consumer.

3 25 c. In addition, it is the intent of the general assembly
3 26 to promote policies and practices that achieve for consumers
3 27 the earliest possible detection of mental health problems and
3 28 early intervention; to stress that all health care programs
3 29 address mental health disorders with the same urgency as
3 30 physical health disorders; to promote the policies of all
3 31 public programs that serve adults and children with mental
3 32 disorders, including but not limited to child welfare,
3 33 Medicaid, education, housing, criminal and juvenile justice,
3 34 substance abuse treatment, and employment services; to
3 35 consider the special mental health needs of adults and



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4 1 children; and to promote recovery and resiliency as expected
4 2 outcomes for all consumers.
4 3 2. PLANNING AND IMPLEMENTATION. In order to build upon
4 4 the partnership between the state and counties in providing
4 5 mental health and disability services in the state, the
4 6 workgroups established for purposes of this subsection shall
4 7 engage relatively equal proportions representing the
4 8 department, counties, and service providers. In addition,
4 9 each workgroup shall include a representative of the
4 10 commission, the mental health planning and advisory council,
4 11 consumers, and a statewide advocacy organization. A workgroup
4 12 shall be established for each of the following tasks provided
4 13 for in this subsection: alternative distribution formulas,
4 14 community mental health center plan, core mental health
4 15 services, and the two comprehensive plan items. The division
4 16 shall perform all of the following tasks in taking steps to
4 17 improve the mental health services system for adults and
4 18 children in this state:
4 19 a. ALTERNATIVE DISTRIBUTION FORMULAS. Identify
4 20 alternative formulas for distributing mental health, mental
4 21 retardation, and developmental disabilities allowed growth
4 22 factor adjustment funding to counties. The alternative
4 23 formulas shall provide methodologies that, as compared to the
4 24 current methodologies, are more readily understood, better
4 25 reflect the needs for services, respond to utilization
4 26 patterns, acknowledge historical county spending, and address
4 27 disparities in funding and service availability. The formulas
4 28 shall serve to strengthen the partnership between the
4 29 department and counties in the state's services system. The
4 30 division may engage assistance from expert consultants with
4 31 experience with funding allocation systems as necessary to
4 32 evaluate options. The department shall report with findings
4 33 and recommendations to the commission on or before November 1,
4 34 2007, and to the chairpersons and ranking members of the
4 35 general assembly's committees on human resources and the joint



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5 1 appropriations subcommittee on health and human services, and
5 2 to associated legislative staff, on or before January 31,
5 3 2008.

5 4 b. COMMUNITY MENTAL HEALTH CENTER PLAN. Prepare a phased
5 5 plan for increasing state responsibility for and oversight of
5 6 mental health services provided by community mental health
5 7 centers and the providers approved to fill the role of a
5 8 center. The plan shall provide for an initial implementation
5 9 date of July 1, 2008. The plan shall be submitted to the
5 10 commission on or before October 1, 2007, and to the governor
5 11 and general assembly on or before January 31, 2008. The
5 12 department shall ensure that key stakeholders are engaged in
5 13 the planning process, including but not limited to the
5 14 commission, mental health services providers, individuals with
5 15 expertise in the delivery of mental health services, youth and
5 16 adult consumers, family members of consumers, advocacy
5 17 organizations, and counties.

5 18 c. CORE MENTAL HEALTH SERVICES. Identify core mental
5 19 health services to be offered in each area of the state by
5 20 community mental health centers and core services agency
5 21 providers. The workgroup for this task shall be established
5 22 no later than August 1, 2007. The core services shall be
5 23 designed to address the needs of target populations identified
5 24 by the workgroup and the services may include but are not
5 25 limited to emergency services, school-based mental health
5 26 services, short-term counseling, prescreening for those
5 27 subject to involuntary treatment orders, and evidence-based
5 28 practices. The division shall submit to the commission on or
5 29 before October 1, 2007, proposed administrative rules and
5 30 legislation to amend chapter 230A as necessary to implement
5 31 the core services beginning July 1, 2008. The proposals shall
5 32 be submitted to the general assembly for review on or before
5 33 January 31, 2008.

5 34 d. MENTAL HEALTH AND CORE SERVICE AGENCY STANDARDS AND
5 35 ACCREDITATION. Identify standards for accreditation of core



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Senate File 576 - Introduced continued

6 1 services agencies that are not a community mental health
6 2 center but may serve as a provider approved to fill the role
6 3 of a center. Such core services agencies could be approved to
6 4 provide core mental health services for children and adults on
6 5 a regional basis. The standards shall be submitted to the
6 6 commission on or before December 1, 2007, and to the governor
6 7 and general assembly on or before January 31, 2008.

6 8 e. CO-OCCURRING DISORDERS. The division and the
6 9 department of public health shall give priority to the efforts
6 10 underway to develop an implementation plan for addressing
6 11 co-occurring mental health and substance abuse disorders in
6 12 order to establish a comprehensive, continuous, and integrated
6 13 system of care for such disorders. The division and the
6 14 department of public health shall participate in a policy
6 15 academy on co-occurring mental health and substance abuse
6 16 disorders as part of developing an implementation plan for
6 17 commission review by May 1, 2008, and shall forward the
6 18 implementation plan, as reviewed by the commission, to the
6 19 governor and general assembly on or before June 1, 2008. The
6 20 division may engage experts in the field of co-occurring
6 21 mental health and substance abuse disorders to facilitate this
6 22 planning process.

6 23 f. EVIDENCE-BASED PRACTICES. Begin phased implementation
6 24 of evidence-based practices for mental health services over a
6 25 period of several years.

6 26 (1) Not later than October 1, 2007, in order to provide a
6 27 reasonable timeline for the implementation of evidence-based
6 28 practices with mental health and disability services
6 29 providers, the division shall provide for implementation of
6 30 two adult and two children evidence-based practices per year
6 31 over a three-year period.

6 32 (2) The division shall develop a comprehensive training
6 33 program concerning such practices for community mental health
6 34 centers, state resource centers and mental health institutes,
6 35 and other providers, in collaboration with the Iowa consortium



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7 1 for mental health. The division shall consult with experts on
7 2 behavioral health workforce development regarding
7 3 implementation of the mental health and disability services
7 4 training and the curriculum and training opportunities
7 5 offered.

7 6 (3) The department shall apply measures to ensure
7 7 appropriate reimbursement is available to all providers for
7 8 the implementation of mandated evidence-based practices and
7 9 request appropriate funding for evidence-based practices from
7 10 the governor and general assembly as part of the
7 11 implementation plan. The implementation plan shall be
7 12 submitted to the governor and general assembly on or before
7 13 January 31, 2008.

7 14 (4) The department shall provide the commission with a
7 15 plan for review to implement the provisions of this paragraph
7 16 "f".

7 17 g. COMPREHENSIVE PLAN.

7 18 (1) Complete a written plan describing the key components
7 19 of the state's mental health services system, including the
7 20 services addressed in this subsection and those that are
7 21 community-based, state institution-based, or regional or
7 22 state-based. The plan shall be submitted to the commission on
7 23 or before November 15, 2008, and to the governor and general
7 24 assembly on or before December 15, 2008.

7 25 (2) In addition, complete a written plan for the
7 26 department to assume leadership and to assign and reassign
7 27 significant financial responsibility for the components of the
7 28 mental health services system in this state, including but not
7 29 limited to the actions needed to implement the provisions of
7 30 this subsection involving community mental health centers,
7 31 core mental health services, core services agencies,
7 32 co-occurring disorders, and evidence-based practices. The
7 33 plan shall include recommendations for funding levels, payment
7 34 methodologies for new and existing services, and allocation
7 35 changes necessary for the department to assume significant



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8 1 financial responsibility for mental health services. The plan
8 2 shall be submitted to the commission on or before November 15,
8 3 2008, and to the governor and general assembly on or before
8 4 December 15, 2008.

8 5 (3) The planning provisions of this paragraph shall be
8 6 directed toward the goal of strengthening the partnership
8 7 between the department and counties in the state's services
8 8 system.

8 9 DIVISION IV

8 10 DECATEGORIZATION PROJECT FUNDING

8 11 Sec. 7. 2006 Iowa Acts, chapter 1184, section 17,
8 12 subsection 4, is amended by adding the following new
8 13 unnumbered paragraph:

8 14 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
8 15 moneys in the allocations made in this subsection for the
8 16 decategorization of the child welfare and juvenile justice
8 17 funding initiative under section 232.188 that remain
8 18 unencumbered or unobligated at the close of the fiscal year
8 19 shall not revert but shall remain available for expenditure
8 20 for the purposes allocated until the close of the succeeding
8 21 fiscal year. Priority for the moneys addressed in this
8 22 paragraph shall be given to services for children with special
8 23 needs such as mental health needs, sexual abuse victims or
8 24 offenders, and substance abuse.

8 25 Sec. 8. EFFECTIVE DATE. This division of this Act, being
8 26 deemed of immediate importance, takes effect upon enactment.

8 27 DIVISION V

8 28 COUNTY FUNDS

8 29 Sec. 9. Notwithstanding section 331.424A, subsection 5,
8 30 and section 331.432, subsection 3, for the fiscal year
8 31 beginning July 1, 2007, a county may transfer moneys from
8 32 other funds of the county to the county's services fund
8 33 created in section 331.424A.

8 34 EXPLANATION

8 35 This bill relates to locally administered human services
9 1 programs involving the county mental health, mental
9 2 retardation, and developmental disabilities allowed growth
9 3 factor adjustment and the decategorization of child welfare
9 4 and juvenile justice funding initiative by making an
9 5 appropriation and authorizing nonreversion of certain funding.
9 6 The bill is organized into divisions.

9 7 ALLOWED GROWTH FUNDING FOR FY 2007=2008 == This division
9 8 makes a new appropriation for the allowed growth adjustment
9 9 factor distribution made in 2006 Iowa Acts, chapter 1185,
9 10 section 1.

9 11 The appropriation is designated for distribution to
9 12 counties with a fund balance percentage of 15 percent or less
9 13 for FY 2006=2007 that levied the maximum amount authorized for
9 14 the county's services fund for FY 2007=2008. The distribution
9 15 is subject to distribution and withholding requirements
9 16 designated in the same section. This provision is generally
9 17 addressed in the appropriation legislation for health and
9 18 human services.

9 19 DATA REPORTING == Code section 225C.6A, relating to the
9 20 responsibility of the mental health, mental retardation,
9 21 developmental disabilities, and brain injury commission to



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9 22 plan, collect, and analyze data as necessary to issue cost
9 23 estimates for serving additional populations and providing
9 24 core disability services statewide, is amended to require
9 25 counties to submit data annually by December 1 for the
9 26 preceding fiscal year. The data is required to include
9 27 demographic information, expenditure data, and data concerning
9 28 the services and other support provided to each individual.
9 29 Code section 331.439, relating to the requirements for
9 30 county eligibility to receive property tax relief and allowed
9 31 growth factor adjustment funding, is amended to include along
9 32 with the existing financial reporting requirements, a new
9 33 requirement to report the individual data required by the bill
9 34 under Code section 225C.6A.
9 35 The department of human services is required to meet with



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Senate File 576 - Introduced continued

10 1 the Iowa state association of counties to develop a joint
10 2 proposal addressing the information technology needed for
10 3 counties to comply with the data reporting requirements
10 4 applicable to counties under the division. The joint proposal
10 5 is required to be submitted to chairpersons and ranking
10 6 members of the general assembly's committees on human
10 7 resources and the joint appropriations subcommittee on health
10 8 and human services prior to adjournment of the 2007 regular
10 9 legislative session.

10 10 This division takes effect upon enactment and is
10 11 retroactively applicable to December 1, 2006. If a county has
10 12 not submitted the data for the preceding fiscal year as of the
10 13 effective date of the division, the county must submit the
10 14 data within five business days of the division's effective
10 15 date.

10 16 MENTAL HEALTH SERVICES SYSTEM IMPROVEMENT == New Code
10 17 section 225C.6B provides for planning and implementation of
10 18 mental health system improvements by the division of mental
10 19 health and disability services of the department of human
10 20 services. The intent for the system improvement is described.

10 21 Four of the planning items are required to utilize a
10 22 workgroup consisting of relatively equal proportions of
10 23 representatives of the department, counties, and providers.
10 24 In addition, the workgroups are required to include a
10 25 representative of the mental health, mental retardation,
10 26 developmental disabilities, and brain injury (MH/MR/DD/BI)
10 27 commission, the mental health planning and advisory council,
10 28 consumers, and a statewide advocacy organization. The
10 29 planning items required to utilize a workgroup are the
10 30 alternative distribution formulas, community mental health
10 31 center plan, core mental health services, and the two
10 32 comprehensive plan items. Other items to be addressed are
10 33 community mental health provider standards, mental health and
10 34 core service agency standards and accreditation, co-occurring
10 35 disorders, and evidence-based practices. Dates are provided



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Senate File 576 - Introduced continued

11 1 for submission of each of the planning items to the
11 2 MH/MR/DD/BI commission and to the governor and general
11 3 assembly.
11 4 DECATORIZATION PROJECT FUNDING. This division amends
11 5 allocations made of FY 2006=2007 appropriations from the
11 6 general fund of the state and the federal temporary assistance
11 7 to needy families block grant to the department for the
11 8 decategorization of the child welfare and juvenile justice
11 9 funding initiative. The amendment allows moneys that remain
11 10 unencumbered or unobligated at the close of the fiscal year to
11 11 be carried forward to the succeeding fiscal year to be used
11 12 for the same purpose. Priority for the carryforward moneys is
11 13 required to be given to services for children with special
11 14 needs such as mental health needs, sexual abuse victims or
11 15 offenders, and substance abuse. The division takes effect
11 16 upon enactment.
11 17 COUNTY FUNDS. This division authorizes a temporary
11 18 exception to allow a county to transfer moneys from other
11 19 funds to the county's MH/MR/DD services fund for FY 2007=2008.
11 20 LSB 2849SS 82
11 21 jp:nh/es/88.3



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Senate File 577 - Introduced

SENATE FILE
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO SSB 1346)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act relating to administration of provisions involving
- 2 violations of the state's noncompetition by government law.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2861SV 82
- 5 rn/es/88



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Senate File 577 - Introduced continued

PAG LIN

1 1 Section 1. Section 23A.4, Code 2007, is amended by
1 2 striking the section and inserting in lieu thereof the
1 3 following:

1 4 23A.4 ADMINISTRATION OF CHAPTER.

1 5 1. The Iowa ethics and campaign disclosure board may give
1 6 advice, issue advisory opinions, adopt rules, receive
1 7 complaints, conduct investigations, hold hearings, and impose
1 8 sanctions in order to administer the provisions of this
1 9 chapter.

1 10 2. Judicial review of the actions of the board and
1 11 judicial enforcement of board orders may be sought in
1 12 accordance with chapter 17A.

1 13 3. The office of citizens' aide may review violations of
1 14 this chapter and make recommendations as provided in chapter
1 15 2C.

1 16 Sec. 2. Section 68B.32A, Code 2007, is amended by adding
1 17 the following new subsection:

1 18 NEW SUBSECTION. 15. Administer the provisions of chapter
1 19 23A regarding noncompetition by government with private
1 20 enterprise pursuant to section 23A.4.

1 21 EXPLANATION

1 22 This bill relates to the administration of Code provisions
1 23 prohibiting certain competition by government with private
1 24 enterprise. Code chapter 23A generally restricts competition
1 25 by government entities with private enterprise, and Code
1 26 section 23A.4 provides for injunctive relief through judicial
1 27 review as a remedy for noncompetition violations and the
1 28 payment of attorney fees and expenses and court costs to an
1 29 aggrieved person by a violating state agency or political
1 30 subdivision.

1 31 The bill eliminates these provisions and gives the Iowa
1 32 ethics and campaign disclosure board jurisdiction to
1 33 administer the Code chapter. Specifically, the bill provides
1 34 that the board may give advice, issue advisory opinions, adopt
1 35 rules, receive complaints, conduct investigations, hold



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Senate File 577 - Introduced continued

2 1 hearings, and impose sanctions to administer the Code
2 2 chapter's provisions. The bill provides for judicial review
2 3 of board actions and orders.
2 4 A current provision in Code chapter 23A providing that the
2 5 office of citizens' aide may review Code chapter violations
2 6 and make recommendations is retained.
2 7 The bill makes a conforming change referencing the board's
2 8 responsibilities in administering the Code chapter in Code
2 9 section 68B.32A, which sets forth general duties and
2 10 responsibilities of the board.
2 11 LSB 2861SV 82
2 12 rn:rj/es/88



Iowa General Assembly
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Senate Resolution 29 - Introduced

PAG LIN

1 1 SENATE RESOLUTION NO.
1 2 BY RAGAN, GASKILL, CONNOLLY, and BEALL
1 3 A Resolution declaring the trombone Iowa's premier
1 4 musical instrument.
1 5 WHEREAS, the trombone is certainly the most
1 6 recognizable of the brass instruments, being the only
1 7 one with a true slide section, having been in
1 8 existence for over five centuries, and remaining
1 9 relatively unchanged; and
1 10 WHEREAS, the trombone holds a unique place in
1 11 Iowa's musical heritage; and
1 12 WHEREAS, four of Iowa's favorite sons, Meredith
1 13 Willson, Glenn Miller, Karl L. King, and Jack Jenney,
1 14 have made the trombone a centerpiece of their careers;
1 15 and
1 16 WHEREAS, the trombone was made famous by Mason City
1 17 native Meredith Willson in that rousing song "76
1 18 Trombones," which was part of his Broadway hit and
1 19 Hollywood movie "The Music Man"; and
1 20 WHEREAS, Clarinda native Glenn Miller made dynamic
1 21 use of the trombone in his big band hits "In the
1 22 Mood," "Moonlight Serenade," "Chattanooga Choo Choo,"
1 23 "Pennsylvania 6-5000," and "A String of Pearls"; and
1 24 WHEREAS, the "March King," Karl L. King from Fort
1 25 Dodge, was a band director and composer of brass band
1 26 marches and songs, and one of his popular compositions
1 27 is "Mournful Maggie" featuring the trombone smear; and
1 28 WHEREAS, Dubuque's own Jack Jenney, a contemporary
1 29 of Tommy Dorsey, was one of the most highly rated jazz
1 30 musicians in the country, and is considered by jazz



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Senate Resolution 29 - Introduced continued

2 1 scholars as the "father" of the modern jazz trombone;
2 2 and
2 3 WHEREAS, the trombone is a mainstay of every
2 4 marching band and jazz band in Iowa and in the nation;
2 5 NOW THEREFORE,
2 6 BE IT RESOLVED BY THE SENATE, That the Senate,
2 7 honoring the lives and music of those great Iowans,
2 8 Meredith Willson, Glenn Miller, Karl L. King, and Jack
2 9 Jenney, declares the trombone Iowa's premier musical
2 10 instrument.
2 11 LSB 2881SS 82
2 12 jr:rj/es/88.1