



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 05, 2007**

House Amendment 1593

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 2, by inserting after line 48 the
 1 34 following:
 1 35 <# ____ . Page 14, by striking lines 17 and 18 and
 1 36 inserting the following: <subject=area shortages, ~~or~~
 1 37 improving the racial or ethnic diversity on local
 1 38 teaching staffs, funding to prepare a>.
 1 39 #6. Page 4, line 41, by striking the words
 1 40 <REPORTS AND FINAL STUDY> and inserting the following:
 1 41 <INTERIM AND FINAL REPORTS>.
 1 42 #7. By renumbering as necessary.
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 1 46 WINCKLER of Scott
 1 47 SF 277.231 82
 1 48 kh/es/8182
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House Amendment 1594

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1 1 Amend House File 890 as follows:
1 2 #1. Page 1, by inserting after line 30 the
1 3 following:
1 4 <Sec. _____. Section 12.43, subsection 5, unnumbered
1 5 paragraph 1, Code 2007, is amended to read as follows:
1 6 In order to qualify under this program, all owners
1 7 of the business or borrowers must not have a combined
1 8 net worth exceeding ~~seven~~ one million five hundred
1 9 ~~fifty~~ thousand dollars as defined in rules adopted by
1 10 the treasurer of state pursuant to chapter 17A and the
1 11 small business must meet all of the following
1 12 criteria:
1 13 Sec. _____. Section 12.43, subsection 5, paragraph
1 14 b, Code 2007, is amended to read as follows:
1 15 b. If an application involves an existing business
1 16 or the transfer of an existing business to a new
1 17 owner, the business must have annual gross sales of
1 18 ~~two~~ four million dollars or less at the time the
1 19 application is submitted under section 12.35.>
1 20 #2. By renumbering as necessary.
1 21
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1 23
1 24 LUKAN of Dubuque
1 25 HF 890.702 82
1 26 tm/gg/8462
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House Amendment 1595

PAG LIN

1 1 Amend House File 789 as follows:
1 2 #1. Page 1, by striking lines 3 through 13 and
1 3 inserting the following:
1 4 <1. A carrier as defined in section 513B.2, an
1 5 organized delivery system authorized under 1993 Iowa
1 6 Acts, ch. 158, and licensed by the director of public
1 7 health, and a plan established pursuant to chapter
1 8 509A for public employees shall each offer at least
1 9 one contract, policy, or plan providing for
1 10 third-party payment or prepayment of health or medical
1 11 expenses for enteral formulas for home use for which a
1 12 practitioner licensed by law to prescribe and
1 13 administer prescription drugs has issued a written
1 14 order. Such written order must state that the enteral
1 15 formula is medically necessary for the patient.>
1 16 #2. By striking page 1, line 23, through page 2,
1 17 line 1, and inserting the following:
1 18 <3. This section applies to third-party payment
1 19 provider contracts, policies, or plans delivered,
1 20 issued for delivery, continued, or renewed in this
1 21 state on or after January 1, 2008.>
1 22 #3. Page 2, line 2, by striking the word <b.> and
1 23 inserting the following: <4.>
1 24 #4. Page 2, line 10, by striking the figure and
1 25 words <4. An individual or group> and inserting the
1 26 following: <5. A>.
1 27 #5. Page 2, line 10, by inserting after the word
1 28 <plan> the following: <issued>.
1 29 #6. Page 2, line 18, by striking the figure and
1 30 words <5. An individual or group> and inserting the
1 31 following: <6. A>.
1 32 #7. Page 2, line 18, by inserting after the word
1 33 <plan> the following: <issued>.
1 34 #8. By striking page 2, line 29, through page 3,
1 35 line 13, and inserting the following:
1 36 <1. A carrier as defined in section 513B.2, an
1 37 organized delivery system authorized under 1993 Iowa
1 38 Acts, ch. 158, and licensed by the director of public
1 39 health, and a plan established pursuant to chapter
1 40 509A for public employees shall each offer at least
1 41 one contract, policy, or plan providing for
1 42 third-party payment or prepayment of health or medical
1 43 expenses that provides minimum coverage for
1 44 audiological services and hearing aids for children.
1 45 2. This section applies to third-party payment
1 46 provider contracts, policies, or plans delivered,
1 47 issued for delivery, continued, or renewed in this
1 48 state on or after January 1, 2008.>
1 49 #9. Page 3, line 14, by striking the figure <2.>
1 50 and inserting the following: <3.>



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House Amendment 1595 continued

2 1 #10. Page 3, line 22, by striking the figure <3.>
2 2 and inserting the following: <4.>
2 3 #11. Page 3, line 33, by striking the figure <4.>
2 4 and inserting the following: <5.>
2 5 #12. Page 4, by striking lines 3 through 25, and
2 6 inserting the following:
2 7 <1. A carrier as defined in section 513B.2, an
2 8 organized delivery system authorized under 1993 Iowa
2 9 Acts, ch. 158, and licensed by the director of public
2 10 health, and a plan established pursuant to chapter
2 11 509A for public employees shall each offer at least
2 12 one contract, policy, or plan providing for
2 13 third-party payment or prepayment of health or medical
2 14 expenses that provides coverage benefits for
2 15 vaccinations for the human papilloma virus, to each
2 16 female insured who is nine years of age or older until
2 17 that individual reaches twenty-six years of age.
2 18 2. This section applies to third-party payment
2 19 provider contracts, policies, or plans delivered,
2 20 issued for delivery, continued, or renewed in this
2 21 state on or after January 1, 2008.>
2 22 #13. Page 4, line 26, by striking the figure <2.>
2 23 and inserting the following: <3.>
2 24 #14. Page 4, line 34, by striking the figure <3.>
2 25 and inserting the following: <4.>
2 26 #15. Page 5, line 3, by striking the figure <4.>
2 27 and inserting the following: <5.>
2 28 #16. By renumbering as necessary.
2 29
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2 31
2 32 PETTENGILL of Benton
2 33 HF 789.701 82
2 34 av/gg/8927



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House Amendment 1596

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 48 the
 1 5 following:
 1 6 <#____. Page 14, line 21 by striking the words <The
 1 7 ~~school district shall have~~> and inserting the
 1 8 following: <The school district shall have>.
 1 9 #</strike>____. Page 14, by striking lines 22 through 24 and
 1 10 inserting the following: <the sole discretion to
 1 11 award funds received by the school district in
 1 12 accordance with section 284.13, subsection 1,
 1 13 paragraph "f", to classroom teachers on an annual
 1 14 basis. ~~The~~>.
 1 15 #</strike>____. Page 14, by striking lines 31 and 32 and
 1 16 inserting the following: <recommendations to the
 1 17 school board regarding the expenditures of market>.>
 1 18 #2. Page 3, by inserting after line 1 the
 1 19 following:
 1 20 <#____. Page 18, by striking lines 1 through 12.>
 1 21 #3. By renumbering as necessary.
 1 22
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 1 25 BOAL of Polk
 1 26 SF 277.517 82
 1 27 kh/je/8187
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House Amendment 1597

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 5, by inserting after line 4 the
 1 5 following:
 1 6 <Sec. _____. NEW SECTION. 284.15 DEPARTMENT OF
 1 7 HUMAN SERVICES INSTITUTIONS == PRACTITIONERS.
 1 8 1. For purposes of this chapter, an individual who
 1 9 holds a practitioner's license issued under chapter
 1 10 272 and who is employed in a nonadministrative
 1 11 position by the department of human services at the
 1 12 state training school, the Iowa juvenile home, or the
 1 13 state mental health institutes located in Cherokee and
 1 14 Independence shall be considered a teacher if the
 1 15 individual and the institution in which the individual
 1 16 practices meet the requirements of this chapter. If
 1 17 an institution and a practitioner employed by the
 1 18 institution are determined by the department to meet
 1 19 the requirements of this chapter, the department shall
 1 20 annually distribute funds to the institution in the
 1 21 manner prescribed for school districts pursuant to
 1 22 section 284.13.
 1 23 2. The area education agencies in which the
 1 24 institutions are located shall work with the
 1 25 institutions to develop a plan for meeting the
 1 26 requirements of this chapter, which shall be submitted
 1 27 to the department of education, the department of
 1 28 human services, and the general assembly by January
 1 29 14, 2008.
 1 30 3. This subsection is repealed July 1, 2008.>>
 1 31 #2. By renumbering as necessary.
 1 32
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 1 35 GRANZOW of Hardin
 1 36 SF 277.717 82
 1 37 kh/gg/8186

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House Amendment 1598

PAG LIN

1 1 Amend Senate File 554, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting after line 29 the
1 4 following:
1 5 <____. "Franchise fee" means the fee imposed under
1 6 section 477A.7.>
1 7 #2. Page 2, line 1, by inserting after the word
1 8 <jurisdiction.> the following: <Gross revenues are
1 9 limited to the following:
1 10 (1) Recurring charges for cable service or video
1 11 service.
1 12 (2) Event-based charges for cable service or video
1 13 service, including but not limited to pay-per-view and
1 14 video-on-demand charges.
1 15 (3) Rental of set-top boxes and other cable
1 16 service or video service equipment.
1 17 (4) Service charges related to the provision of
1 18 cable service or video service, including but not
1 19 limited to activation, installation, and repair
1 20 charges.
1 21 (5) Administrative charges related to the
1 22 provision of cable service or video service, including
1 23 but not limited to service order and service
1 24 termination charges.
1 25 (6) A pro rata portion of all revenue derived,
1 26 less refunds, rebates, or discounts, by a cable
1 27 service provider or a video service provider for
1 28 advertising over the cable service or video service
1 29 network to subscribers within the franchise area where
1 30 the numerator is the number of subscribers within the
1 31 franchise area, and the denominator is the total
1 32 number of subscribers reached by such advertising.
1 33 This subparagraph applies only to municipalities that
1 34 include this provision in their franchise agreements
1 35 as of January 1, 2007.>
1 36 #3. Page 2, lines 17 and 18, by striking the words
1 37 <revenue received in connection with advertising,>.
1 38 #4. Page 3, by inserting after line 25 the
1 39 following:
1 40 <(14) Late payment charges.
1 41 (15) Maintenance charges.>
1 42 #5. Page 3, line 28, by striking the word <July>
1 43 and inserting the following: <January>.
1 44 #6. Page 3, by inserting after line 28 the
1 45 following:
1 46 <____. "Institutional network" means the system of
1 47 dedicated fibers, coaxial cables, or wires constructed
1 48 and maintained by an incumbent cable provider which is
1 49 reserved and dedicated by the municipality for
1 50 noncommercial purposes.>



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2 1 #7. Page 3, by striking lines 33 through 35 and
2 2 inserting the following: <greater than five percent.
2 3 However, if the incumbent cable provider is a>.
2 4 #8. Page 5, line 27, by inserting after the word
2 5 <area> the following: <, and to the incumbent cable
2 6 provider,>.
2 7 #9. Page 5, lines 31 and 32, by striking the words
2 8 <offers or intends to> and inserting the following:
2 9 <will>.
2 10 #10. Page 5, line 33, by inserting after the word
2 11 <municipality> the following: <, and shall not
2 12 provide service without having provided such thirty
2 13 days' notice>.
2 14 #11. Page 6, by striking lines 6 through 18 and
2 15 inserting the following:
2 16 <6. If a competitive cable service provider or a
2 17 competitive video service provider receives a
2 18 certificate of franchise authority to operate within a
2 19 municipality, the incumbent cable provider may, at its
2 20 discretion, apply for a certificate of franchise
2 21 authority for that same municipality. Such
2 22 application shall be automatically granted on the same
2 23 day as a competitive cable service provider or
2 24 competitive video service provider files a thirty
2 25 days' notice of offering service as required pursuant
2 26 to subsection 4. The franchise agreement with the
2 27 municipality is terminated on the date the board
2 28 issues the certificate of franchise authority to an
2 29 incumbent cable provider. The terms and conditions of
2 30 the certificate of franchise authority shall be the
2 31 same as the terms and conditions of a competitive
2 32 cable service provider or a competitive video service
2 33 provider pursuant to this chapter and shall replace
2 34 the terms and conditions of the franchise agreement
2 35 previously granted by the municipality.>
2 36 #12. Page 6, line 34, by inserting after the words
2 37 <laws and> the following: <nondiscriminatory>.
2 38 #13. Page 8, by striking lines 3 through 11 and
2 39 inserting the following:
2 40 <4. A certificate of franchise authority issued by
2 41 the board is fully transferable to any successor of
2 42 the applicant to which the certificate was initially
2 43 issued. A notice of transfer shall be filed by the
2 44 holder of the certificate of franchise authority with
2 45 the board and the affected municipality and shall be
2 46 effective fourteen business days after submission.
2 47 The notice of transfer shall include the address of
2 48 the successor's principal place of business and the
2 49 names of the successor's principal executive officers.
2 50 The successor shall assume all regulatory rights and



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House Amendment 1598 continued

3 1 responsibilities of the holder of the certificate.
3 2 Neither the board nor an affected municipality shall
3 3 have authority to review or require approval of such
3 4 transfer.>
3 5 #14. Page 10, line 15, by inserting after the word
3 6 <services.> the following: <At its election the
3 7 municipality may reasonably request any cable service
3 8 provider or video service provider to make any
3 9 necessary change to the form of any programming,
3 10 furnished for transmission, which shall be charged to
3 11 the municipality, not to exceed the provider's
3 12 incremental costs. The municipality shall have up to
3 13 twelve months to reimburse the cable service provider
3 14 or video service provider.>
3 15 #15. Page 11, by striking lines 20 through 26 and
3 16 inserting the following:
3 17 <b. All cable service providers and video service
3 18 providers shall pay a franchise fee at the same
3 19 percent of gross revenues as had been assessed on the
3 20 incumbent cable provider by the municipality as of
3 21 January 1, 2007, and such percentage shall continue to
3 22 apply for the period of the remaining term of the
3 23 existing franchise agreement with the municipality.
3 24 Upon expiration of the period of the remaining term of
3 25 the agreement with the incumbent cable service
3 26 provider, a municipality may request an increase in
3 27 the franchise fee up to five percent of gross
3 28 revenues.>
3 29 #16. Page 12, line 5, by striking the word <eight>
3 30 and inserting the following: <five>.
3 31 #17. Page 12, by striking lines 12 through 29.
3 32 #18. Page 12, line 35, by inserting after the word
3 33 <municipality> the following: <, even if the
3 34 incumbent cable provider elects to convert to a
3 35 certificate of franchise authority pursuant to section
3 36 477A.2>.
3 37 #19. Page 13, by striking lines 3 through 14 and
3 38 inserting the following:
3 39 <4. a. If an incumbent cable provider is required
3 40 by a franchise agreement as of January 1, 2007, to
3 41 provide institutional network capacity to a
3 42 municipality for use by the municipality for
3 43 noncommercial purposes, the incumbent cable provider
3 44 and any subsequent holder of a certificate of
3 45 franchise authority shall provide support only for the
3 46 existing institutional network on a pro rata basis per
3 47 customer. Any financial support provided for an
3 48 institutional network shall be limited to ongoing
3 49 maintenance and support of the existing institutional
3 50 network. This subsection shall be applicable only to



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4 1 a cable service provider's or video service provider's
4 2 first certificate of franchise authority issued under
4 3 this chapter, and shall not apply to any subsequent
4 4 renewals. For the purposes of this subsection,
4 5 maintenance and support shall only include the
4 6 reasonable incremental cost of moves, changes, and
4 7 restoring connectivity of the fiber or coaxial cable
4 8 lines up to a demarcation point at the building.
4 9 b. For purposes of this subsection, the number of
4 10 customers of a cable service provider or video service
4 11 provider shall be determined based on the relative
4 12 number of subscribers in that municipality at the end
4 13 of the prior calendar year as reported to the
4 14 municipality by all incumbent cable providers and
4 15 holders of a certificate of franchise authority. Any
4 16 records showing the number of subscribers shall be
4 17 considered confidential records pursuant to section
4 18 22.7. The incumbent cable provider shall provide to
4 19 the municipality, on an annual basis, the maintenance
4 20 and support costs of the institutional network,
4 21 subject to an independent audit. A municipality
4 22 acting under this subsection shall notify and present
4 23 a bill to competitive cable service providers or
4 24 competitive video service providers for the amount of
4 25 such support on an annual basis, beginning one year
4 26 after issuance of the certificate of franchise
4 27 authority. The annual institutional network support
4 28 shall be due and paid by the providers to the
4 29 municipality in four quarterly payments, not later
4 30 than forty-five days after the close of each quarter.
4 31 The municipality shall reimburse the incumbent cable
4 32 provider for the amounts received from competitive
4 33 cable service providers or competitive video service
4 34 providers.
4 35 c. This subsection shall not apply if the
4 36 incumbent cable service provider is a municipal
4 37 utility providing telecommunications services under
4 38 section 388.10.>
4 39 #20. Page 13, by inserting before line 15 the
4 40 following:
4 41 <5. A franchise fee may be assessed or imposed by
4 42 a municipality without regard to the municipality's
4 43 cost of inspecting, supervising, or otherwise
4 44 regulating the franchise, and the fees collected may
4 45 be credited to the municipality's general fund and
4 46 used for municipal general fund purposes.
4 47 6. To the extent that any amount of franchise fees
4 48 assessed by and paid to a municipality prior to the
4 49 effective date of this Act, pursuant to a franchise
4 50 agreement between a municipality and any person to



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5 1 erect, maintain, and operate plants and systems for
5 2 cable television, exceeds the municipality's
5 3 reasonable costs of inspecting, supervising, or
5 4 otherwise regulating the franchise, such amount is
5 5 deemed and declared to be authorized and legally
5 6 assessed by and paid to the municipality.>
5 7 #21. Page 14, line 24, by striking the words <four
5 8 thousand> and inserting the following: <two thousand
5 9 five hundred>.
5 10 #22. Page 15, by inserting after line 14 the
5 11 following:
5 12 <Sec. ____ . FRANCHISES FOR PROVISION OF CABLE
5 13 SERVICE OR VIDEO SERVICE == SEVERABILITY. If any
5 14 provision of this Act, or its application thereof to
5 15 any person or circumstance is held invalid, the
5 16 invalidity shall not affect other provisions or
5 17 applications of this Act which can be given effect
5 18 without the invalid provision or application, and to
5 19 this end the provisions of this Act are severable as
5 20 provided in section 4.12.>
5 21 #23. By renumbering, redesignating, and correcting
5 22 internal references as necessary.
5 23
5 24
5 25
5 26 COMMITTEE ON COMMERCE
5 27 PETERSEN of Polk, CHAIRPERSON
5 28 SF 554.506 82
5 29 rn/je/9143



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House Amendment 1599

PAG LIN

1 1 Amend Senate File 62, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 8, by inserting after line 10 the
 1 4 following:
 1 5 <Sec. _____. Section 279.10, subsection 1, Code
 1 6 2007, is amended to read as follows:
 1 7 1. The school year shall begin on the first day of
 1 8 July and each regularly established elementary and
 1 9 secondary school shall begin no sooner than a day
~~1 10 during the calendar week in which the first day of~~
~~1 11 September falls August 24~~ but no later than the first
 1 12 Monday in December. ~~However, if the first day of~~
~~1 13 September falls on a Sunday, school may begin on a day~~
~~1 14 during the calendar week which immediately precedes~~
~~1 15 the first day of September.~~ School shall continue for
 1 16 at least one hundred eighty days, except as provided
 1 17 in subsection 3, and may be maintained during the
 1 18 entire calendar year. However, if the board of
 1 19 directors of a district extends the school calendar
 1 20 because inclement weather caused the district to
 1 21 temporarily close school during the regular school
 1 22 calendar, the district may excuse a graduating senior
 1 23 who has met district or school requirements for
 1 24 graduation from attendance during the extended school
 1 25 calendar. A school corporation may begin employment
 1 26 of personnel for in-service training and development
 1 27 purposes before the date to begin elementary and
 1 28 secondary school.>
 1 29 #2. By renumbering as necessary.
 1 30
 1 31
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 1 33 MAY of Dickinson
 1 34 SF 62.202 82
 1 35 kh/es/8185
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House Amendment 1600

PAG LIN

1 1 Amend the Senate amendment, H=1429, to House File
1 2 368, as passed by the House, as follows:
1 3 #1. Page 1, by inserting after line 12 the
1 4 following:
1 5 <#____. Page 1, line 23, by inserting after the
1 6 word <reputable> the following: <inspection or>.
1 7 #</strike>____. Page 1, line 24, by striking the word <that>
1 8 and inserting the following: <a reputable>.
1 9 #</strike>____. Page 2, by striking line 1 and inserting the
1 10 following:
1 11 <3. The inspection or insurance company shall file
1 12 a notice of inspection>.
1 13 #</strike>____. Page 2, line 2, by striking the word
1 14 <coverage>.
1 15 #</strike>____. Page 2, line 3, by striking the words <is
1 16 insured and that>.>
1 17
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1 20 T. TAYLOR of Linn
1 21 HF 368.202 82
1 22 ak/es/7451
1 23
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House Amendment 1601

PAG LIN

1 1 Amend House File 883 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 422.7, Code 2007, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 50. Subtract, to the extent
1 7 included, the amount of gain realized from the sale of
1 8 farmland to the state department of transportation, if
1 9 such gain is deposited into a qualified pension plan
1 10 pursuant to section 401 of the Internal Revenue Code
1 11 for the benefit of the taxpayer. If only a portion of
1 12 the gain realized is deposited into the qualified
1 13 pension plan, then only that portion shall be
1 14 subtracted under this subsection. For purposes of
1 15 this subsection, "farmland" means land of two acres or
1 16 more that in good faith is used for agricultural or
1 17 horticultural purposes.>
1 18 #2. Title page, line 1, by inserting after the
1 19 words <relating to> the following: <the taxable gain
1 20 from the sale of farmland to the department of
1 21 transportation and to>.
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1 25 SANDS of Louisa
1 26 HF 883.701 82
1 27 mg/gg/8353
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House Amendment 1602

PAG LIN

1 1 Amend House File 883 as follows:
 1 2 #1. Page 1, by inserting before line 1 the
 1 3 following:
 1 4 <Section 1. Section 422.11S, subsection 7,
 1 5 paragraph a, subparagraph (2), Code 2007, is amended
 1 6 to read as follows:
 1 7 (2) "Total approved tax credits" means for the tax
 1 8 year beginning in the 2006 calendar year, two million
 1 9 five hundred thousand dollars, ~~and for the tax years~~
 1 10 year beginning on or after January 1, in the 2007
 1 11 calendar year, five million dollars, and for tax years
 1 12 beginning on or after January 1, 2008, seven million
 1 13 five hundred thousand dollars.>
 1 14 #2. Title page, line 1, by inserting after the
 1 15 words <relating to> the following: <the increase in
 1 16 the amount of school tuition organization tax credits
 1 17 and to>.
 1 18
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 1 21 LUKAN of Dubuque
 1 22 HF 883.501 82
 1 23 mg/je/8351
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House Amendment 1603

PAG LIN

1 1 Amend Senate File 485, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 24, by striking the word
1 4 <evaluating>.
1 5 #2. Page 1, lines 25 and 26, by striking the words
1 6 <director or the commission> and inserting the
1 7 following: <applicant>.
1 8 #3. Page 1, line 26, by striking the words <, in
1 9 addition to other applicable factors,>.

1 10 #4. Page 1, by inserting after line 34 the
1 11 following:
1 12 <Sec. _____. NEW SECTION. 455B.152 GREENHOUSE GAS
1 13 INVENTORY AND REGISTRY.
1 14 1. DEFINITIONS. For purposes of this section,
1 15 "greenhouse gas" means carbon dioxide, methane,
1 16 nitrous oxide, hydrofluorocarbons, perfluorocarbons,
1 17 or sulphur hexafluoride.
1 18 2. GREENHOUSE GAS INVENTORY.
1 19 a. By January 1, 2008, the department shall
1 20 establish a method for collecting data from producers
1 21 of greenhouse gases regarding generated greenhouse
1 22 gases. The data collection method shall provide for
1 23 mandatory reporting to collect information from
1 24 affected entities individually and shall include
1 25 information regarding the amount and type of
1 26 greenhouse gases generated, the type of source, and
1 27 other information deemed relevant by the department in
1 28 developing a baseline measure of greenhouse gases
1 29 produced in the state.
1 30 b. The department may allow a series of reporting
1 31 requirements to be phased in over a period of time and
1 32 may provide for phasing in by producer sector,
1 33 geographic area, size of producer, or other factors.
1 34 The reporting requirements shall apply to the
1 35 departments, agencies, boards, and commissions of the
1 36 state, in addition to any other entities subject to
1 37 the reporting requirements established by the
1 38 department.
1 39 3. GREENHOUSE GAS REGISTRY.
1 40 a. The department shall establish a voluntary
1 41 greenhouse gas registry for purposes of cooperating
1 42 with other states in tracking, managing, and crediting
1 43 entities in the state that reduce their generation of
1 44 greenhouse gases or that provide increased energy
1 45 efficiency.
1 46 b. The department shall develop a mechanism to
1 47 coordinate the information obtained in the greenhouse
1 48 gas inventory with the greenhouse gas registry.
1 49 4. AVAILABILITY. By January 1, 2009, the
1 50 greenhouse gas registry shall be made available on an



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House Amendment 1603 continued

2 1 internet website.
2 2 Sec. ____ . NEW SECTION. 455B.851 IOWA CLIMATE
2 3 CHANGE ADVISORY COUNCIL.
2 4 1. The department shall create an Iowa climate
2 5 change advisory council consisting of eighteen voting
2 6 members serving three-year staggered terms and four
2 7 nonvoting, ex officio members.
2 8 2. a. The voting members shall be appointed by
2 9 the governor and shall represent the following:
2 10 (1) The university of Iowa center for global and
2 11 regional environmental research.
2 12 (2) The university of northern Iowa center for
2 13 energy and environmental education.
2 14 (3) The Iowa farm bureau.
2 15 (4) The Iowa public transit association.
2 16 (5) Rural electric cooperatives.
2 17 (6) Investor-owned utilities.
2 18 (7) Municipal utilities.
2 19 (8) The Iowa utilities board.
2 20 (9) One association with environmental interests
2 21 or activities.
2 22 (10) One association with conservation interests
2 23 or activities.
2 24 (11) The international brotherhood of electrical
2 25 workers.
2 26 (12) The Iowa association of business and
2 27 industry.
2 28 (13) The Iowa energy center.
2 29 (14) The Iowa renewable fuels association.
2 30 (15) The office of consumer advocate of the
2 31 department of justice.
2 32 (16) A representative from local government.
2 33 (17) The director of the office of energy
2 34 independence in the office of the governor.
2 35 (18) A manufacturer of equipment used for
2 36 alternative energy production.
2 37 b. The four nonvoting, ex officio members shall
2 38 consist of four members of the general assembly, two
2 39 from the senate and two from the house of
2 40 representatives, with not more than one member from
2 41 each chamber being from the same political party. The
2 42 two senators shall be designated by the majority
2 43 leader of the senate after consultation with the
2 44 president and the minority leader of the senate. The
2 45 two representatives shall be designated by the speaker
2 46 of the house of representatives after consultation
2 47 with the majority and minority leaders of the house of
2 48 representatives.
2 49 3. Voting members of the council shall serve at
2 50 the pleasure of the governor and shall serve without



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House Amendment 1603 continued

3 1 compensation.
3 2 4. The chairperson of the council shall be
3 3 designated by the governor and may convene the council
3 4 at any time.
3 5 5. A vacancy in the membership shall not impair
3 6 the right of a quorum to exercise all the rights and
3 7 perform all the duties of the council. A majority of
3 8 the council members then appointed constitutes a
3 9 quorum. A majority vote of the quorum is required for
3 10 council action.
3 11 6. The department shall provide necessary staff
3 12 assistance to the council.
3 13 7. After consideration of a full range of policies
3 14 and strategies, the council shall develop multiple
3 15 scenarios designed to reduce statewide greenhouse gas
3 16 emissions including one scenario that would reduce
3 17 such emissions by fifty percent by 2050. The council
3 18 shall also develop short-term, medium-term, and
3 19 long-term scenarios designed to reduce statewide
3 20 greenhouse gas emissions. The council shall establish
3 21 a baseline year for purposes of calculating reductions
3 22 in statewide greenhouse gas emissions. The council
3 23 shall submit the proposal to the governor and the
3 24 general assembly by January 1, 2008.
3 25 8. The council may periodically adopt
3 26 recommendations designed to encourage the reduction of
3 27 statewide greenhouse gas emissions.
3 28 9. By September 1 of each year, the department
3 29 shall submit a report to the governor and the general
3 30 assembly regarding the greenhouse gas emissions in the
3 31 state during the previous calendar year and
3 32 forecasting trends in such emissions. The first
3 33 submission by the department shall be filed by
3 34 September 1, 2008, for the calendar year beginning
3 35 January 1, 2007.>
3 36 #5. Title page, by striking lines 1 and 2 and
3 37 inserting the following: <An Act relating to
3 38 greenhouse gas emissions.>
3 39 #6. By renumbering, relettering, or redesignating
3 40 and correcting internal references as necessary.
3 41
3 42
3 43
3 44 COMMITTEE ON ENVIRONMENTAL PROTECTION
3 45 D. OLSON of Boone, CHAIRPERSON
3 46 SF 485.202 82
3 47 tm/es/9076



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House Amendment 1604

PAG LIN

1 1 Amend Senate File 414, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, line 4, by inserting after the word
1 4 <dollars.> the following: <However, of the cash and
1 5 merchandise prizes awarded during the annual game
1 6 night, the total amount of cash prizes awarded shall
1 7 not exceed five thousand dollars and no participant
1 8 shall win more than a total of two thousand five
1 9 hundred dollars in cash prizes.>
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1 12
1 13 RAECKER of Polk
1 14 SF 414.203 82
1 15 ec/es/8771
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House Amendment 1605

PAG LIN

1 1 Amend Senate File 414, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 6, by striking line 1 and inserting the
1 4 following: <prizes in any games of skill, games of
1 5 chance, or card games>.
1 6 #2. Page 6, line 2, by inserting before the word
1 7 <amount> the following: <aggregate>.
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1 10
1 11 RAECKER of Polk
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1 15 QUIRK of Chickasaw
1 16 SF 414.202 82
1 17 ec/es/8770
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House Amendment 1606

PAG LIN

1 1 Amend Senate File 414, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 2, line 9, by inserting after the word
1 4 <age.> the following: <However, a veteran who is at
1 5 least eighteen years of age shall be permitted to
1 6 participate in a card game tournament.>
1 7 #2. Page 5, line 12, by inserting after the word
1 8 <age> the following: <or, if applicable, a veteran
1 9 under eighteen years of age>.
1 10 #3. Page 5, line 20, by inserting after the word
1 11 <years> the following: <or, if applicable, a veteran
1 12 under the age of eighteen years>.
1 13 #4. By renumbering as necessary.
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1 16
1 17 RAECKER of Polk
1 18 SF 414.501 82
1 19 ec/je/8772
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House Amendment 1607

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, line 3, by inserting after the word
1 4 <notice.> the following: <However, it shall be
1 5 unlawful for any person, firm, association, labor
1 6 organization, or corporation to deduct dues or
1 7 contributions to a political organization, as defined
1 8 in section 13C.1, from an employee's earnings, wages,
1 9 or compensation.>
1 10 #2. Title page, line 1, by striking the words
1 11 <relating to> and inserting the following: <and>.
1 12 #3. By renumbering as necessary.
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1 16 GIPP of Winneshiek
1 17 SF 413.520 82
1 18 ec/je/7464B
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House Amendment 1608

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 2, line 8, by inserting after the word
1 4 <organization> the following: <representing a
1 5 bargaining unit that does not include city employees>.
1 6
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1 8
1 9 TJEPKES of Webster
1 10 SF 413.753 82
1 11 ec/gg/7495
1 12
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House Amendment 1609

PAG LIN

1 1 Amend Senate File 413, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 4, by inserting after line 22 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 142D.1 TITLE == FINDINGS
1 6 == PURPOSE.
1 7 1. This chapter shall be known and may be cited as
1 8 the "Smokefree Public Places and Workplace Safety
1 9 Act".
1 10 2. The general assembly finds that environmental
1 11 tobacco smoke causes and exacerbates disease in
1 12 nonsmoking adults and children. These findings are
1 13 sufficient to warrant measures that regulate smoking
1 14 in public places and places of employment in order to
1 15 protect the public health and the health of employees.
1 16 3. The purpose of this chapter is to reduce the
1 17 level of exposure by the general public and employees
1 18 to environmental tobacco smoke in order to improve the
1 19 public health of Iowans.
1 20 Sec. _____. NEW SECTION. 142D.2 DEFINITIONS.
1 21 As used in this chapter, unless the context
1 22 otherwise requires:
1 23 1. "Bar" means an establishment where one may
1 24 purchase alcoholic beverages as defined in section
1 25 123.3, for consumption on the premises and in which
1 26 the serving of food is only incidental to the
1 27 consumption of those beverages.
1 28 2. "Common area" means a reception area, lobby,
1 29 hallway, restroom, elevator, stairwell, or other area
1 30 to which the public is invited or in which the public
1 31 is permitted.
1 32 3. "Employee" means a person who is employed by an
1 33 employer in consideration for direct or indirect
1 34 monetary wages or profit, or a person who provides
1 35 services to an employer on a voluntary basis.
1 36 4. "Employer" means a person including a sole
1 37 proprietorship, partnership, joint venture,
1 38 corporation, association, or other business entity
1 39 whether for-profit or not-for-profit, including state
1 40 government and its political subdivisions, that
1 41 employs the services of one or more individuals as
1 42 employees.
1 43 5. "Enclosed area" means all space between a floor
1 44 and ceiling that is contained on all sides by solid
1 45 walls or windows, exclusive of doorways, which extend
1 46 from the floor to the ceiling.
1 47 6. "Environmental tobacco smoke" means a mixture
1 48 of gases and particles that includes the escaping
1 49 smoke of a burning tobacco product and the smoke
1 50 exhaled by a smoker.



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- 2 1 7. "Health care provider location" means an office
2 2 or institution providing care or treatment of disease
2 3 whether physical, mental, or emotional, or other
2 4 medical, physiological, or psychological conditions,
2 5 including but not limited to a hospital as defined in
2 6 section 135B.1, a health care facility as defined in
2 7 section 135C.1, an elder group home as defined in
2 8 section 231B.1, an assisted living program as defined
2 9 in section 231C.2, an adult day services program as
2 10 defined in section 231D.1, clinics, laboratories, and
2 11 the locations of professionals regulated pursuant to
2 12 Title IV, subtitle III, and includes all enclosed
2 13 areas of the location including waiting rooms,
2 14 hallways, other common areas, private rooms,
2 15 semiprivate rooms, and wards within the location.
2 16 8. "Long-term care facility" means a health care
2 17 facility as defined in section 135C.1, an elder group
2 18 home as defined in section 231B.1, or an assisted
2 19 living program as defined in section 231C.2.
2 20 9. "Place of employment" means an area under the
2 21 control of an employer and includes all areas that an
2 22 employee frequents during the course of employment or
2 23 volunteering, including but not limited to work areas,
2 24 private offices, conference and meeting rooms,
2 25 classrooms, auditoriums, employee lounges and
2 26 cafeterias, hallways, restrooms, elevators, stairways,
2 27 and vehicles. "Place of employment" does not include
2 28 a private residence, unless the private residence is
2 29 used as a child care facility, a child care home, or
2 30 as a health care provider location.
2 31 10. "Political subdivision" means a city, county,
2 32 township, or school district.
2 33 11. "Private club" means an organization, whether
2 34 or not incorporated, that is the owner, lessee, or
2 35 occupant of a location used exclusively for club
2 36 purposes at all times and that meets all of the
2 37 following criteria:
2 38 a. Is operated solely for a recreational,
2 39 fraternal, social, patriotic, political, benevolent,
2 40 or athletic purpose, but not for pecuniary gain.
2 41 b. Sells alcoholic beverages only as incidental to
2 42 its operation.
2 43 c. Is managed by a board of directors, executive
2 44 committee, or similar body chosen by the members.
2 45 d. Has established bylaws or another document to
2 46 govern its activities.
2 47 e. Has been granted an exemption from the payment
2 48 of federal income tax as a club pursuant to 26 U.S.C.
2 49 } 501.
2 50 12. "Public place" means an enclosed area to which



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House Amendment 1609 continued

3 1 the public is invited or in which the public is
3 2 permitted, including common areas, and including but
3 3 not limited to all of the following:
3 4 a. Financial institutions.
3 5 b. Child care facilities and child care homes.
3 6 c. Public and private educational facilities and
3 7 places of public assembly in indoor locations under
3 8 the control of the state or its political
3 9 subdivisions.
3 10 d. Health care provider locations.
3 11 e. Hotel and motel lobbies.
3 12 f. Laundromats.
3 13 g. Public transportation facilities and
3 14 conveyances with departures, travel, and destinations
3 15 entirely within this state, including buses, vans,
3 16 trains, taxicabs, and limousines, and private vehicles
3 17 used to transport children or adults as part of health
3 18 care provider location transportation, or child care
3 19 facility or child care home transportation.
3 20 h. The common areas of a multiunit residential
3 21 property.
3 22 i. Restaurants and bars.
3 23 j. Retail food production and marketing
3 24 establishments.
3 25 k. Retail service establishments.
3 26 l. Shopping malls, retail stores, and grocery
3 27 stores.
3 28 m. Elevators.
3 29 n. Aquariums, galleries, libraries, and museums.
3 30 o. Public buildings, including all buildings owned
3 31 or operated by state government or a political
3 32 subdivision.
3 33 p. Entertainment venues, including theaters,
3 34 auditoriums, concert halls, convention facilities and
3 35 meeting rooms, bingo facilities, and indoor arenas
3 36 including sports arenas.
3 37 q. Polling places.
3 38 r. Private clubs when being used for a function to
3 39 which the general public is invited.
3 40 s. Service lines.
3 41 t. Other commercial establishments and locations.
3 42 13. "Restaurant" means eating establishments,
3 43 including private and public school cafeterias, which
3 44 offer food to the public, guests, or employees,
3 45 including the kitchen and catering facilities in which
3 46 food is prepared on the premises for serving
3 47 elsewhere, and including a bar area within a
3 48 restaurant.
3 49 14. "Retail tobacco store" means a retail store
3 50 utilized primarily for the sale of tobacco products



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4 1 and accessories and in which the sale of other
4 2 products is incidental to the sale of tobacco
4 3 products.

4 4 15. "Service line" means an indoor line in which
4 5 one or more individuals are waiting for or receiving
4 6 service of any kind, whether or not the service
4 7 involves the exchange of money.

4 8 16. "Shopping mall" means an enclosed public
4 9 walkway or hall area that serves to connect retail or
4 10 professional establishments.

4 11 17. "Smoking" means inhaling, exhaling, burning,
4 12 or carrying any lighted cigar, cigarette, pipe, or
4 13 other tobacco product in any manner or in any form.

4 14 18. "Sports arena" means a sports pavilion,
4 15 stadium, gymnasium, health spa, boxing arena, swimming
4 16 pool, roller or ice rink, bowling alley, or other
4 17 similar place where members of the general public
4 18 assemble to engage in physical exercise, participate
4 19 in athletic competition, or witness sports or other
4 20 events.

4 21 Sec. _____. NEW SECTION. 142D.3 PROHIBITION OF
4 22 SMOKING == PUBLIC PLACES, PLACES OF EMPLOYMENT, AND
4 23 OUTDOOR ARENAS AND THEATERS == SURROUNDING AREA.

4 24 1. Smoking is prohibited and a person shall not
4 25 smoke in any of the following:

4 26 a. Public places.

4 27 b. All enclosed areas within places of employment.

4 28 c. Outdoor sports arenas and other entertainment
4 29 venues where members of the general public assemble to
4 30 witness entertainment events.

4 31 2. In addition to the prohibitions specified in
4 32 subsection 1, smoking is prohibited within fifty feet
4 33 of any public place where smoking is prohibited in
4 34 order to insure that tobacco smoke does not enter that
4 35 area through entrances, windows, ventilation systems,
4 36 or other means.

4 37 Sec. _____. NEW SECTION. 142D.4 AREAS WHERE
4 38 SMOKING NOT REGULATED.

4 39 Notwithstanding any provision of this chapter to
4 40 the contrary, the following areas are exempt from the
4 41 prohibitions of section 142D.3:

4 42 1. Private residences, unless used as a child care
4 43 facility, child care home, or a health care provider
4 44 location.

4 45 2. Hotel and motel rooms that are rented to guests
4 46 and are designated as smoking rooms; provided that not
4 47 more than twenty percent of the rooms of a hotel or
4 48 motel rented to guests are designated as smoking
4 49 rooms, all smoking rooms on the same floor are
4 50 contiguous, and smoke from smoking rooms does not



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5 1 infiltrate into areas in which smoking is otherwise
5 2 prohibited under this chapter.
5 3 3. Retail tobacco stores, provided that smoke from
5 4 these locations does not infiltrate into areas in
5 5 which smoking is otherwise prohibited under this
5 6 chapter.
5 7 4. Private and semiprivate rooms in long-term care
5 8 facilities, occupied by one or more individuals, all
5 9 of whom are smokers and have requested in writing to
5 10 be placed in a room where smoking is permitted,
5 11 provided that smoke from these locations does not
5 12 infiltrate into areas in which smoking is otherwise
5 13 prohibited under this chapter.
5 14 5. Private clubs that have no employees, except
5 15 when being used for a function to which the general
5 16 public is invited.
5 17 6. Outdoor areas that are places of employment
5 18 except those areas where smoking is prohibited
5 19 pursuant to section 142D.3, subsection 1, paragraph
5 20 "c", and section 142D.3, subsection 2.
5 21 7. Limousines under private hire.
5 22 8. An enclosed indoor workplace if the smoking is
5 23 an integral part of a smoking cessation program or a
5 24 medical or scientific research program.
5 25 Sec. ____ . NEW SECTION. 142D.5 DECLARATION OF
5 26 ESTABLISHMENT AS NONSMOKING.
5 27 1. Notwithstanding any provision of this chapter
5 28 to the contrary, an owner, operator, manager, or other
5 29 person having custody or control of an area otherwise
5 30 exempt from the prohibitions of section 142D.3 may
5 31 declare the entire area as a nonsmoking place.
5 32 2. Smoking shall be prohibited in any location
5 33 under this section declared a nonsmoking place in
5 34 which a sign is posted conforming to the provisions of
5 35 section 142D.6.
5 36 Sec. ____ . NEW SECTION. 142D.6 NOTICE OF
5 37 NONSMOKING REQUIREMENTS == POSTING OF SIGNS.
5 38 1. Notice of the provisions of this chapter shall
5 39 be provided to all applicants for a business license
5 40 in this state, to all law enforcement agencies, and to
5 41 any business required to be registered with the office
5 42 of the secretary of state.
5 43 2. All employers subject to the prohibitions of
5 44 this chapter shall communicate to all existing
5 45 employees and to all prospective employees upon
5 46 application for employment the smoking prohibitions
5 47 prescribed in this chapter.
5 48 3. The owner, operator, manager, or other person
5 49 having custody or control of a public place or place
5 50 of employment where smoking is prohibited under this



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6 1 chapter shall clearly and conspicuously post in and at
6 2 every entrance to the public place or place of
6 3 employment "no smoking" signs or the international "no
6 4 smoking" symbol.

6 5 4. The owner, operator, manager, or other person
6 6 having custody or control of a public place or place
6 7 of employment where smoking is prohibited under this
6 8 chapter shall remove all ashtrays from these
6 9 locations.

6 10 Sec. ____ . NEW SECTION. 142D.7 NONRETALIATION ==
6 11 NONWAIVER OF RIGHTS.

6 12 1. A person or employer shall not discharge,
6 13 refuse to employ, or in any manner retaliate against
6 14 an employee, applicant for employment, or customer
6 15 because that employee, applicant, or customer
6 16 exercises any rights afforded under this chapter,
6 17 registers a complaint, or attempts to prosecute a
6 18 violation of this chapter.

6 19 2. An employee who works in a location where an
6 20 employer allows smoking does not waive or surrender
6 21 any legal rights the employee may have against the
6 22 employer or any other person.

6 23 Sec. ____ . NEW SECTION. 142D.8 ENFORCEMENT.

6 24 1. This chapter shall be enforced by local boards
6 25 of health. The department of public health shall
6 26 adopt rules to administer this chapter, including
6 27 rules regarding enforcement. Judicial magistrates
6 28 shall hear and determine violations of this chapter.

6 29 2. If a public place is subject to any state or
6 30 political subdivision inspection process or is under
6 31 contract with the state or a political subdivision,
6 32 the person performing the inspection shall assess
6 33 compliance with the requirements of this chapter and
6 34 shall report any violations to the local board of
6 35 health.

6 36 3. An owner, operator, manager, or other person
6 37 having custody or control of a public place or place
6 38 of employment regulated under this chapter shall
6 39 inform persons violating this chapter of the
6 40 provisions of this chapter.

6 41 4. An employee or private citizen may bring a
6 42 legal action to enforce this chapter. Any person may
6 43 register a complaint under this chapter by filing a
6 44 complaint with the department of public health or a
6 45 local board of health.

6 46 5. In addition to the remedies provided in this
6 47 section, the local board of health or any other person
6 48 aggrieved by the failure of the owner, operator,
6 49 manager, or other person having custody or control of
6 50 a public place or place of employment to comply with



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7 1 this chapter may seek injunctive relief to enforce
7 2 this chapter.
7 3 Sec. _____. NEW SECTION. 142D.9 CIVIL PENALTIES.
7 4 1. A person who smokes in an area where smoking is
7 5 prohibited pursuant to this chapter shall pay a civil
7 6 penalty pursuant to section 805.8C, subsection 3,
7 7 paragraph "a", for each violation.
7 8 2. A person who owns, manages, operates, or
7 9 otherwise has custody or control of a public place or
7 10 place of employment and who fails to comply with this
7 11 chapter shall pay a civil penalty as follows:
7 12 a. For a first violation, a monetary penalty not
7 13 to exceed one hundred dollars.
7 14 b. For a second violation within one year, a
7 15 monetary penalty not to exceed two hundred dollars.
7 16 c. For each violation in excess of a second
7 17 violation within one year, a monetary penalty not to
7 18 exceed five hundred dollars for each additional
7 19 violation.
7 20 3. An employer who discharges or in any manner
7 21 discriminates against an employee because the employee
7 22 has made a complaint or has provided information or
7 23 instituted a legal action under this chapter shall pay
7 24 a civil penalty of not less than two thousand dollars
7 25 and not more than ten thousand dollars for each
7 26 violation.
7 27 4. In addition to the penalties established in
7 28 this section, violation of this chapter by a person
7 29 who owns, manages, operates, or who otherwise has
7 30 custody or control of a public place or place of
7 31 employment may result in the suspension or revocation
7 32 of any permit or license issued to the person for the
7 33 premises on which the violation occurred.
7 34 5. Violation of this chapter constitutes a public
7 35 nuisance which may be abated by the department of
7 36 public health or a local board of health by
7 37 restraining order, preliminary or permanent
7 38 injunction, or other means provided by law, and the
7 39 entity abating the public nuisance may take action to
7 40 recover the costs of such abatement.
7 41 6. Each day on which a violation of this chapter
7 42 occurs is considered a separate and distinct
7 43 violation.
7 44 7. Civil penalties paid pursuant to this chapter
7 45 shall be deposited in the general fund of the county.
7 46 Sec. _____. NEW SECTION. 142D.10 PUBLIC EDUCATION.
7 47 The department of public health shall provide a
7 48 program to educate employers, owners, operators,
7 49 managers, and others having custody or control of a
7 50 public place or a place of employment and the general



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House Amendment 1609 continued

8 1 public regarding the provisions of and compliance with
8 2 this chapter. The education program may include the
8 3 publication of a written document regarding the
8 4 provisions of and compliance with this chapter.
8 5 Sec. _____. NEW SECTION. 142D.11 INTERPRETATION ==
8 6 APPLICATION.

8 7 1. This chapter shall not be interpreted or
8 8 construed to permit smoking where smoking is otherwise
8 9 restricted or prohibited by other applicable laws.

8 10 2. This chapter shall not be interpreted to
8 11 prevent political subdivisions from adopting
8 12 ordinances or regulations which are more restrictive
8 13 than the provisions of this chapter.

8 14 Sec. _____. Section 135.1, unnumbered paragraph 1,
8 15 Code 2007, is amended to read as follows:

8 16 For the purposes of chapter 155 and Title IV,
8 17 subtitle 2, excluding chapters ~~142B~~, 145B, and 146,
8 18 unless otherwise defined:

8 19 Sec. _____. Section 135.11, subsection 14, Code
8 20 2007, is amended to read as follows:

8 21 14. Establish, publish, and enforce rules not
8 22 inconsistent with law for the enforcement of the
8 23 provisions of chapters 125 and 155, and Title IV,
8 24 subtitle 2, excluding chapters ~~142B~~, 142D, 145B, and
8 25 146 and for the enforcement of the various laws, the
8 26 administration and supervision of which are imposed
8 27 upon the department.

8 28 Sec. _____. Section 237A.3A, subsection 5, Code
8 29 2007, is amended to read as follows:

8 30 5. Smoking, as defined in section ~~142B.1~~, 142D.2,
8 31 shall not be permitted during a child development
8 32 home's hours of operation in an area of the child
8 33 development home which may be used by the children
8 34 receiving child care.

8 35 Sec. _____. Section 331.427, subsection 1,
8 36 unnumbered paragraph 1, Code 2007, is amended to read
8 37 as follows:

8 38 Except as otherwise provided by state law, county
8 39 revenues from taxes and other sources for general
8 40 county services shall be credited to the general fund
8 41 of the county, including revenues received under
8 42 sections 9I.11, 101A.3, 101A.7, 123.36, 123.143,
8 43 ~~142B.6~~, 142D.9, 176A.8, 321.105, 321.152, 321G.7,
8 44 321I.8, section 331.554, subsection 6, sections
8 45 341A.20, 364.3, 368.21, 423A.7, 428A.8, 430A.3,
8 46 433.15, 434.19, 445.57, 453A.35, 458A.21, 483A.12,
8 47 533.24, 556B.1, 583.6, 602.8108, 904.908, and 906.17,
8 48 and the following:

8 49 Sec. _____. Section 805.8C, subsection 3, paragraph
8 50 a, Code 2007, is amended to read as follows:

9 1 a. For violations of ~~section 142B.6~~ described in
9 2 section 142D.9, subsection 1, the scheduled fine is
9 3 ~~twenty-five~~ fifty dollars, and is a civil penalty, and
9 4 the criminal penalty surcharge under section 911.1
9 5 shall not be added to the penalty, and the court costs
9 6 pursuant to section 805.9, subsection 6, shall not be



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9 7 imposed. If the civil penalty assessed for a
9 8 violation ~~of~~ described in section ~~142B.6~~ 142D.9,
9 9 subsection 1, is not paid in a timely manner, a
9 10 citation shall be issued for the violation in the
9 11 manner provided in section 804.1. However, a person
9 12 under age eighteen shall not be detained in a secure
9 13 facility for failure to pay the civil penalty. The
9 14 complainant shall not be charged a filing fee.
9 15 Sec. _____. Chapter 142B, Code 2007, is repealed.>
9 16 #2. By renumbering as necessary.
9 17
9 18
9 19
9 20 GIPP of Winneshiek
9 21 SF 413.559 82
9 22 pf/je/7690



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House Amendment 1610

PAG LIN

1 1 Amend Senate File 472, as amended, passed, and
 1 2 reprinted by the Senate, as follows:
 1 3 #1. Page 1, by inserting after line 20 the
 1 4 following:
 1 5 <____. This section does not apply to railroad
 1 6 spurs constructed or under construction prior to July
 1 7 1, 2007.>
 1 8 #2. Page 1, by inserting after line 30 the
 1 9 following:
 1 10 <Sec. _____. The sections of 2007 Iowa Acts, Senate
 1 11 File 403, amending section 260C.14, subsection 6, and
 1 12 section 313.2, unnumbered paragraph 5, if enacted, are
 1 13 repealed.
 1 14 Sec. _____. EFFECTIVE DATE. The section of this Act
 1 15 repealing sections of 2007 Iowa Acts, Senate File 403,
 1 16 if enacted, being deemed of immediate importance,
 1 17 takes effect upon enactment.>
 1 18 #3. Title page, line 1, by inserting after the
 1 19 word <Act> the following: <concerning financial and
 1 20 regulatory matters, including by>.
 1 21 #4. Title page, line 2, by inserting after the
 1 22 word <penalty> the following: <, and providing an
 1 23 effective date>.
 1 24 #5. By renumbering as necessary.
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 1 28 COMMITTEE ON TRANSPORTATION
 1 29 HUSER of Polk, CHAIRPERSON
 1 30 SF 472.505 82
 1 31 dea/je/8696
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House Amendment 1611

PAG LIN

1 1 Amend Senate File 469, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, line 3, by striking the words <new
1 4 class A>.
1 5 #2. Page 1, line 5, by striking the figure
1 6 <322E.1> and inserting the following: <322E.2>.
1 7 #3. Page 1, by inserting after line 6 the
1 8 following:
1 9 <Sec. _____. NEW SECTION. 322E.1 DEFINITIONS.
1 10 As used in this chapter, unless the context
1 11 otherwise requires:
1 12 1. "Department" means the state department of
1 13 transportation.
1 14 2. "Class A motor home", "class B motor home", and
1 15 "class C motor home" mean the same as defined in
1 16 section 321.124.
1 17 3. "Manufacturer" means a motor home manufacturer
1 18 licensed under chapter 322.
1 19 4. "Nonresident" means a person who is not a
1 20 resident of this state.>
1 21 #4. Page 1, line 7, by striking the figure
1 22 <322E.1> and inserting the following: <322E.2>.
1 23 #5. Page 1, line 8, by striking the words <CLASS
1 24 A>.
1 25 #6. Page 1, line 10, by striking the words
1 26 <licensed under chapter 322>.
1 27 #7. Page 1, line 15, by inserting after the word
1 28 <sponsored> the following: <and conducted>.
1 29 #8. Page 1, line 21, by striking the word <five>
1 30 and inserting the following: <seven>.
1 31 #9. Page 1, line 28, by inserting after the word
1 32 <manufacturer> the following: <sponsoring and>.
1 33 #10. Page 1, line 30, by inserting after the word
1 34 <to> the following: <nonresident>.
1 35 #11. Page 1, by inserting after line 31 the
1 36 following:
1 37 <2. Notwithstanding chapter 322, a manufacturer of
1 38 class A motor homes that sponsors and conducts a rally
1 39 as provided in subsection 1 may accept trade-ins of
1 40 used motor homes manufactured by the manufacturer from
1 41 attendees of the rally who meet the requirements of
1 42 subsection 1, paragraphs "f" and "g" who purchase from
1 43 the manufacturer a new class A motor home manufactured
1 44 by the manufacturer. A manufacturer may sell or trade
1 45 such a used motor home acquired from a purchaser in
1 46 trade at the rally, provided that the manufacturer has
1 47 in its possession at the rally the certificate of
1 48 title to the motor home, assigned to the manufacturer.
1 49 A manufacturer shall not sell or trade, at a rally, a
1 50 used motor home acquired from a purchaser in trade at



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House Amendment 1611 continued

2 1 the rally to any person other than a nonresident
2 2 attendee who meets all of the requirements of
2 3 subsection 1, paragraphs "f" and "g".
2 4 3. A manufacturer of class A motor homes shall
2 5 provide notice to the department not less than ninety
2 6 days prior to the beginning date of a rally to be
2 7 sponsored and conducted by the manufacturer. The
2 8 notice shall be in a form and contain such information
2 9 as may be required by the department.>
2 10 #12. Page 1, line 32, by striking the figure <2.>
2 11 and inserting the following: <4.>
2 12 #13. Page 1, line 33, by striking the words <class
2 13 A>.
2 14 #14. Page 1, line 35, by striking the words and
2 15 figure <3. A class A> and inserting the following:
2 16 <5. A>.
2 17 #15. Page 2, by inserting after line 4 the
2 18 following:
2 19 <6. Notwithstanding chapter 322, a manufacturer of
2 20 class A motor homes that sponsors and conducts a rally
2 21 as provided in subsection 1 may display but not sell
2 22 at the rally new class B and class C motor homes
2 23 manufactured by the manufacturer.
2 24 Sec. _____. NEW SECTION. 322E.3 FUTURE REPEAL.
2 25 This chapter is repealed June 30, 2012.
2 26 Sec. _____. The sections of 2007 Iowa Acts, Senate
2 27 File 403, amending section 260C.14, subsection 6, and
2 28 section 313.2, unnumbered paragraph 5, if enacted, are
2 29 repealed.
2 30 Sec. _____. TEMPORARY APPLICABILITY == CLAY COUNTY
2 31 PILOT PROJECT.
2 32 1. For the period beginning July 1, 2007, and
2 33 ending June 30, 2012, this Act applies only to motor
2 34 home manufacturer's club rallies held on the grounds
2 35 of the county fair in Clay county, provided that not
2 36 more than one such rally shall be held in Clay county
2 37 annually during the five-year pilot project. The Clay
2 38 county fair board shall report to the senate and house
2 39 standing committees on transportation on or before
2 40 December 31 annually during the five-year period
2 41 regarding any rally held at the fairgrounds during the
2 42 year or any other information relevant to the pilot
2 43 project.
2 44 2. The Clay county fair board shall inform the
2 45 department of transportation of any suspected
2 46 violation of the sales provisions of this Act brought
2 47 to the attention of the board. Upon receiving
2 48 information regarding a transaction constituting a
2 49 possible violation of this Act, the department shall
2 50 investigate the claim to determine whether evidence



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3 1 exists proving that a violation occurred. If the
3 2 department determines from the investigation that a
3 3 violation occurred, the department shall report the
3 4 substantiated violation to the Clay county fair board
3 5 and shall send a copy of the report to the senate and
3 6 house standing committees on transportation. Upon
3 7 receiving a report from the department of a
3 8 substantiated violation of this Act, the Clay county
3 9 fair board shall not permit any future rally to be
3 10 conducted on the fairgrounds by a motor home
3 11 manufacturer.
3 12 Sec. ____ . EFFECTIVE DATE. The section of this Act
3 13 repealing sections of 2007 Iowa Acts, Senate File 403,
3 14 if enacted, being deemed of immediate importance,
3 15 takes effect upon enactment.>
3 16 #16. Title page, line 1, by inserting after the
3 17 word <Act> the following: <concerning financial and
3 18 regulatory matters, including by>.
3 19 #17. Title page, line 2, by inserting after the
3 20 word <sponsored> the following: <and conducted>.
3 21 #18. Title page, line 2, by inserting after the
3 22 word <manufacturer> the following: <and providing for
3 23 applicability to a pilot project>.
3 24 #19. Title page, line 2, by inserting after the
3 25 word <manufacturer> the following: <, and providing
3 26 an effective date>.
3 27 #20. By renumbering as necessary.
3 28
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3 31 COMMITTEE ON TRANSPORTATION
3 32 HUSER of Polk, CHAIRPERSON
3 33 SF 469.702 82
3 34 dea/gg/8697



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House Amendment 1612

PAG LIN

1 1 Amend Senate File 564, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 2, line 2, by inserting after the word
1 4 <dog> the following: <or fox>.
1 5 #2. Page 3, line 14, by inserting after the word
1 6 <wolf> the following: <or a domestic dog and a fox>.
1 7 #3. By renumbering as necessary.
1 8
1 9
1 10
1 11 PALMER of Mahaska
1 12 SF 564.703 82
1 13 da/gg/8838
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House Amendment 1613

PAG LIN

1 1 Amend Senate File 465, as passed by the Senate, as
 1 2 follows:
 1 3 #1. Page 1, by striking lines 18 through 27.
 1 4 #2. Page 1, by inserting before line 28 the
 1 5 following:
 1 6 <Sec. _____. Section 55.1, unnumbered paragraph 3,
 1 7 Code 2007, is amended to read as follows:
 1 8 An employee shall not be prohibited from returning
 1 9 to regular employment before the period expires for
 1 10 which the leave of absence was granted. This section
 1 11 applies only to employers which employ twenty or more
 1 12 full-time persons. The leave of absence granted by
 1 13 this section need not exceed six years, except that
 1 14 any time period of temporary active military duty
 1 15 served concurrently with service in elective office
 1 16 shall not count towards the six years. The leave of
 1 17 absence granted by this section does not apply to an
 1 18 elective office held by the employee prior to the
 1 19 election.>
 1 20 #3. By renumbering as necessary.
 1 21
 1 22
 1 23
 1 24 KAUFMANN of Cedar
 1 25 SF 465.201 82
 1 26 sc/es/8305
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House Amendment 1614

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 20 the
 1 4 following:
 1 5 <Sec. _____. Section 633.231, Code 2007, is amended
 1 6 to read as follows:
 1 7 633.231 NOTICE IN INTESTATE ESTATES == MEDICAL
 1 8 ASSISTANCE CLAIMS.
 1 9 Upon opening administration of an intestate estate,
 1 10 the administrator may, in accordance with section
 1 11 633.410, provide by ordinary mail to the entity
 1 12 designated by the department of human services, a
 1 13 notice of opening administration of the estate and of
 1 14 the appointment of the administrator, which shall
 1 15 include a notice to file claims with the clerk within
 1 16 the later to occur of ~~fifteen~~ four months from the
 1 17 second publication of the notice to creditors or ~~two~~
 1 18 six months from the date of mailing of this notice, or
 1 19 thereafter be forever barred.
 1 20 The notice shall be in substantially the following
 1 21 form:
 1 22 NOTICE OF OPENING ADMINISTRATION OF ESTATE, OF
 1 23 APPOINTMENT OF ADMINISTRATOR, AND NOTICE TO CREDITOR
 1 24 In the District Court of Iowa
 1 25 In and for County.
 1 26 In the Estate of, Deceased
 1 27 Probate No.
 1 28 To the Department of Human Services Who May Be
 1 29 Interested in the Estate of, Deceased, who died
 1 30 on or about (date):
 1 31 You are hereby notified that on the ... day of
 1 32 (month), ... (year), an intestate estate was opened in
 1 33 the above-named court and that was appointed
 1 34 administrator of the estate.
 1 35 You are further notified that the birthdate of the
 1 36 deceased is and the deceased's social security
 1 37 number is ...=...=.... The name of the spouse is
 1 38 The birthdate of the spouse is and the
 1 39 spouse's social security number is ...=...=...., and
 1 40 that the spouse of the deceased is alive as of the
 1 41 date of this notice, or deceased as of (date).
 1 42 You are further notified that the deceased was/was
 1 43 not a disabled or a blind child of the medical
 1 44 assistance recipient by the name of, who had
 1 45 a birthdate of and a social security number of
 1 46 ...=...=...., and the medical assistance debt of that
 1 47 medical assistance recipient was waived pursuant to
 1 48 section 249A.5, subsection 2, paragraph "a",
 1 49 subparagraph (1), and is now collectible from this
 1 50 estate pursuant to section 249A.5, subsection 2,



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House Amendment 1614 continued

2 1 paragraph "b".

2 2 Notice is hereby given that if the department of

2 3 human services has a claim against the estate for the

2 4 deceased person or persons named in this notice, the

2 5 claim shall be filed with the clerk of the above-named

2 6 district court, as provided by law, duly

2 7 authenticated, for allowance, and unless so filed by

2 8 the later to occur of ~~fifteen~~ four months from the

2 9 second publication of the notice to creditors or ~~two~~

2 10 six months from the date of the mailing of this

2 11 notice, unless otherwise allowed or paid, the claim is

2 12 thereafter forever barred.

2 13 Dated this ... day of (month), ... (year)

2 14

2 15 Administrator of estate

2 16

2 17 Address

2 18

2 19 Attorney for administrator

2 20

2 21 Address

2 22 Date of second publication

2 23 ... day of (month), ... (year)>

2 24 #2. Page 7, by inserting after line 33 the

2 25 following:

2 26 <Sec. ____ . Section 633.304A, Code 2007, is amended

2 27 to read as follows:

2 28 633.304A NOTICE OF PROBATE OF WILL == MEDICAL

2 29 ASSISTANCE CLAIMS.

2 30 On admission of a will to probate, the executor

2 31 may, in accordance with section 633.410, provide by

2 32 ordinary mail to the entity designated by the

2 33 department of human services, a notice of admission of

2 34 the will to probate and of the appointment of the

2 35 executor, which shall include a notice to file claims

2 36 with the clerk within the later to occur of ~~fifteen~~

2 37 four months from the second publication of the notice

2 38 to creditors or ~~two~~ six months from the date of

2 39 mailing of this notice, or thereafter be forever

2 40 barred.

2 41 The notice shall be in substantially the following

2 42 form:

2 43 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR,

2 44 AND NOTICE TO CREDITORS

2 45 In the District Court of Iowa

2 46 In and for County.

2 47 In the Estate of, Deceased

2 48 Probate No.

2 49 To the Department of Human Services, Who May Be

2 50 Interested in the Estate of, Deceased, who died



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House Amendment 1614 continued

3 1 on or about (date):
 3 2 You are hereby notified that on the .. day of
 3 3 (month), .. (year), the last will and testament of
 3 4, deceased, bearing date of the .. day of
 3 5 (month), .. (year), was admitted to probate in the
 3 6 above-named court and that was appointed
 3 7 executor of the estate.
 3 8 You are further notified that the birthdate of the
 3 9 deceased is and the deceased's social security
 3 10 number is ...=...=.... The name of the spouse is
 3 11 The birthdate of the spouse is and
 3 12 the spouse's social security number is ...=...=.....,
 3 13 and that the spouse of the deceased is alive as of the
 3 14 date of this notice, or deceased as of (date).
 3 15 You are further notified that the deceased was/was
 3 16 not a disabled or a blind child of the medical
 3 17 assistance recipient by the name of, who had a
 3 18 birthdate of and a social security number of
 3 19 ...=...=....., and the medical assistance debt of that
 3 20 medical assistance recipient was waived pursuant to
 3 21 section 249A.5, subsection 2, paragraph "a",
 3 22 subparagraph (1), and is now collectible from this
 3 23 estate pursuant to section 249A.5, subsection 2,
 3 24 paragraph "b".
 3 25 Notice is hereby given that if the department of
 3 26 human services has a claim against the estate for the
 3 27 deceased person or persons named in this notice, the
 3 28 claim shall be filed with the clerk of the above-named
 3 29 district court, as provided by law, duly
 3 30 authenticated, for allowance, and unless so filed by
 3 31 the later to occur of ~~fifteen~~ four months from the
 3 32 second publication of the notice to creditors or ~~two~~
 3 33 six months from the date of mailing of this notice,
 3 34 unless otherwise allowed or paid, the claim is
 3 35 thereafter forever barred.
 3 36 Dated this .. day of (month), .. (year)
 3 37
 3 38 Executor of estate
 3 39
 3 40 Address
 3 41
 3 42 Attorney for executor
 3 43
 3 44 Address
 3 45 Date of second publication
 3 46 .. day of (month), .. (year)
 3 47 Sec. ____ Section 633.410, subsection 2, Code
 3 48 2007, is amended to read as follows:
 3 49 2. Notwithstanding subsection 1, claims for debts
 3 50 created under section 249A.5, subsection 2, relating



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House Amendment 1614 continued

4 1 to the recovery of medical assistance payments shall
4 2 be barred under this section unless filed with the
4 3 clerk within the later to occur of ~~fifteen~~ four months
4 4 after the date of the second publication of the notice
4 5 to creditors, or ~~two~~ six months after service of
4 6 notice by ordinary mail, on the form prescribed in
4 7 section 633.231 for intestate estates or on the form
4 8 prescribed in section 633.304A for testate estates, to
4 9 the entity designated by the department of human
4 10 services to receive notice.>
4 11 #3. By renumbering as necessary.
4 12
4 13
4 14
4 15 HUSER of Polk
4 16 SF 540.501 82
4 17 rh/je/8741



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House Amendment 1615

PAG LIN

1 1 Amend House File 883 as follows:
1 2 #1. Page 1, by inserting after line 8 the
1 3 following:
1 4 <Sec. _____. Section 423.3, Code 2007, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 92. a. The sales price from the
1 7 sale of any of the following:
1 8 (1) Medical equipment and supplies, home
1 9 respiratory equipment and accessories, hospital beds
1 10 and accessories, ambulatory aids, manual and powered
1 11 wheelchairs, stairway lifts, braille writers,
1 12 electronic braille equipment, scooters, reading
1 13 machines, electronic print enlargers and magnifiers,
1 14 and electronic alternative and augmentative
1 15 communication devices to or on behalf of individuals
1 16 with disabilities to enable the disabled person to
1 17 function more independently.
1 18 (2) Items used solely to modify a motor vehicle to
1 19 permit its use by an individual with a disability in
1 20 order to enable the disabled person to function more
1 21 independently.
1 22 b. For purposes of this subsection, "disability"
1 23 means, with respect to an individual, a physical or
1 24 mental impairment that substantially limits one or
1 25 more of the major life activities of the individual, a
1 26 record of physical or mental impairment that
1 27 substantially limits one or more of the major life
1 28 activities of the individual, or being regarded as an
1 29 individual with a physical or mental impairment that
1 30 substantially limits one or more of the major life
1 31 activities of the individual.>
1 32 #2. Title page, line 1, by inserting after the
1 33 words <relating to> the following: <a sales tax
1 34 exemption for certain medical assistive devices used
1 35 by persons with mental or physical impairments and
1 36 to>.
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1 40 ALONS of Sioux
1 41 HF 883.703 82
1 42 mg/gg/9078
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House Amendment 1616

PAG LIN

1 1 Amend Senate Joint Resolution 2, as passed by the
 1 2 Senate, as follows:
 1 3 #1. Page 1, by striking lines 1 through 3, and
 1 4 inserting the following:
 1 5 <Section 1. STATE COOKIE DESIGNATED. The
 1 6 chocolate chip cookie (chocolatus chipus snackii) is
 1 7 designated and shall be officially known as the state
 1 8 cookie of Iowa.>
 1 9 #2. Page 1, line 6, by striking the words <channel
 1 10 catfish> and inserting the following: <chocolate chip
 1 11 cookie>.
 1 12 #3. Page 1, line 11, by striking the words
 1 13 <channel catfish> and inserting the following:
 1 14 <chocolate chip cookie>.
 1 15 #4. Title page 1, line 1, by striking the words
 1 16 <channel catfish> and inserting the following:
 1 17 <chocolate chip cookie>.
 1 18 #5. Title page 1, line 2, by striking the word
 1 19 <fish> and inserting the following: <cookie>.
 1 20 #6. By striking title page 1, line 3, through
 1 21 title page 2, line 1, and inserting the following:
 1 22 <WHEREAS, the chocolate chip cookie (chocolatus
 1 23 chip snackii) is ubiquitous in the cookie jars of
 1 24 Iowans in all 99 counties in the state and is one of
 1 25 the most abundant cookies in Iowa; and
 1 26 WHEREAS, the chocolate chip cookie is easily baked
 1 27 by any child or adult; and
 1 28 WHEREAS, there is nothing more delicious than a
 1 29 warm, gooey chocolate chip cookie and a cold glass of
 1 30 milk; NOW>.
 1 31
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 1 33
 1 34 MAY of Dickinson
 1 35 SJR 2.701 82
 1 36 av/gg/8926
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House Amendment 1617

PAG LIN

1 1 Amend Senate Joint Resolution 2, as passed by the
1 2 Senate, as follows:
1 3 #1. Page 1, line 1, by striking the words <channel
1 4 catfish> and inserting the following: <walleye>.
1 5 #2. Page 1, line 2, by striking the words
1 6 <(ictalurus punctatus)> and inserting the following:
1 7 <(stizostedion vitreum)>.
1 8 #3. Page 1, line 6, by striking the words <channel
1 9 catfish> and inserting the following: <walleye>.
1 10 #4. Page 1, line 11, by striking the words
1 11 <channel catfish> and inserting the following:
1 12 <walleye>.
1 13 #5. Title page 1, line 1, by striking the words
1 14 <channel catfish> and inserting the following:
1 15 <walleye>.
1 16 #6. Title page 1, line 3, by striking the words
1 17 <channel catfish (ictalurus punctatus)> and inserting
1 18 the following: <walleye (stizostedion vitreum)>.
1 19 #7. Title page 1, line 7, by striking the words
1 20 <channel catfish's> and inserting the following:
1 21 <walleye's>.
1 22 #8. Title page 1, by striking lines 8 and 9, and
1 23 inserting the following: <recognizable by its long,
1 24 slender body with a yellow=olive color and a brassy
1 25 overcast on the sides and a mouth filled with sharp
1 26 canine teeth; and>.
1 27 #9. Title page 1, line 10, by striking the words
1 28 <channel catfish> and inserting the following:
1 29 <walleye>.
1 30 #10. By striking title page 1, line 13, through
1 31 title page 2, line 1, and inserting the following:
1 32 <WHEREAS, the walleye is excellent table fare;
1 33 NOW>.
1 34
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1 36
1 37 MAY of Dickinson
1 38 SJR 2.501 82
1 39 av/je/8925
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House Amendment 1618

PAG LIN

1 1 Amend House File 538 as follows:
1 2 #1. Page 2, by striking lines 4 through 6 and
1 3 inserting the following: <participating in the
1 4 tournament, subject to the requirements of this
1 5 section. The total number of members and guests
1 6 participating in a card game tournament shall not
1 7 exceed the occupancy limit of the premises where the
1 8 card game tournament is being conducted.>
1 9 #2. Page 2, line 7, by striking the word
1 10 <tournament.>
1 11 #3. Page 2, line 9, by inserting before the word
1 12 <Cash> the following: <(1) If the card game
1 13 tournament is limited to one guest for each member of
1 14 the qualified organization representing veterans
1 15 participating in the tournament, then the requirements
1 16 of this subparagraph shall apply. The cost to
1 17 participate in a card game tournament shall be limited
1 18 to one hundred dollars and shall be the same for every
1 19 participant in the card game tournament.>
1 20 #4. Page 2, line 12, by inserting after the word
1 21 <dollars.> the following:
1 22 <(2) If the card game tournament is not limited to
1 23 one guest for each member of the qualified
1 24 organization representing veterans participating in
1 25 the tournament, then the requirements of this
1 26 subparagraph shall apply. The cost to participate in
1 27 a card game tournament shall be limited to twenty-five
1 28 dollars and shall be the same for every participant in
1 29 the card game tournament. Cash or merchandise prizes
1 30 may be awarded during a card game tournament and shall
1 31 not exceed three hundred dollars and no participant
1 32 shall win more than a total of two hundred dollars.
1 33 (3)>.
1 34 #5. Page 2, line 22, by inserting after the word
1 35 <tournament.> the following: <In addition, the card
1 36 game tournament and any card game conducted during the
1 37 tournament shall be conducted on the premises of the
1 38 qualified organization representing veterans as
1 39 identified in the license application pursuant to
1 40 subsection 4.>
1 41 #6. Page 2, line 29, by striking the word <one>
1 42 and inserting the following: <two>.
1 43 #7. Page 2, line 30, by striking the words
1 44 <tournament per week> and inserting the following:
1 45 <tournaments per month and shall not hold a card game
1 46 tournament within seven calendar days of another card
1 47 game tournament conducted by that qualified
1 48 organization representing veterans>.
1 49 #8. Page 2, by striking line 35 and inserting the
1 50 following: <period of twenty-four consecutive hours,



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House Amendment 1618 continued

2 1 starting from the time the card game tournament
2 2 begins.>
2 3 #9. Page 3, by striking lines 20 through 22 and
2 4 inserting the following:
2 5 <a. The qualified organization representing
2 6 veterans shall dedicate and distribute the net
2 7 receipts from each card game tournament as provided in
2 8 section 99B.7, subsection 3, paragraph "b".>
2 9 #10. Page 4, line 14, by inserting after the word
2 10 <department.> the following: <The application shall
2 11 identify the premises where the card game tournaments
2 12 are to be conducted and the occupancy limit of the
2 13 premises, and shall include documentation that the
2 14 qualified organization representing veterans has
2 15 conducted regular meetings of the organization at the
2 16 premises during the previous eight months.>
2 17 #11. Page 4, by inserting after line 14 the
2 18 following:
2 19 <5. a. A person under twenty=one years of age who
2 20 participates in a card game tournament in violation of
2 21 this section is deemed to violate the legal age for
2 22 gambling wagering provisions under section 725.19,
2 23 subsection 1.
2 24 b. The department shall revoke, for a period of
2 25 one year, the license of a qualified organization
2 26 representing veterans to conduct card game tournaments
2 27 under this section if the licensee knowingly permits a
2 28 person under the age of twenty=one years to
2 29 participate in a card game tournament.>
2 30 #12. Page 4, by inserting before line 15 the
2 31 following:
2 32 <Sec. _____. Section 99B.8, subsection 1, unnumbered
2 33 paragraph 1, Code 2007, is amended to read as follows:
2 34 Games of skill, games of chance, and card games
2 35 lawfully may be conducted during a period of ~~twelve~~
2 36 sixteen consecutive hours within a period of
2 37 twenty=four consecutive hours once each year by any
2 38 person. The games may be conducted at any location
2 39 except one for which a license is required pursuant to
2 40 section 99B.3 or section 99B.5, but only if all of the
2 41 following are complied with:
2 42 Sec. _____. Section 99B.8, Code 2007, is amended by
2 43 adding the following new subsection:
2 44 NEW SUBSECTION. 6. a. Notwithstanding any
2 45 provision of section 99B.7 to the contrary, if the
2 46 games are conducted by an eligible qualified
2 47 organization issued a license pursuant to subsection
2 48 3, the sponsor may award cash or merchandise prizes in
2 49 any game of skill, game of chance, or card game
2 50 lawfully conducted during the annual game night in an



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House Amendment 1618 continued

3 1 amount not to exceed ten thousand dollars and no
3 2 participant shall win more than a total of five
3 3 thousand dollars.
3 4 b. For purposes of this subsection, an "eligible
3 5 qualified organization" means any of the following:
3 6 (1) A qualified organization representing veterans
3 7 as defined in section 99B.7B.
3 8 (2) A qualified organization that represents
3 9 volunteer emergency services providers as defined in
3 10 section 100B.31.
3 11 (3) A qualified organization that is exempt from
3 12 federal income tax under section 501(c)(3) of the
3 13 Internal Revenue Code and that has conducted an annual
3 14 game night during the period beginning January 1,
3 15 2001, and ending December 31, 2006.>
3 16 #13. Title page, line 2, by inserting after the
3 17 word <veterans> the following: <and allowable prizes
3 18 at annual game nights by certain qualified
3 19 organizations and making penalties applicable>.
3 20 #14. By renumbering as necessary.
3 21
3 22
3 23
3 24 COMMITTEE ON STATE GOVERNMENT
3 25 JOCHUM of Dubuque, CHAIRPERSON
3 26 HF 538.701 82
3 27 ec/gg/8721



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House Amendment 1619

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1 1 Amend Senate File 406, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 11 through 21.
1 4 #2. Title page, line 1, by striking the words
1 5 <tagged dog> and inserting the following: <tagged
1 6 dog.>
1 7 #3. Title page, by striking lines 2 and 3.
1 8 #4. By renumbering as necessary.
1 9
1 10
1 11
1 12 SWAIM of Davis
1 13 SF 406.503 82
1 14 da/je/8840
1 15
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House File 894 - Introduced

HOUSE FILE
BY McCARTHY

(COMPANION TO LSB 2849SS BY
GRONSTAL)

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

Passed Senate, Date _____
Vote: Ayes _____ Nays _____

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 2849HH 82
- 10 jp/es/88



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House File 894 - Introduced continued

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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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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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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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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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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 2849HH 82
11 21 jp:nh/es/88.3



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House Study Bill 305

HOUSE FILE
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON SHOMSHOR)

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

A BILL FOR

1 An Act establishing the office of energy independence and the
2 Iowa power fund and related provisions, and providing an
3 effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2901YC 82
6 rn/gg/14



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House Study Bill 305 continued

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1 1 Section 1. NEW SECTION. 469.1 DEFINITIONS.
1 2 For the purposes of this chapter:
1 3 1. "Board" means the Iowa power fund board created in
1 4 section 469.4.
1 5 2. "Committee" means the due diligence committee created
1 6 in section 469.5.
1 7 3. "Director" means the director of the office of energy
1 8 independence.
1 9 4. "Fund" means the Iowa power fund created in section
1 10 469.7.
1 11 5. "Office" means the governor's office of energy
1 12 independence.
1 13 Sec. 2. NEW SECTION. 469.2 OFFICE OF ENERGY
1 14 INDEPENDENCE.
1 15 The office of energy independence is established in the
1 16 office of the governor to coordinate state activities
1 17 concerning energy independence.
1 18 Sec. 3. NEW SECTION. 469.3 DIRECTOR OF OFFICE OF ENERGY
1 19 INDEPENDENCE.
1 20 1. A director of the office of energy independence shall
1 21 be appointed by the governor, subject to confirmation by the
1 22 senate, and shall serve at the pleasure of the governor. The
1 23 governor shall fill a vacancy in the office in the same manner
1 24 as the original appointment was made. The director shall be
1 25 selected primarily for administrative ability and knowledge
1 26 concerning renewable energy, renewable fuels, and energy
1 27 efficiency. The salary of the director shall be fixed by the
1 28 governor.
1 29 2. The director shall do all of the following:
1 30 a. Direct the governor's office of energy independence.
1 31 b. Coordinate the administration of the Iowa power fund.
1 32 c. Lead outreach and public education efforts concerning
1 33 renewable energy, renewable fuels, and energy efficiency.
1 34 d. Pursue new research and investment funds from federal
1 35 and private sources.



Iowa General Assembly
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House Study Bill 305 continued

- 2 1 e. Coordinate and monitor all existing state and federal
2 2 renewable energy, renewable fuels, and energy efficiency
2 3 grants and programs.
- 2 4 f. Advise the governor and general assembly concerning
2 5 renewable energy, renewable fuels, and energy efficiency
2 6 policy and legislation.
- 2 7 g. Establish performance measures for determining
2 8 effectiveness of renewable energy, renewable fuels, and energy
2 9 efficiency efforts.
- 2 10 h. Utilize assistance from the department of economic
2 11 development regarding administration of grants, loans, and
2 12 other financial incentives related to section 469.7,
2 13 subsection 4, paragraph "a", subparagraph (1), the department
2 14 of natural resources and the utilities board regarding
2 15 assistance in the administration of grants, loans, and other
2 16 financial incentives related to section 469.7, subsection 4,
2 17 paragraph "a", subparagraph (2), and other state agencies as
2 18 appropriate.
- 2 19 i. Develop a state energy plan.
- 2 20 j. Submit an annual report to the governor and general
2 21 assembly by November 1 of each year concerning the activities
2 22 and programs of the office, Iowa power fund, and other
2 23 departments related to renewable energy, renewable fuels, and
2 24 energy efficiency. The report shall include an assessment of
2 25 needs with respect to renewable energy, renewable fuels, and
2 26 energy efficiency efforts and policy and fiscal
2 27 recommendations for renewable energy, renewable fuels, and
2 28 energy efficiency. In addition, the director shall review
2 29 issues relating to the transportation of biofuels and explore
2 30 leading and participating in multistate efforts relating to
2 31 renewable energy and energy efficiency.
- 2 32 k. Adopt rules pursuant to chapter 17A concerning the
2 33 office, the Iowa power fund, and the programs and functions of
2 34 the office and the fund.
- 2 35 Sec. 4. NEW SECTION. 469.4 IOWA POWER FUND BOARD.



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April 05, 2007

House Study Bill 305 continued

3 1 1. A fifteen-member Iowa power fund board is created with
3 2 the following membership:
3 3 a. The chairperson of the utilities board or the
3 4 chairperson's designee.
3 5 b. The director of the department of economic development
3 6 or the director's designee.
3 7 c. The director of the department of natural resources or
3 8 the director's designee.
3 9 d. The secretary of agriculture or the secretary's
3 10 designee.
3 11 e. Seven members appointed by the governor subject to
3 12 confirmation by the senate. An appointee shall have
3 13 demonstrated experience or expertise in one or more of the
3 14 fields of renewable energy, renewable fuels, energy
3 15 efficiency, greenhouse gas reductions, utility operations,
3 16 research and development of new technologies,
3 17 commercialization of new technologies, and economic
3 18 development.
3 19 f. Four members of the general assembly serving as ex
3 20 officio, nonvoting members, appointed as follows:
3 21 (1) One member appointed by the president of the senate.
3 22 (2) One member appointed by the minority leader of the
3 23 senate.
3 24 (3) One member appointed by the speaker of the house of
3 25 representatives.
3 26 (4) One member appointed by the minority leader of the
3 27 house of representatives.
3 28 A legislative member is eligible for per diem and expenses
3 29 as provided in section 2.10.
3 30 2. The members appointed by the governor shall be
3 31 appointed for three-year staggered terms beginning and ending
3 32 as provided in section 69.19. A vacancy on the board shall be
3 33 filled for the unexpired term in the same manner as the
3 34 original appointment was made.
3 35 3. The members of the board shall be reimbursed for actual



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April 05, 2007

House Study Bill 305 continued

4 1 and necessary travel and related expenses incurred in the
4 2 discharge of official duties. Each member of the board may
4 3 also be eligible to receive compensation as provided in
4 4 section 7E.6.

4 5 4. A majority of the members of the board constitutes a
4 6 quorum, and a majority of the total membership of the board is
4 7 necessary to act in any matter within the jurisdiction of the
4 8 board.

4 9 5. The duties of the board include all of the following:

4 10 a. Consider and approve grants, loans, or investments and
4 11 other financial incentives made from the fund.

4 12 b. Advise the governor and director concerning strategic
4 13 direction for the fund.

4 14 c. Provide the governor with advice concerning economic
4 15 development, policy, technical issues, and strategic direction
4 16 concerning renewable energy, renewable fuels, and energy
4 17 efficiency.

4 18 d. Direct moneys from the fund to be used to purchase
4 19 private or public technical assistance needed to conduct due
4 20 diligence activities.

4 21 Sec. 5. NEW SECTION. 469.5 DUE DILIGENCE COMMITTEE.

4 22 1. A seven-member due diligence committee is created to
4 23 review applications that will come before the board for
4 24 financial assistance from moneys in the fund. The committee,
4 25 after a thorough review, shall determine whether a proposed
4 26 project using moneys from the fund is practical and shall
4 27 provide recommendations to the board regarding any moneys
4 28 proposed to be expended from the fund. Membership of the
4 29 committee shall consist of the following:

4 30 a. One member designated by the director of the office of
4 31 energy independence with expertise in the financing of new
4 32 businesses.

4 33 b. One member designated by the president of the state
4 34 board of regents.

4 35 c. One member designated by the director of the department



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House Study Bill 305 continued

5 1 of economic development.

5 2 d. One member designated by the director of the Iowa
5 3 energy center.

5 4 e. One member from a single bioscience development
5 5 organization determined by the director of the department of
5 6 economic development to possess expertise in the promotion and
5 7 commercialization of biotechnology.

5 8 f. Two members of the Iowa power fund board designated by
5 9 the chairperson of the board.

5 10 2. A majority of the members of the committee shall
5 11 constitute a quorum, and a quorum shall be necessary to act on
5 12 any matter within the jurisdiction of the committee.

5 13 3. The director of the office of energy independence shall
5 14 provide office space, staff assistance, and necessary supplies
5 15 and equipment to the committee. The director shall budget
5 16 moneys to pay the compensation expenses of the committee. In
5 17 performing its functions, the committee is performing a public
5 18 function on behalf of the state and is a public
5 19 instrumentality of the state.

5 20 Sec. 6. NEW SECTION. 469.6 CONFLICTS OF INTEREST.

5 21 If a member of the board or due diligence committee has an
5 22 interest, either direct or indirect, in a project for which
5 23 financial assistance may be provided by the board, the
5 24 interest shall be fully disclosed to the board in writing.
5 25 The member having the interest shall not participate in the
5 26 decision-making process with regard to the provision of such
5 27 financial assistance to the project.

5 28 Sec. 7. NEW SECTION. 469.7 IOWA POWER FUND.

5 29 1. An Iowa power fund is created in the state treasury
5 30 under the control of the office. The fund shall be separate
5 31 from the general fund of the state and the balance in the fund
5 32 shall not be considered part of the balance of the general
5 33 fund of the state. However, the fund shall be considered a
5 34 special account for the purposes of section 8.53, relating to
5 35 generally accepted accounting principles.



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House Study Bill 305 continued

6 1 2. The fund shall be used to further the goals of
6 2 increasing the development, production, and use of biofuels
6 3 and other sources of renewable energy, improve energy
6 4 efficiency, and reduce greenhouse gas emissions, and shall
6 5 encourage and provide for research, development,
6 6 commercialization, and the implementation of energy
6 7 technologies and practices. The technologies and practices
6 8 should reduce this state's dependence on foreign sources of
6 9 energy and finite fossil fuels, reduce emissions of greenhouse
6 10 gases and other environmental impacts, and meet the demand for
6 11 energy services in an economically viable manner. The
6 12 research, development, commercialization, implementation, and
6 13 distribution of such technologies and practices are intended
6 14 to sustain the environment and develop business in this state
6 15 as Iowans market these technologies and practices to the
6 16 world.

6 17 3. The fund shall consist of appropriations made to the
6 18 fund and other moneys available to and obtained or accepted by
6 19 the office from federal or private sources to the credit of
6 20 the fund. Notwithstanding section 12C.7, subsection 2,
6 21 interest or earnings on moneys in the fund shall be credited
6 22 to the fund.

6 23 4. a. Moneys available in the fund for a fiscal year are
6 24 appropriated to the office to be used in providing financial
6 25 assistance to entities conducting business, research, or
6 26 programs in Iowa:

6 27 (1) To accelerate research and development, knowledge
6 28 transfer, technology innovation, and improve the economic
6 29 competitiveness of efforts furthering the goals stated in
6 30 subsection 2.

6 31 (2) To increase the demand for and educate the public
6 32 about technologies and approaches furthering the goals stated
6 33 in subsection 2.

6 34 b. Eligibility criteria for grants awarded or loans made
6 35 pursuant to paragraph "a" after due diligence activities shall



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House Study Bill 305 continued

7 1 be established by the director by rule, and shall include
7 2 documentation relating to the actual or potential development
7 3 of the following:
7 4 (1) Commercialization of technology and product
7 5 development for sale in the national and international market.
7 6 (2) Utilization of crops and products grown or produced in
7 7 this state.
7 8 (3) Reduction of greenhouse gas emissions and carbon
7 9 sequestration.
7 10 (4) Private or federal matching funds.
7 11 c. The board may reclaim any moneys granted or loaned if
7 12 the commitments set forth in the documentation required
7 13 pursuant to paragraph "b" are not met.
7 14 d. All grant and loan recipients must provide to the board
7 15 a report on the use and effectiveness of the moneys granted or
7 16 loaned on a periodic basis as determined by the board.
7 17 5. Except as otherwise designated by law, the office shall
7 18 not utilize more than two hundred fifty thousand dollars of
7 19 the amount appropriated from the fund for a fiscal year for
7 20 administrative costs.
7 21 6. Notwithstanding section 8.33, moneys credited to the
7 22 Iowa power fund shall not revert to the fund from which
7 23 appropriated.
7 24 Sec. 8. ENERGY EFFICIENCY STUDIES == IOWA UTILITIES BOARD.
7 25 1. ENERGY EFFICIENCY PLANS. The Iowa utilities board, in
7 26 cooperation with gas and electric utilities, shall conduct a
7 27 study of the energy efficiency plans and programs offered by
7 28 all gas and electric utilities pursuant to section 476.6 to
7 29 determine the status and effectiveness of energy efficiency
7 30 programs in the state, using the most accurate and up-to-date
7 31 information available to the board during the time period
7 32 prescribed for the study. The board shall report the results
7 33 of the study, with recommendations to use best practices to
7 34 increase energy efficiency and reduce energy consumption, to
7 35 the members of the general assembly by January 1, 2008.



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House Study Bill 305 continued

8 1 2. FUTURE CONSUMER ENERGY REDUCTION PLAN. The board shall
8 2 conduct a consumer survey and study relating to consumer
8 3 knowledge of energy use and energy efficiency, and methods for
8 4 increasing such knowledge, with the objective of reducing
8 5 consumer energy utilization. The board shall report the
8 6 results of the study to the members of the general assembly by
8 7 January 1, 2008.

8 8 Sec. 9. EFFECTIVE DATE. This Act, being deemed of
8 9 immediate importance, takes effect upon enactment.

8 10 EXPLANATION

8 11 This bill creates the governor's office of energy
8 12 independence, the position of director of the office of energy
8 13 independence, the Iowa power fund board, a due diligence
8 14 committee, and the Iowa power fund in new Code chapter 469.
8 15 Duties for the office, director, board, and committee are
8 16 specified. Grants, loans, and investments and other financial
8 17 incentives made from the fund are subject to approval by the
8 18 board.

8 19 The bill provides that the Iowa power fund shall be used to
8 20 further the goals of increasing the development, production,
8 21 and use of biofuels and other sources of renewable energy,
8 22 improve energy efficiency, and reduce greenhouse gas
8 23 emissions, and shall encourage and provide for research,
8 24 development, commercialization, and the implementation of
8 25 energy technologies and practices. Further, the technologies
8 26 and practices are intended to reduce the state's dependence on
8 27 foreign sources of energy and finite fossil fuels, reduce
8 28 greenhouse gas emissions, and meet the demand for energy in an
8 29 economical manner, sustain the environment, and develop
8 30 business in Iowa.

8 31 The bill specifies that moneys appropriated to the fund or
8 32 otherwise deposited into the fund shall be used to provide
8 33 financial assistance to entities in this state conducting
8 34 business, research, or programs to accelerate research and
8 35 development, knowledge transfer, technology innovation, and
9 1 improve economic competitiveness, and to increase the demand
9 2 for and educate the public about technologies and approaches,
9 3 all in furtherance of the goals established for the fund.
9 4 Eligibility criteria for grants or loans from the fund, to be
9 5 established by the director, are set forth.

9 6 The bill provides for the establishment of two energy
9 7 efficiency studies to be conducted by the Iowa utilities
9 8 board, relating to energy efficiency plans and programs
9 9 offered by gas and electric utilities pursuant to Code section
9 10 476.6, and relating to consumer knowledge of energy efficiency
9 11 and methods for increasing such knowledge, respectively.

9 12 The bill takes effect upon enactment.

9 13 LSB 2901YC 82

9 14 rn:rj/gg/14



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3286

PAG LIN

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1 1 Amend Senate File 551 as follows:
1 2 #1. Page 9, by inserting after line 32, the
1 3 following:
1 4 <Sec. _____. IOWA STATE UNIVERSITY == WEST OKOBOJI
1 5 LAKE PROJECT. There is appropriated from the general
1 6 fund of the state to Iowa state university for the
1 7 following fiscal years, the following amounts, or so
1 8 much thereof as are necessary, to be used for the
1 9 purposes designated:
1 10 For purposes of supporting a West Okoboji lake
1 11 project in order to preserve, protect, and sustain
1 12 drinking water supplies:
1 13 1. FY 2007=2008..... $ 40,000
1 14 2. FY 2008=2009..... $ 40,000
1 15 3. FY 2009=2010..... $ 30,000
1 16 In carrying out the project, Iowa state university
1 17 may create high precision maps of the lake, analyze
1 18 lake current patterns and water transport, assess
1 19 groundwater sources and discharges to the lake,
1 20 develop a water table map, develop computer models to
1 21 simulate groundwater interaction with the lake,
1 22 provide a monitoring network for surface inputs to the
1 23 lake, and analyze the water quality of the lake and
1 24 related water sources, including but not limited to
1 25 nutrient chemistry.>
1 26 #2. By renumbering as necessary.
1 27
1 28
1 29
1 30 DAVID JOHNSON
1 31 SF 551.203 82
1 32 da/es/7043
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**Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 05, 2007**

Senate Amendment 3287

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1 1 Amend Senate File 551 as follows:
1 2 #1. Page 7, line 4, by striking the word <FUND>
1 3 and inserting the following: <FUND == APPROPRIATION
1 4 TO THE DEPARTMENT OF NATURAL RESOURCES>.
1 5 #2. Page 7, line 14, by striking the figure
1 6 <700,000> and inserting the following: <600,000>.
1 7 #3. Page 7, by inserting after line 14 the
1 8 following:
1 9 <Sec. ____ . NATIONAL POLLUTANT DISCHARGE
1 10 ELIMINATION SYSTEM PERMIT FUND == APPROPRIATION TO THE
1 11 DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
1 12 appropriated from the national pollutant discharge
1 13 elimination system permit fund created in section
1 14 455B.196 to the department of economic development for
1 15 the fiscal year beginning July 1, 2007, and ending
1 16 June 30, 2008, the following amount, or so much
1 17 thereof as is necessary, to be used for the purposes
1 18 designated:
1 19 For purposes of expediting the department of
1 20 natural resources' processing of national pollutant
1 21 discharge elimination system applications and the
1 22 issuance of permits, including salaries, support,
1 23 maintenance, miscellaneous purposes, and for not more
1 24 than the following full-time equivalent positions:
1 25 ..... $ 100,000
1 26 ..... FTEs 2.00>
1 27 #4. By renumbering as necessary.
1 28
1 29
1 30
1 31 JEFF ANGELO
1 32
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1 41 SF 551.703 82
1 42 da/gg/8828
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**Iowa General Assembly
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Senate Amendment 3288

PAG LIN

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1 1 Amend Senate File 562 as follows:
1 2 #1. Page 1, by striking line 25 and inserting the
1 3 following:
1 4 <..... $ 3,542,865>
1 5 #2. Page 1, line 28, by striking the figure
1 6 <50,000> and inserting the following: <100,000>.
1 7 #3. Page 1, by inserting after line 29 the
1 8 following:
1 9 <From the moneys appropriated under this
1 10 subsection, the department shall use $50,000 for
1 11 purposes of planning commemoration activities for the
1 12 sesquicentennial anniversary of the civil war and
1 13 Iowa's participation in the civil war. Such
1 14 activities may include activities in Iowa, activities
1 15 through partnerships with other states, and activities
1 16 on a national level.>
1 17 #4. Page 3, by striking line 29 and inserting the
1 18 following:
1 19 <..... $ 6,451,146>
1 20 #5. Page 5, by inserting after line 1 the
1 21 following:
1 22 <gg. From the moneys appropriated under this
1 23 subsection, the department shall use not more than
1 24 $25,000 for purposes of conducting a microenterprise
1 25 study. The study shall include identification of
1 26 current programs designed to assist microenterprises
1 27 and of any gaps in providing assistance to
1 28 microenterprises. The study shall examine the
1 29 experiences and best practices of microenterprise
1 30 assistance in other states. By January 1, 2008, the
1 31 department shall submit a report to the general
1 32 assembly and the governor regarding the findings of
1 33 the study and any recommendations which result from
1 34 the study.>
1 35 #6. Page 6, by striking line 7 and inserting the
1 36 following:
1 37 <..... $ 650,000>
1 38 #7. Page 12, by striking line 4 and inserting the
1 39 following:
1 40 <..... $ 6,926,014>
1 41 #8. Page 12, line 32, by inserting after the word
1 42 <Iowans.> the following: <From the moneys
1 43 appropriated under this section, for the fiscal year
1 44 beginning July 1, 2007, for purposes of maintaining
1 45 the new Iowans centers, the department shall use at
1 46 least $75,000 more for the new Iowans centers than was
1 47 used during the fiscal year beginning July 1, 2006.>
1 48 #9. Page 14, by striking line 9 and inserting the
1 49 following:
1 50 <..... $ 5,800,000

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Iowa General Assembly
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Senate Amendment 3288 continued

2 1
2 2
2 3
2 4 WILLIAM DOTZLER
2 5 SF 562.203 82
2 6 tm/es/8469



**Iowa General Assembly
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Senate Amendment 3289

PAG LIN

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1 1 Amend Senate File 551 as follows:
1 2 #1. Page 3, by striking lines 9 and 10, and
1 3 inserting the following: <maintenance, miscellaneous
1 4 purposes, and for not more than the following
1 5 full-time equivalent positions:
1 6 ..... $ 120,539
1 7 ..... FTEs 1.00
1 8 The moneys appropriated and full-time equivalent
1 9 position authorized in this section shall be used
1 10 exclusively to support the office of state apiarist,
1 11 the position of the state apiarist as shall be
1 12 appointed by the secretary of agriculture pursuant to
1 13 section 160.1, and for carrying out the duties of the
1 14 state apiarist as provided in chapter 160.>
1 15 #2. By renumbering as necessary.
1 16
1 17
1 18
1 19 NANCY J. BOETTGER
1 20 SF 551.204 82
1 21 da/es/7914
1 22
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Senate Amendment 3290

PAG LIN

1 1 Amend Senate File 578 as follows:
1 2 #1. Page 3, by inserting after line 20 the
1 3 following:
1 4 <Sec. _____. Section 422.7, Code 2007, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 50. Subtract, to the extent
1 7 included, the amount of any Vietnam Conflict veterans
1 8 bonus provided pursuant to section 35A.8, subsection
1 9 5.>
1 10 #2. Page 3, by inserting after line 28 the
1 11 following:
1 12 <Sec. _____. RETROACTIVE APPLICABILITY. The section
1 13 of this Act amending section 422.7, is retroactively
1 14 applicable to January 1, 2007, and is applicable for
1 15 tax years beginning on and after that date.>
1 16 #3. Title page, line 3, by striking the words
1 17 <appropriation, and> and inserting the following:
1 18 <appropriation,>.
1 19 #4. Title page, line 3, by inserting after the
1 20 word <penalty> the following: <, and including a
1 21 retroactive applicability provision>.
1 22 #5. By renumbering as necessary.
1 23
1 24
1 25
1 26 STEVE WARNSTADT
1 27 SF 578.701 82
1 28 ec/gg/8723
1 29
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Senate Amendment 3291

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 8, line 24, by striking the word
1 3 <twenty=four> and inserting the following:
1 4 <seventy=two>.
1 5
1 6
1 7
1 8 PAT WARD
1 9 SF 512.510 82
1 10 pf/je/8283
1 11
1 12
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Senate Amendment 3292

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. By striking page 3, line 5, through page 4,
1 3 line 8, and inserting the following:
1 4 <A person shall not perform or act as a pharmacy
1 5 benefits manager in this state without first
1 6 registering as a third-party administrator pursuant to
1 7 chapter 510.>
1 8 #2. By renumbering as necessary.
1 9
1 10
1 11
1 12 PAT WARD
1 13 SF 512.511 82
1 14 pf/je/8285
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Senate Amendment 3293

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 3, line 4, by striking the word <LICENSE>
1 3 and inserting the following: <REGISTRATION>.
1 4 #2. Page 3, line 7, by striking the word <license>
1 5 and inserting the following: <registration>.
1 6 #3. Page 3, line 9, by striking the words <the
1 7 issuance of a license> and inserting the following:
1 8 <registration>.
1 9 #4. Page 3, line 25, by striking the word
1 10 <licensure> and inserting the following:
1 11 <registration>.
1 12 #5. Page 4, line 1, by striking the word
1 13 <licensure> and inserting the following:
1 14 <registration>.
1 15 #6. Page 4, line 2, by striking the words <a
1 16 license> and inserting the following: <registration>.
1 17 #7. Page 4, line 4, by striking the words <renew
1 18 the license> and inserting the following: <register>.
1 19 #8. Page 4, line 7, by striking the words
1 20 <obtaining a license> and inserting the following:
1 21 <registering>.
1 22
1 23
1 24
1 25 PAT WARD
1 26 SF 512.703 82
1 27 pf/gg/8284
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Iowa General Assembly
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Senate Amendment 3294

PAG LIN

1 1 Amend Senate File 551 as follows:
1 2 #1. Page 10, line 19, by striking the figure
1 3 <2,550,000> and inserting the following: <2,700,000>.
1 4 #2. Page 12, line 8, by striking the figure
1 5 <1,500,000> and inserting the following: <2,000,000>.
1 6
1 7
1 8
1 9 PAUL MCKINLEY
1 10 BRAD ZAUN
1 11 JAMES F. HAHN
1 12 PAT WARD
1 13 DAVID JOHNSON
1 14 MARK ZIEMAN
1 15 STEVE KETTERING
1 16 E. THURMAN GASKILL
1 17 NANCY J. BOETTGER
1 18 HUBERT HOUSER
1 19 RON WIECK
1 20 JEFF ANGELO
1 21 DAVID L. HARTSUCH
1 22 LARRY NOBLE
1 23 DAVE MULDER
1 24 JOHN PUTNEY
1 25 SF 551.206 82
1 26 da/es/8837
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 05, 2007

Senate Amendment 3295

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 two miles of a city where an Iowa great places
1 9 project has been identified pursuant to this section
1 10 if the project has received financial or technical
1 11 assistance from the state. This subsection shall not
1 12 apply to Iowa great places projects where the
1 13 applicant is a county.>
1 14 #2. By renumbering as necessary.
1 15
1 16
1 17
1 18 BECKY SCHMITZ
1 19 SF 562.705 82
1 20 tm/gg/8473
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Iowa General Assembly
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Senate Amendment 3296

PAG LIN

1 1 Amend House File 651, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 1 and 2.
1 4 #2. By striking page 7, line 29, through page 8,
1 5 line 1.
1 6 #3. By striking page 8, line 13, through page 14,
1 7 line 19.
1 8 #4. Title page, line 3, by striking the words
1 9 <shareholder voting> and inserting the following:
1 10 <shares and instruments associated with such
1 11 corporations>.
1 12 #5. By renumbering as necessary.
1 13
1 14
1 15
1 16 COMMITTEE ON JUDICIARY
1 17 KEITH A. KREIMAN, CHAIRPERSON
1 18 HF 651.303 82
1 19 da/cf/8839
1 20
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3297

PAG LIN

1 1 Amend House File 808, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 2, line 3, by inserting after the words
1 4 <paragraph "a".> the following: <However, such an
1 5 entity shall file without charge, in an electronic
1 6 format, the information described in paragraph "a"
1 7 with the office of the county recorder in the most
1 8 populous county served by the entity. The county
1 9 recorder shall make the information submitted
1 10 available to the public.>
1 11
1 12
1 13
1 14 COMMITTEE ON LOCAL GOVERNMENT
1 15 HERMAN C. QUIRMBACH, CHAIRPERSON
1 16 HF 808.203 82
1 17 ec/es/8774
1 18
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Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3298

PAG LIN

1 1 Amend Senate File 277, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 18, by striking the word <career>
1 4 and inserting the following: <professional>.
1 5 #2. Page 3, by inserting after line 2 the
1 6 following:
1 7 <Sec. _____. Section 256.44, subsection 1, paragraph
1 8 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 Sec. _____. Section 256.44, subsection 1, paragraph
1 26 b, subparagraph (2), unnumbered paragraph 1, Code
1 27 2007, is amended to read as follows:
1 28 If the teacher registers for national board for
1 29 professional teaching standards certification between
1 30 January 1, 1999, and ~~January 1, 2006~~ December 31,
1 31 2007, and achieves certification within ~~three years~~
~~1 32 from the date of initial score notification the~~
~~1 33 timelines and policies established by the national~~
~~1 34 board for professional teaching standards,~~ an annual
1 35 award in the amount of two thousand five hundred
1 36 dollars upon achieving certification by the national
1 37 board of professional teaching standards.>
1 38 #3. Page 3, by inserting after line 9 the
1 39 following:
1 40 <Sec. _____. Section 272.2, subsection 10, Code
1 41 2007, is amended to read as follows:
1 42 10. Issue statements of professional recognition
1 43 to school service personnel who have attained a
~~1 44 minimum of a baccalaureate degree and who are licensed~~
1 45 by another professional licensing board.>
1 46 #4. Page 3, line 22, by striking the word <career>
1 47 and inserting the following: <professional>.
1 48 #5. Page 3, by inserting after line 34 the
1 49 following:
1 50 <Sec. _____. Section 279.13, subsection 1, Code



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3298 continued

2 1 2007, is amended to read as follows:

2 2 1. a. Contracts with teachers, which for the
2 3 purpose of this section means all licensed employees
2 4 of a school district and nurses employed by the board,
2 5 excluding superintendents, assistant superintendents,
2 6 principals, and assistant principals, shall be in
2 7 writing and shall state the number of contract days,
2 8 the annual compensation to be paid, and any other
2 9 matters as may be mutually agreed upon. The contract
2 10 may include employment for a term not exceeding the
2 11 ensuing school year, except as otherwise authorized.

2 12 b. Prior to entering into an initial contract with
2 13 a teacher who holds a license other than an initial
2 14 license issued by the board of educational examiners
2 15 under chapter 272, the school district shall request
2 16 the division of criminal investigation of the
2 17 department of public safety to conduct a background
2 18 investigation of the applicant. The school district
2 19 shall require the teacher to submit a completed
2 20 fingerprint packet, which shall be used to facilitate
2 21 a national criminal history check. The school
2 22 district shall submit the packet to the division of
2 23 criminal investigation of the department of public
2 24 safety which shall conduct a thorough background
2 25 investigation of the teacher. The superintendent of a
2 26 school district or the superintendent's designee shall
2 27 have access to and shall review the sex offender
2 28 registry information under section 692A.13, the
2 29 central registry for child abuse information
2 30 established under section 235A.14, and the central
2 31 registry for dependent adult abuse information
2 32 established under section 235B.5 for information
2 33 regarding applicants for employment as a teacher. The
2 34 school district may charge the teacher a fee for the
2 35 background investigation, which shall not exceed the
2 36 fee charged by the division of criminal investigation
2 37 for conducting the background investigation.

2 38 c. The contract is invalid if the teacher is under
2 39 contract with another board of directors to teach
2 40 during the same time period until a release from the
2 41 other contract is achieved. The contract shall be
2 42 signed by the president of the board, or by the
2 43 superintendent if the board has adopted a policy
2 44 authorizing the superintendent to sign teaching
2 45 contracts, when tendered, and after it is signed by
2 46 the teacher, the contract shall be filed with the
2 47 secretary of the board before the teacher enters into
2 48 performance under the contract.>

2 49 #6. Page 4, line 13, by striking the words <,
2 50 excluding school nurses,>.



Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate Amendment 3298 continued

3 1 #7. Page 4, by striking lines 17 and 18 and
3 2 inserting the following: <directors under section
3 3 279.13. A teacher may be>.
3 4 #8. Page 5, by inserting before line 25 the
3 5 following: <However, if a school district can
3 6 demonstrate that an existing professional development,
3 7 curriculum, or student improvement committee has
3 8 significant stakeholder involvement and a leadership
3 9 role in the school district, the appointing
3 10 authorities may mutually agree to assign to the
3 11 existing committee the responsibilities set forth in
3 12 this paragraph "c", to appoint members of the existing
3 13 committee to the teacher quality committee, or to
3 14 authorize the existing committee to serve in an
3 15 advisory capacity to the teacher quality committee.>
3 16 #9. Page 6, by striking lines 4 and 5 and
3 17 inserting the following:
3 18 <(3) Determine, following the adoption of the Iowa
3 19 professional development model by the state board of
3 20 education and subject to the approval of the school
3 21 board, the use and distribution of the professional>.
3 22 #10. Page 9, line 11, by inserting after the word
3 23 <The> the following: <goal for the use of the funds
3 24 is to provide one additional contract day or the
3 25 equivalent thereof for professional development and>.
3 26 #11. Page 9, line 14, by striking the word
3 27 <agreement,> and inserting the following:
3 28 <agreement;>.
3 29 #12. Page 9, by striking line 16 and inserting the
3 30 following: <speakers, and professional development
3 31 content; and costs>.
3 32 #13. Page 13, by striking lines 22 through 25 and
3 33 inserting the following:
3 34 <NEW SUBSECTION. 4. A teacher who is not meeting
3 35 the applicable standards and criteria based on a
3 36 determination made pursuant to subsection 3 shall
3 37 participate in an intensive assistance program.>
3 38 #14. Page 14, by striking lines 17 and 18 and
3 39 inserting the following: <subject=area shortages, ~~or~~
3 40 improving the racial or ethnic diversity on local
3 41 teaching staffs, funding to prepare a>.
3 42 #15. Page 16, line 21, by inserting after the word
3 43 <purposes> the following: <and for not more than four
3 44 full-time equivalent positions>.
3 45 #16. Page 18, line 16, by striking the word
3 46 <program> and inserting the following: <program and
3 47 career ladder pilots>.
3 48 #17. Page 18, line 17, by striking the word and
3 49 figure <section 284.14> and inserting the following:
3 50 <section 284.14 sections 284.14 and 284.14A>.



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Senate Amendment 3298 continued

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



Iowa General Assembly
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Senate Amendment 3298 continued

5 1 districts ~~as demonstration projects~~ selected for
5 2 planning pilots under paragraph "b".>

5 3 #32. Page 23, lines 31 and 32, by striking the
5 4 words <planning or implementation projects> and
5 5 inserting the following: <projects planning and
5 6 implementation pilots>.

5 7 #33. Page 24, by striking line 3 and inserting the
5 8 following: <demonstration projects planning and
5 9 implementation pilots. The>.

5 10 #34. Page 24, by inserting after line 9 the
5 11 following:

5 12 <Sec. ____ . NEW SECTION. 284.14A CAREER LADDER
5 13 PILOTS.

5 14 1. INTENT. The intent of this section is to
5 15 create a process by which select Iowa school districts
5 16 research, develop, and implement pilots designed to
5 17 identify promising practices related to enhanced
5 18 teacher compensation career ladder models.

5 19 2. PILOT ESTABLISHED. A career ladder pilot is
5 20 established to be designed, implemented, and
5 21 administered by the department. The department shall
5 22 gather sufficient information to identify a career
5 23 ladder pilot.

5 24 a. For the school year beginning July 1, 2007, and
5 25 ending June 30, 2008, the department shall select up
5 26 to eight school districts as planning pilots.
5 27 Participants shall provide reports or other
5 28 information as required by the department.

5 29 b. For the school year beginning July 1, 2008, and
5 30 ending June 30, 2009, the department shall administer
5 31 up to eight implementation pilots in the school
5 32 districts selected for planning pilots under paragraph
5 33 "a".

5 34 3. INTERIM AND FINAL REPORTS. Based on the
5 35 information generated by the planning and
5 36 implementation pilots, the department shall submit an
5 37 interim report to the general assembly by January 14
5 38 annually, and shall submit a final report summarizing
5 39 the effectiveness of the pilots in raising student
5 40 achievement levels to the general assembly no later
5 41 than six months after the completion of the planning
5 42 and implementation pilots. Upon completion of the
5 43 career ladder planning and implementation pilots,
5 44 subject to the sufficiency of funds, the state board
5 45 of education shall adopt rules requiring
5 46 implementation of the successful components of the
5 47 pilots by school districts statewide.>

5 48 #35. Page 26, line 30, by striking the word
5 49 <career> and inserting the following: <professional>.

5 50 #36. Page 27, line 9, by striking the word



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Senate Amendment 3298 continued

6 1 <career> and inserting the following: <professional>.
6 2 #37. Page 27, line 15, by striking the word
6 3 <career> and inserting the following: <professional>.
6 4 #38. Page 27, line 16, by striking the word
6 5 <CAREER> and inserting the following: <PROFESSIONAL>.
6 6 #39. Page 27, line 30, by striking the word
6 7 <career> and inserting the following: <professional>.
6 8 #40. Page 27, line 33, by striking the word
6 9 <career> and inserting the following: <professional>.
6 10 #41. Page 28, line 4, by striking the word
6 11 <career> and inserting the following: <professional>.
6 12 #42. Page 28, line 6, by striking the word
6 13 <career> and inserting the following: <professional>.
6 14 #43. Page 29, line 3, by striking the word
6 15 <career> and inserting the following: <professional>.
6 16 #44. Page 29, line 5, by striking the word
6 17 <career> and inserting the following: <professional>.
6 18 #45. By renumbering, relettering, or redesignating
6 19 and correcting internal references as necessary.
6 20 SF 277.H
6 21 kh/jg/25



Iowa General Assembly
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Senate Amendment 3299

PAG LIN

1 1 Amend House File 829, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 4, by inserting after line 14 the
1 4 following:
1 5 <Sec. _____. REPORT. By September 30, 2007, the
1 6 legislative services agency shall submit a written
1 7 report to the fiscal committee of the legislative
1 8 council and the standing committees on economic growth
1 9 in the senate and the house regarding a review of
1 10 expenditures by the state board of regents from
1 11 appropriations under section 15G.111 and 2006 Iowa
1 12 Acts, chapter 1179, section 14.>
1 13 #2. By renumbering as necessary.
1 14
1 15
1 16
1 17 COMMITTEE ON ECONOMIC GROWTH
1 18 ROGER STEWART, CHAIRPERSON
1 19 HF 829.204 82
1 20 tm/es/9206
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Iowa General Assembly
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Senate File 580 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1168)

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

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



Iowa General Assembly
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April 05, 2007

Senate File 580 - Introduced continued

PAG LIN

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

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

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

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

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

1 12 Sec. 3. TAX AMNESTY PROGRAM.

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

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

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



**Iowa General Assembly
Daily Bills, Amendments & Study Bills
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Senate File 580 - Introduced continued

2 1 by the taxpayer.

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

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

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

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

2 20 Sec. 5. APPROPRIATION.

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

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

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

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



Iowa General Assembly
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Senate File 580 - Introduced continued

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

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

3 5 EXPLANATION

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

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

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

3 30 The bill takes effect upon enactment.

3 31 LSB 1311SV 82

3 32 mg:sc/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 05, 2007

Senate File 581 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 323)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act relating to certain property eligible for an exemption
- 2 from property taxation, providing a refund of property taxes
- 3 in certain circumstances, and including effective and
- 4 retroactive applicability date provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TLSB 1616SV 82
- 7 sc/es/88



Iowa General Assembly
Daily Bills, Amendments & Study Bills
April 05, 2007

Senate File 581 - Introduced continued

PAG LIN

1 1 Section 1. Section 427.3, Code 2007, is amended to read as
1 2 follows:

1 3 427.3 ABATEMENT OF TAXES OF CERTAIN EXEMPT ENTITIES.

1 4 The board of supervisors may abate the taxes levied against
1 5 property acquired by gift or purchase by a person or entity if
1 6 the property acquired by gift or purchase was transferred to
1 7 the person or entity after the deadline for filing for
1 8 property tax exemption in the year in which the property was
1 9 transferred and the property acquired by gift or purchase
1 10 would have been exempt under section 427.1, subsection 7, 8,
1 11 or 9, if the person or entity had been able to file for
1 12 exemption in a timely manner.

1 13 Sec. 2. REFUND OF PROPERTY TAXES. Notwithstanding the
1 14 deadline for filing a claim for property tax exemption for
1 15 property described in section 427.1, subsection 8 or 9, and
1 16 notwithstanding any other provision to the contrary, the board
1 17 of supervisors of a county having a population based upon the
1 18 latest federal decennial census of more than eighty-eight
1 19 thousand but not more than ninety-five thousand shall refund
1 20 the property taxes paid, with all interest, penalties, fees,
1 21 and costs which were due and payable in the fiscal year
1 22 beginning July 1, 2002, and in the fiscal year beginning July
1 23 1, 2005, on the land and buildings of an institution that
1 24 purchased property and that did not receive a property tax
1 25 exemption for the property due to the inability or failure to
1 26 file for the exemption. To receive the refund provided for in
1 27 this section, the institution shall apply to the county board
1 28 of supervisors by October 1, 2007, and provide appropriate
1 29 information establishing that the land and buildings for which
1 30 the refund is sought were used by the institution for its
1 31 appropriate objectives during the fiscal year beginning July
1 32 1, 2002, and during the fiscal year beginning July 1, 2005.
1 33 The refund allowed under this section only applies to property
1 34 taxes, with all interest, penalties, fees, and costs, due and
1 35 payable in the fiscal year beginning July 1, 2002, and in the



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2 1 fiscal year beginning July 1, 2005.
2 2 Sec. 3. IMMEDIATE EFFECTIVE DATE. Section 2 of this Act,
2 3 being deemed of immediate importance, takes effect upon
2 4 enactment and applies retroactively to property taxes due and
2 5 payable in the fiscal year beginning July 1, 2002, and in the
2 6 fiscal year beginning July 1, 2005.

2 7 EXPLANATION

2 8 Current law allows county boards of supervisors to abate
2 9 property taxes levied against property acquired by gift by a
2 10 library or art gallery or by a religious, literary, or
2 11 charitable institution or society or by an educational
2 12 institution if the transfer took place after the deadline for
2 13 filing for a tax exemption, if such entity would have been
2 14 entitled to the tax exemption on the donated property had
2 15 there been a timely filing. This bill includes property of
2 16 such institutions or societies acquired by purchase.

2 17 The bill also requires the board of supervisors of a county
2 18 with a population of more than 88,000 but not more than 95,000
2 19 to refund the property taxes paid by a religious, literary, or
2 20 charitable institution or society or by an educational
2 21 institution for FY 2002=2003 and FY 2005=2006 on property
2 22 purchased by the institution or society if the institution or
2 23 society was unable to or failed to file for a property tax
2 24 exemption in a timely manner for those fiscal years. To
2 25 receive the refund, the institution or society must apply for
2 26 the refund by October 1, 2007. This section of the bill takes
2 27 effect upon enactment and applies retroactively to property
2 28 taxes due and payable in the fiscal year beginning July 1,
2 29 2002, and in the fiscal year beginning July 1, 2005.

2 30 LSB 1616SV 82

2 31 sc:rj/es/88



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Senate File 582 - Introduced

SENATE FILE
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 1343)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved

A BILL FOR

- 1 An Act relating to a sales tax exemption for the operation of
- 2 nonprofit private performing arts centers, allowing a sales
- 3 tax refund for construction of such centers, and including a
- 4 retroactive applicability date.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TL5B 2872SV 82
- 7 ak/je/5



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1 1 Section 1. Section 423.3, subsection 22, Code 2007, is
1 2 amended to read as follows:
1 3 22. The sales price from sales of goods, wares, or
1 4 merchandise, or from services furnished, to a nonprofit
1 5 private art center or performing arts center to be used in the
1 6 operation of the art center or performing arts center.
1 7 Sec. 2. Section 423.4, subsection 1, unnumbered paragraph
1 8 1, Code 2007, is amended to read as follows:
1 9 A private nonprofit educational institution in this state,
1 10 nonprofit Iowa affiliate of a nonprofit international
1 11 organization whose primary activity is the promotion of the
1 12 construction, remodeling, or rehabilitation of one=family or
1 13 two=family dwellings for low=income families, nonprofit
1 14 private museum in this state, nonprofit private performing
1 15 arts center, tax=certifying or tax=levying body or
1 16 governmental subdivision of the state, including the state
1 17 board of regents, state department of human services, state
1 18 department of transportation, a municipally owned solid waste
1 19 facility which sells all or part of its processed waste as
1 20 fuel to a municipally owned public utility, and all divisions,
1 21 boards, commissions, agencies, or instrumentalities of state,
1 22 federal, county, or municipal government which do not have
1 23 earnings going to the benefit of an equity investor or
1 24 stockholder, may make application to the department for the
1 25 refund of the sales or use tax upon the sales price of all
1 26 sales of goods, wares, or merchandise, or from services
1 27 furnished to a contractor, used in the fulfillment of a
1 28 written contract with the state of Iowa, any political
1 29 subdivision of the state, or a division, board, commission,
1 30 agency, or instrumentality of the state or a political
1 31 subdivision, a private nonprofit educational institution in
1 32 this state, a nonprofit Iowa affiliate described in this
1 33 subsection, or a nonprofit private museum in this state if the
1 34 property becomes an integral part of the project under
1 35 contract and at the completion of the project becomes public



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2 1 property, is devoted to educational uses, becomes part of a
2 2 low-income one-family or two-family dwelling in the state, ~~or~~
2 3 becomes a nonprofit private museum, or becomes a nonprofit
2 4 private performing arts center; except goods, wares, or
2 5 merchandise, or services furnished which are used in the
2 6 performance of any contract in connection with the operation
2 7 of any municipal utility engaged in selling gas, electricity,
2 8 or heat to the general public or in connection with the
2 9 operation of a municipal pay television system; and except
2 10 goods, wares, and merchandise used in the performance of a
2 11 contract for a "project" under chapter 419 as defined in that
2 12 chapter other than goods, wares, or merchandise used in the
2 13 performance of a contract for a "project" under chapter 419
2 14 for which a bond issue was approved by a municipality prior to
2 15 July 1, 1968, or for which the goods, wares, or merchandise
2 16 becomes an integral part of the project under contract and at
2 17 the completion of the project becomes public property or is
2 18 devoted to educational uses.

2 19 Sec. 3. RETROACTIVE APPLICABILITY. The section of this
2 20 Act amending section 423.4 applies retroactively to July 1,
2 21 2005, for construction contracts entered into on or after that
2 22 date.

2 23 EXPLANATION

2 24 This bill exempts from sales tax the sale of materials and
2 25 services provided that are used in the operation of a
2 26 nonprofit private performing arts center. The bill allows the
2 27 sales tax from construction materials and services used to
2 28 build a nonprofit private performing arts center to be
2 29 refunded upon application to the Iowa department of revenue.
2 30 The bill makes the refund provision retroactively applicable
2 31 to construction contracts entered into on or after July 1,
2 32 2005.

2 33 LSB 2872SV 82

2 34 ak:sc/je/5



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Senate Study Bill 1352

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

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

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

- 1 An Act creating a special gold star motor vehicle registration
- 2 plate and providing fees.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 2896SC 82
- 5 dea/gg/14



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Senate Study Bill 1352 continued

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1 1 Section 1. Section 321.34, Code 2007, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 24. GOLD STAR PLATES. An owner referred
1 4 to in subsection 12 who is the surviving spouse or surviving
1 5 parent of a deceased member of the United States armed forces
1 6 who died while serving on active duty during a time of
1 7 military conflict may order special registration plates
1 8 bearing a gold star emblem upon written application to the
1 9 department accompanied by satisfactory supporting
1 10 documentation as determined by the department. The gold star
1 11 emblem shall be designed by the department in cooperation with
1 12 the commission of veterans affairs. Letter number designated
1 13 gold star plates shall be issued at no charge and shall be
1 14 validated annually by the county treasurer upon payment of the
1 15 regular annual registration fee. The fee for issuance of
1 16 personalized gold star plates is twenty-five dollars, and the
1 17 annual fee for personalized gold star plates is five dollars,
1 18 which is in addition to the regular annual registration fee.

1 19 EXPLANATION

1 20 This bill establishes a new special motor vehicle
1 21 registration plate to be issued free of charge to a surviving
1 22 spouse or surviving parent of a deceased member of the United
1 23 States armed forces who died while serving on active duty
1 24 during a time of military conflict. The special gold star
1 25 registration plates shall be issued at no charge to the
1 26 applicant and renewed upon payment of the annual registration
1 27 fees for the vehicle. Personalized gold star plates shall be
1 28 issued for a fee of \$25 and renewed upon payment of the annual
1 29 registration fees for the vehicle plus a \$5 personalized plate
1 30 renewal fee.
1 31 LSB 2896SC 82
1 32 dea:nh/gg/14