



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 11, 2007

House Amendment 166

PAG LIN

1 1 Amend the amendment, H=1598, to Senate File 554, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 3, by striking lines 5 through 14 and  
1 5 inserting the following:  
1 6 <#\_\_\_\_. Page 9, line 30, by striking the figure  
1 7 <a.>  
1 8 #</strike>\_\_\_\_. Page 10, by striking lines 2 through 35 and  
1 9 inserting the following:  
1 10 <2. A competitive cable service provider or  
1 11 competitive video service provider that is a holder of  
1 12 a certificate of franchise authority and an incumbent  
1 13 cable provider shall take all actions necessary to  
1 14 interconnect the cable or video communications network  
1 15 systems of the certificate holder and incumbent cable  
1 16 provider for the purpose of providing public,  
1 17 educational, and governmental programming. A  
1 18 competitive cable service provider or competitive  
1 19 video service provider shall perform any required  
1 20 signal or format conversion necessary to carry public,  
1 21 educational, or governmental programming that  
1 22 originates on the incumbent cable provider's cable  
1 23 system. An incumbent cable provider shall perform any  
1 24 required signal or format conversion necessary to  
1 25 carry public, educational, or governmental programming  
1 26 that originates on the competitive provider's cable or  
1 27 video system. Interconnection may be accomplished by  
1 28 direct cable, microwave link, satellite, or other  
1 29 reasonable method of connection. Neither an incumbent  
1 30 cable provider nor a competitive cable service  
1 31 provider or competitive video service provider shall  
1 32 withhold interconnection of public, educational, or  
1 33 governmental channels.>>  
1 34  
1 35  
1 36  
1 37 JACOBY of Johnson  
1 38 SF 554.509 82  
1 39 rn/je/8327  
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House Amendment 1665

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 2, line 5, by striking the word  
1 4 <eighteen> and inserting the following:  
1 5 <twenty=three>.  
1 6 #2. Page 2, by striking lines 8 and 9 and  
1 7 inserting the following:  
1 8 <2. a. The voting members shall be appointed by  
1 9 the following named entity or entities and approved by  
1 10 the governor with each congressional district  
1 11 represented by at least three members:>  
1 12 #3. Page 2, by striking lines 16 through 18 and  
1 13 inserting the following:  
1 14 <(5) The Iowa association of electric  
1 15 cooperatives.  
1 16 (6) The Iowa utility association.  
1 17 (7) The Iowa association of municipal utilities.>  
1 18 #4. Page 2, by striking lines 20 through 23 and  
1 19 inserting the following:  
1 20 <(9) The Iowa environmental council.  
1 21 (10) The soil and water conservation districts of  
1 22 Iowa.>  
1 23 #5. Page 2, by striking line 32 and inserting the  
1 24 following:  
1 25 <(16) The Iowa state association of counties.>  
1 26 #6. Page 2, line 36, by inserting after the word  
1 27 <production> the following: <appointed by the Iowa  
1 28 association of business and industry>.  
1 29 #7. Page 2, by inserting after line 36 the  
1 30 following:  
1 31 <(19) The older Iowans legislature.  
1 32 (20) The president of the senate. The person  
1 33 appointed under this subparagraph shall not be a  
1 34 resident of a metropolitan statistical area.  
1 35 (21) The minority leader in the senate. The  
1 36 person appointed under this subparagraph shall not be  
1 37 a resident of a metropolitan statistical area.  
1 38 (22) The speaker of the house or representatives.  
1 39 The person appointed under this subparagraph shall not  
1 40 be a resident of a metropolitan statistical area.  
1 41 (23) The minority leader of the house of  
1 42 representatives. The person appointed under this  
1 43 subparagraph shall not be a resident of a metropolitan  
1 44 statistical area.>  
1 45 #8. Page 2, by striking lines 49 and 50 and  
1 46 inserting the following:  
1 47 <3. Voting members of the council shall serve  
1 48 without>.  
1 49 #9. Page 3, line 3, by striking the words  
1 50 <designated by the governor> and inserting the



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House Amendment 1665 continued

2 1 following: <elected by the voting members of the  
2 2 council>.  
2 3 #10. By renumbering as necessary.  
2 4  
2 5  
2 6  
2 7 ALONS of Sioux  
2 8  
2 9  
2 10  
2 11 MERTZ of Kossuth  
2 12 SF 485.704 82  
2 13 tm/gg/7395



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# House Amendment 1666

PAG LIN

1 1 Amend the amendment, H=1598, to Senate File 554, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 3, by striking lines 5 through 14 and  
1 5 inserting the following:  
1 6 <#\_\_\_\_. Page 9, line 30, by striking the figure  
1 7 <a.>  
1 8 #</strike>\_\_\_\_. Page 10, by striking lines 2 through 35 and  
1 9 inserting the following:  
1 10 <2. A competitive cable service provider or  
1 11 competitive video service provider that is a holder of  
1 12 a certificate of franchise authority and an incumbent  
1 13 cable provider shall take all actions necessary to  
1 14 interconnect the cable or video communications network  
1 15 systems of the certificate holder and incumbent cable  
1 16 provider for the purpose of providing public,  
1 17 educational, and governmental programming. A  
1 18 competitive cable service provider or competitive  
1 19 video service provider shall perform any required  
1 20 signal or format conversion necessary to carry public,  
1 21 educational, or governmental programming that  
1 22 originates on the incumbent cable provider's cable  
1 23 system. An incumbent cable provider shall perform any  
1 24 required signal or format conversion necessary to  
1 25 carry public, educational, or governmental programming  
1 26 that originates on the competitive provider's cable or  
1 27 video system. Interconnection may be accomplished by  
1 28 direct cable, microwave link, satellite, or other  
1 29 reasonable method of connection. Neither an incumbent  
1 30 cable provider nor a competitive cable service  
1 31 provider or competitive video service provider shall  
1 32 withhold interconnection of public, educational, or  
1 33 governmental channels.>>  
1 34  
1 35  
1 36  
1 37 JACOBY of Johnson  
1 38 SF 554.509 82  
1 39 rn/je/8327  
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House Amendment 1667

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 5 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 422.33, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 24. a. The taxes imposed under  
1 8 this division shall be reduced by a public,  
1 9 educational, and governmental access channel equipment  
1 10 donation tax credit. The holder of a franchise  
1 11 granted pursuant to chapter 477A for the construction  
1 12 or operation of a cable system or video service  
1 13 provider's network is eligible to receive a public,  
1 14 educational, and governmental access channel equipment  
1 15 donation tax credit in an amount equivalent to the  
1 16 value of equipment donated to a municipality for  
1 17 public, educational, and governmental access channel  
1 18 programming, not to exceed ten thousand dollars.  
1 19 b. If a holder of a franchise elects to take the  
1 20 public, educational, and governmental access channel  
1 21 equipment donation tax credit, the holder shall not  
1 22 deduct for Iowa tax purposes any amount of equipment  
1 23 donated which is deductible for federal tax purposes,  
1 24 and a deduction pursuant to section 170 of the  
1 25 Internal Revenue Code shall not be allowed for the  
1 26 amount of the donation.  
1 27 c. Any credit in excess of the tax liability is  
1 28 not refundable but the excess for the tax year may be  
1 29 credited to the tax liability for the following five  
1 30 tax years or until depleted, whichever is the  
1 31 earlier.>  
1 32 #2. Page 15, line 15, by inserting after the word  
1 33 <EFFECTIVE> the following: <AND APPLICABILITY>.  
1 34 #3. Page 15, line 16, by inserting after the word  
1 35 <enactment.> the following: <The section of this Act  
1 36 establishing a public, educational, and governmental  
1 37 access channel equipment donation tax credit is  
1 38 retroactively applicable to tax years beginning on or  
1 39 after January 1, 2007.>  
1 40 #4. Title page, line 2, by inserting after the  
1 41 word <fees> the following: <, providing a tax credit  
1 42 for specified donations of equipment,>.  
1 43 #5. Title page, line 5, by inserting after the  
1 44 word <effective> the following: <and applicability>.  
1 45  
1 46  
1 47  
1 48 KAUFMANN of Cedar  
1 49 SF 554.507 82  
1 50 rn/je/8324



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**House Amendment 1668**

PAG LIN

1 1 Amend Senate File 445, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 1, by inserting after line 8, the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 562B.10, subsection 4, Code  
 1 6 2007, is amended to read as follows:  
 1 7 4. Rental agreements shall be for a term of one  
 1 8 year unless otherwise specified in the rental  
 1 9 agreement. Rental agreements shall be canceled by at  
 1 10 least sixty days' written notice given by either  
 1 11 party. A notice to cancel under this section  
 1 12 initiated by the landlord shall be for good cause.  
 1 13 Good cause shall constitute a material noncompliance  
 1 14 by the tenant with the rental agreement, a violation  
 1 15 of this chapter, or a legitimate business reason. A  
 1 16 landlord shall not cancel a rental agreement solely  
 1 17 for the purpose of making the tenant's mobile home  
 1 18 space available for another mobile home.>  
 1 19 #2. Title page, line 1, by inserting after the  
 1 20 word <Act> the following: <relating to landlords and  
 1 21 tenants by>.  
 1 22 #3. Title page, line 2, by inserting after the  
 1 23 word <deposits> the following: <and requiring a  
 1 24 landlord to have good cause to terminate certain  
 1 25 rental agreements>.  
 1 26 #4. By renumbering as necessary.  
 1 27  
 1 28  
 1 29  
 1 30 R. OLSON of Polk  
 1 31 SF 445.202 82  
 1 32 av/es/9190  
 1 33  
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House Amendment 1669

PAG LIN

1 1 Amend Senate File 445, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 1, line 3, by striking the words <bad  
 1 4 ~~faith wrongful~~> and inserting the following: <bad  
 1 5 faith>.  
 1 6 #2. Page 1, line 5, by striking the words <shall  
 1 7 may> and inserting the following: <shall>.  
 1 8 #3. Page 1, line 11, by striking the words <bad  
 1 9 ~~faith wrongful~~> and inserting the following: <bad  
 1 10 faith>.  
 1 11 #4. Page 1, line 13, by striking the words <shall  
 1 12 may> and inserting the following: <shall>.  
 1 13 #5. Title page, line 2, by striking the word  
 1 14 <wrongful> and inserting the following: <bad faith>.  
 1 15  
 1 16  
 1 17  
 1 18 R. OLSON of Polk  
 1 19 SF 445.501 82  
 1 20 av/je/9189  
 1 21  
 1 22  
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# House Amendment 1670

PAG LIN

1 1 Amend the Senate amendment, H=1636, to House File  
1 2 793, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 1, by inserting after line 2 the  
1 5 following:  
1 6 <#\_\_\_\_. Page 1, by inserting after line 23 the  
1 7 following:  
1 8 <Sec. \_\_\_\_\_. The section of this division of this  
1 9 Act that amends section 543D.3 is void if 2007 Iowa  
1 10 Acts, Senate File 137, section 1, amending section  
1 11 543D.3, is enacted.>>  
1 12 #2. By renumbering as necessary.  
1 13  
1 14  
1 15  
1 16 HUSER of Polk  
1 17 HF 793.503 82  
1 18 dea/je/8945  
1 19  
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# House Amendment 1671

PAG LIN

1 1 Amend the Senate amendment, H=1636, to House File  
1 2 793, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 1, by striking lines 3 through 13.  
1 5 #2. Page 1, by striking lines 16 through 18.  
1 6 #3. By renumbering as necessary.  
1 7  
1 8  
1 9  
1 10 HUSER of Polk  
1 11  
1 12  
1 13  
1 14 WATTS of Dallas  
1 15  
1 16  
1 17  
1 18 CLUTE of Polk  
1 19  
1 20  
1 21  
1 22 STAED of Linn  
1 23  
1 24  
1 25  
1 26 STRUYK of Pottawattamie  
1 27 HF 793.305 82  
1 28 dea/cf/8942  
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House Amendment 1672

PAG LIN

1 1 Amend the amendment, H=1598, to Senate File 554, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 3, line 33, by inserting before the word  
1 5 <even> the following: <or for a period of ten years  
1 6 after the effective date of this Act, whichever is  
1 7 greater,>.  
1 8  
1 9  
1 10  
1 11 JACOBY of Johnson  
1 12 SF 554.706 82  
1 13 rn/gg/9330  
1 14  
1 15  
1 16  
1 17  
1 18  
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## House Amendment 1673

PAG LIN

1 1 Amend Senate File 62, as passed by the Senate, as  
 1 2 follows:  
 1 3 #1. Page 11, by inserting after line 8 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
 1 6 a, subparagraph (2), Code 2007, is amended to read as  
 1 7 follows:  
 1 8 (2) Beginning July 1, ~~2006~~ 2007, the minimum  
 1 9 salary for a beginning teacher shall be ~~twenty-five~~  
 1 10 twenty-seven thousand five hundred dollars.  
 1 11 Sec. \_\_\_\_\_. Section 284.7, subsection 1, paragraph  
 1 12 b, subparagraph (2), Code 2007, is amended to read as  
 1 13 follows:  
 1 14 (2) Beginning July 1, ~~2006~~ 2007, the minimum  
 1 15 salary for a first-year career teacher shall be  
 1 16 ~~twenty-six~~ twenty-eight thousand five hundred dollars  
 1 17 and the minimum salary for all other career teachers  
 1 18 shall be ~~twenty-seven~~ twenty-nine thousand five  
 1 19 hundred dollars.>  
 1 20 #2. By renumbering as necessary.  
 1 21  
 1 22  
 1 23  
 1 24 RAECKER of Polk  
 1 25  
 1 26  
 1 27  
 1 28 BOAL of Polk  
 1 29  
 1 30  
 1 31  
 1 32 TYMESON of Madison  
 1 33 SF 62.506 82  
 1 34 kh/je/8205  
 1 35  
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# House Amendment 1674

PAG LIN

1 1 Amend House File 538 as follows:  
1 2 #1. Page 2, line 8, by inserting after the word  
1 3 <age.> the following: <However, a veteran who is at  
1 4 least eighteen years of age shall be permitted to  
1 5 participate in a card game tournament.>  
1 6  
1 7  
1 8  
1 9 RAECKER of Polk  
1 10 HF 538.301 82  
1 11 ec/cf/8783  
1 12  
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1 14  
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## House Amendment 1675

PAG LIN

1 1 Amend Senate File 563, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 4, by inserting after line 29 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 607A.8, Code 2007, is amended  
1 6 by striking the section and inserting in lieu thereof  
1 7 the following:  
1 8 607A.8 FEES AND EXPENSES FOR JURORS.  
1 9 1. A grand juror and a petit juror in all courts  
1 10 shall receive thirty dollars as compensation for each  
1 11 day's service or attendance, including attendance  
1 12 required for the purpose of being considered for  
1 13 service. The supreme court may adopt rules that allow  
1 14 additional compensation for jurors whose attendance  
1 15 and service exceeds seven days.  
1 16 2. A grand juror and a petit juror in all courts  
1 17 shall receive reimbursement for mileage expenses at  
1 18 the rate specified in section 602.1509 for each mile  
1 19 traveled each day to and from the residence of the  
1 20 juror to the place of service or attendance, and shall  
1 21 receive reimbursement for actual expenses of parking,  
1 22 as determined by the clerk of the district court. A  
1 23 juror who is a person with a disability may receive  
1 24 reimbursement for the costs of alternate  
1 25 transportation from the residence of the juror to the  
1 26 place of service or attendance. A juror shall not  
1 27 receive reimbursement for mileage expenses or actual  
1 28 expenses of parking when the juror travels in a  
1 29 vehicle for which another juror is receiving  
1 30 reimbursement for mileage and parking expenses.  
1 31 3. A grand juror or a petit juror in all courts  
1 32 may waive the right of the juror to receive  
1 33 compensation under subsection 1 or reimbursement under  
1 34 subsection 2.  
1 35 Sec. \_\_\_\_\_. NEW SECTION. 607A.47 JUROR  
1 36 QUESTIONNAIRE.  
1 37 The court may, on its own motion, or upon the  
1 38 motion of a party to the case or upon the request of a  
1 39 juror, order the sealing or partial sealing of a  
1 40 completed juror questionnaire, if the court finds that  
1 41 it is necessary to protect the safety or privacy of a  
1 42 juror or a family member of a juror.>  
1 43  
1 44  
1 45  
1 46 LUKAN of Dubuque  
1 47  
1 48  
1 49  
1 50 BOAL of Polk



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House Amendment 1675 continued

2 1 SF 563.701 82  
2 2 jm/gg/9200



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## House Amendment 1676

PAG LIN

1 1 Amend the amendment, H=1635, to Senate File 514, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, by inserting before line 3 the  
1 5 following:  
1 6 <#\_\_\_\_. Page 1, by striking lines 3 through 23, and  
1 7 inserting the following:  
1 8 <1. A carrier as defined in section 513B.2, an  
1 9 organized delivery system authorized under 1993 Iowa  
1 10 Acts, ch. 158, and licensed by the director of public  
1 11 health, and a plan established pursuant to chapter  
1 12 509A for public employees shall each offer at least  
1 13 one contract, policy, or plan providing for  
1 14 third-party payment or prepayment of health or medical  
1 15 expenses that provides coverage benefits for  
1 16 vaccinations for the human papilloma virus, to each  
1 17 female insured who is nine years of age or older until  
1 18 that individual reaches twenty-six years of age.  
1 19 2. This section applies to third-party payment  
1 20 provider contracts, policies, or plans delivered,  
1 21 issued for delivery, continued, or renewed in this  
1 22 state on or after January 1, 2008.>  
1 23 #</strike>\_\_\_\_. Page 1, line 24, by striking the figure <2.>  
1 24 and inserting the following: <3.>  
1 25 #</strike>\_\_\_\_. Page 1, line 32, by striking the figure <3.>  
1 26 and inserting the following: <4.>  
1 27 #</strike>\_\_\_\_. Page 2, line 1, by striking the figure <4.>  
1 28 and inserting the following: <5.>  
1 29 #2. Page 1, by striking lines 3 through 19 and  
1 30 inserting the following:  
1 31 <#\_\_\_\_. Page 2, by inserting after line 3 the  
1 32 following:  
1 33 <Sec. \_\_\_\_\_. NEW SECTION. 514C.24 ENTERAL  
1 34 FORMULAS == COVERAGE.  
1 35 1. A carrier as defined in section 513B.2, an  
1 36 organized delivery system authorized under 1993 Iowa  
1 37 Acts, ch. 158, and licensed by the director of public  
1 38 health, and a plan established pursuant to chapter  
1 39 509A for public employees shall each offer at least  
1 40 one contract, policy, or plan providing for  
1 41 third-party payment or prepayment of health or medical  
1 42 expenses for enteral formulas for home use for which a  
1 43 practitioner licensed by law to prescribe and  
1 44 administer prescription drugs has issued a written  
1 45 order. Such written order must state that the enteral  
1 46 formula is medically necessary for the patient.>  
1 47 #3. By striking page 1, lines 30 through 46, and  
1 48 inserting the following:  
1 49 <3. This section applies to third-party payment  
1 50 provider contracts, policies, or plans delivered,



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House Amendment 1676 continued

2 1 issued for delivery, continued, or renewed in this  
2 2 state on or after January 1, 2008.>  
2 3 #4. Page 1, line 47, by striking the word <b.> and  
2 4 inserting the following: <4.>  
2 5 #5. Page 2, line 6, by striking the figure and  
2 6 words <4. An individual or group> and inserting the  
2 7 following: <5. A>.  
2 8 #6. Page 2, line 7, by inserting after the word  
2 9 <plan> the following: <issued>.  
2 10 #7. Page 2, line 15, by striking the figure and  
2 11 words <5. An individual or group> and inserting the  
2 12 following: <6. A>.  
2 13 #8. Page 2, line 16, by inserting after the word  
2 14 <plan> the following: <issued>.  
2 15 #9. Page 2, by striking lines 28 through 50 and  
2 16 inserting the following:  
2 17 <1. A carrier as defined in section 513B.2, an  
2 18 organized delivery system authorized under 1993 Iowa  
2 19 Acts, ch. 158, and licensed by the director of public  
2 20 health, and a plan established pursuant to chapter  
2 21 509A for public employees shall each offer at least  
2 22 one contract, policy, or plan providing for  
2 23 third-party payment or prepayment of health or medical  
2 24 expenses that provides minimum coverage for  
2 25 audiological services and hearing aids for children.  
2 26 2. This section applies to third-party payment  
2 27 provider contracts, policies, or plans delivered,  
2 28 issued for delivery, continued, or renewed in this  
2 29 state on or after January 1, 2008.>  
2 30 #10. Page 3, line 1, by striking the figure <2.>  
2 31 and inserting the following: <3.>  
2 32 #11. Page 3, line 10, by striking the figure <3.>  
2 33 and inserting the following: <4.>  
2 34 #12. Page 3, line 26, by striking the figure <4.>  
2 35 and inserting the following: <5.>  
2 36 #13. Page 3, by striking lines 29 through 31 and  
2 37 inserting the following:  
2 38 <#\_\_\_. Title page, line 3, by inserting after the  
2 39 word <virus> the following:>  
2 40 #14. Page 3, line 33, by striking the word  
2 41 <children> and inserting the following: <children,>.  
2 42 #15. By renumbering as necessary.  
2 43  
2 44  
2 45  
2 46 PETTENGILL of Benton  
2 47 SF 514.504 82  
2 48 av/je/9191



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House Amendment 1677

PAG LIN

1 1 Amend House File 893 as follows:  
1 2 #1. Page 2, by inserting after line 6 the  
1 3 following:  
1 4 <\_\_\_\_. A taxpayer who participates in the tax  
1 5 amnesty program shall relinquish any right to  
1 6 confidentiality as to the taxpayer's name, type of  
1 7 tax, and amount of tax liability that is covered by  
1 8 the tax amnesty program.>  
1 9 #2. Page 2, line 31, by inserting after the word  
1 10 <collected> the following: <, name of each taxpayer  
1 11 and the amount of the taxpayer's liability>.  
1 12 #3. Page 2, line 33, by inserting after the figure  
1 13 <2008.> the following: <The report shall be  
1 14 considered a public document that shall be available  
1 15 to the public notwithstanding any confidentiality  
1 16 provisions of the Code.>  
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1 20 PAULSEN of Linn  
1 21 HF 893.502 82  
1 22 mg/je/9091  
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**Iowa General Assembly  
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**House Amendment 1678**

PAG LIN

1 1 Amend Senate File 530, as passed by the Senate, as  
 1 2 follows:  
 1 3 #1. Page 1, by inserting after line 7 the  
 1 4 following:  
 1 5 <Sec. 100. Section 543B.60A, Code 2007, is amended  
 1 6 by adding the following new subsection:  
 1 7 NEW SUBSECTION. 9. A licensee shall not pay to  
 1 8 another licensee or person who is licensed or  
 1 9 otherwise authorized to engage in the real estate  
 1 10 business in another state or foreign country a  
 1 11 commission, fee, or other consideration for the  
 1 12 referral of business unless the licensee or person to  
 1 13 be paid the commission, fee, or other consideration  
 1 14 has entered into a written co-brokerage agreement  
 1 15 regarding the transaction with the listing or selling  
 1 16 brokerage prior to acceptance of a bona fide offer to  
 1 17 purchase. The licensee or person to be paid the  
 1 18 commission, fee, or other consideration shall in the  
 1 19 co-brokerage agreement accept liability, which may not  
 1 20 be waived or assigned, equal to that of the listing or  
 1 21 selling brokerage in the transaction, and the parties  
 1 22 shall act in good faith in executing the agreement.  
 1 23 The prohibition contained in this subsection shall not  
 1 24 affect or restrict business practices relating to  
 1 25 payment methods between the listing and selling  
 1 26 brokerages in effect on the effective date of this  
 1 27 Act, and shall apply strictly to properties containing  
 1 28 at least one but not more than four dwelling units.  
 1 29 Sec. \_\_\_\_ . EFFECTIVE DATE. Section 100 of this Act  
 1 30 takes effect January 1, 2008.>  
 1 31 #2. Title page, line 2, by inserting after the  
 1 32 word <salesperson> the following: <, and providing an  
 1 33 effective date>.  
 1 34 #3. By renumbering as necessary.  
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 1 38 WISE of Lee  
 1 39 SF 530.204 82  
 1 40 rn/es/9328  
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House Amendment 1679

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 3, by striking lines 16 and 17 and  
1 4 inserting the following: <emissions. Each scenario  
1 5 shall be substantiated with a technical feasibility  
1 6 analysis and cost=benefit review. The council>.  
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1 10 WATTS of Dallas  
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1 14 ALONS of Sioux  
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1 18 MERTZ of Kossuth  
1 19 SF 485.205 82  
1 20 tm/es/8496  
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Iowa General Assembly  
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House Amendment 1680

PAG LIN

1 1 Amend Senate File 485, as passed by the Senate, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. NEW SECTION. 455B.152 GREENHOUSE GAS  
1 6 INVENTORY AND REGISTRY.  
1 7 1. DEFINITIONS. For purposes of this section,  
1 8 "greenhouse gas" means carbon dioxide, water vapor,  
1 9 methane, nitrous oxide, hydrofluorocarbons,  
1 10 perfluorocarbons, or sulphur hexafluoride.  
1 11 2. GREENHOUSE GAS INVENTORY.  
1 12 a. By January 1, 2009, the department shall  
1 13 establish a method for collecting data from producers  
1 14 of greenhouse gases regarding generated greenhouse  
1 15 gases. The data collection method shall provide for  
1 16 mandatory reporting to collect information from  
1 17 affected entities individually and shall include  
1 18 information regarding the amount and type of  
1 19 greenhouse gases generated, the type of source, and  
1 20 other information deemed relevant by the department in  
1 21 developing a baseline measure of greenhouse gases  
1 22 produced in the state.  
1 23 b. The department may allow a series of reporting  
1 24 requirements to be phased in over a period of time and  
1 25 may provide for phasing in by producer sector,  
1 26 geographic area, size of producer, or other factors.  
1 27 The reporting requirements shall apply to the  
1 28 departments, agencies, boards, and commissions of the  
1 29 state, in addition to any other entities subject to  
1 30 the reporting requirements established by the  
1 31 department. The reporting requirements shall not  
1 32 apply to any entity that is not required to submit air  
1 33 quality data to the department pursuant to other air  
1 34 quality laws or administrative rules.  
1 35 3. GREENHOUSE GAS REGISTRY.  
1 36 a. The department shall establish a voluntary  
1 37 greenhouse gas registry for purposes of cooperating  
1 38 with other states in tracking, managing, and crediting  
1 39 entities in the state that reduce their generation of  
1 40 greenhouse gases or that provide increased energy  
1 41 efficiency.  
1 42 b. The department shall develop a mechanism to  
1 43 coordinate the information obtained in the greenhouse  
1 44 gas inventory with the greenhouse gas registry.  
1 45 4. AVAILABILITY. By January 1, 2010, the  
1 46 greenhouse gas registry shall be made available on an  
1 47 internet website.  
1 48 Sec. 2. NEW SECTION. 455B.851 IOWA CLIMATE  
1 49 CHANGE ADVISORY COUNCIL.  
1 50 1. The department shall create an Iowa climate



Iowa General Assembly  
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House Amendment 1680 continued

2 1 change advisory council consisting of twenty-three  
2 2 voting members serving three-year staggered terms and  
2 3 four nonvoting, ex officio members.  
2 4 2. a. The voting members shall be appointed by  
2 5 the following named entity or entities and approved by  
2 6 the governor with each congressional district  
2 7 represented by at least three members:  
2 8 (1) The university of Iowa center for global and  
2 9 regional environmental research.  
2 10 (2) The university of northern Iowa center for  
2 11 energy and environmental education.  
2 12 (3) The Iowa farm bureau.  
2 13 (4) The Iowa public transit association.  
2 14 (5) The Iowa association of electric cooperatives.  
2 15 (6) The Iowa utility association.  
2 16 (7) The Iowa association of municipal utilities.  
2 17 (8) The Iowa utilities board.  
2 18 (9) The Iowa environmental council.  
2 19 (10) The soil and water conservation districts of  
2 20 Iowa.  
2 21 (11) The international brotherhood of electrical  
2 22 workers.  
2 23 (12) The Iowa association of business and  
2 24 industry.  
2 25 (13) The Iowa energy center.  
2 26 (14) The Iowa renewable fuels association.  
2 27 (15) The office of consumer advocate of the  
2 28 department of justice.  
2 29 (16) The Iowa state association of counties.  
2 30 (17) The director of the office of energy  
2 31 independence in the office of the governor.  
2 32 (18) A manufacturer of equipment used for  
2 33 alternative energy production appointed by the Iowa  
2 34 association of business and industry.  
2 35 (19) The older Iowans legislature.  
2 36 (20) The president of the senate. The person  
2 37 appointed under this subparagraph shall not be a  
2 38 resident of a metropolitan statistical area.  
2 39 (21) The minority leader in the senate. The  
2 40 person appointed under this subparagraph shall not be  
2 41 a resident of a metropolitan statistical area.  
2 42 (22) The speaker of the house of representatives.  
2 43 The person appointed under this subparagraph shall not  
2 44 be a resident of a metropolitan statistical area.  
2 45 (23) The minority leader of the house of  
2 46 representatives. The person appointed under this  
2 47 subparagraph shall not be a resident of a metropolitan  
2 48 statistical area.  
2 49 b. The four nonvoting, ex officio members shall  
2 50 consist of four members of the general assembly, two



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House Amendment 1680 continued

3 1 from the senate and two from the house of  
3 2 representatives, with not more than one member from  
3 3 each chamber being from the same political party. The  
3 4 two senators shall be designated by the majority  
3 5 leader of the senate after consultation with the  
3 6 president and the minority leader of the senate. The  
3 7 two representatives shall be designated by the speaker  
3 8 of the house of representatives after consultation  
3 9 with the majority and minority leaders of the house of  
3 10 representatives.

3 11 3. Voting members of the council shall serve  
3 12 without compensation.

3 13 4. The chairperson of the council shall be elected  
3 14 by the voting members of the council and may convene  
3 15 the council at any time.

3 16 5. A vacancy in the membership shall not impair  
3 17 the right of a quorum to exercise all the rights and  
3 18 perform all the duties of the council. A majority of  
3 19 the council members then appointed constitutes a  
3 20 quorum. A majority vote of the quorum is required for  
3 21 council action.

3 22 6. The department shall provide necessary staff  
3 23 assistance to the council.

3 24 7. After consideration of a full range of policies  
3 25 and strategies, the council shall develop multiple  
3 26 scenarios designed to reduce statewide greenhouse gas  
3 27 emissions. Any percentage reduction included in a  
3 28 scenario shall be calculated on a per capita basis in  
3 29 relation to the base year. The council shall also  
3 30 develop short-term, medium-term, and long-term  
3 31 scenarios designed to reduce statewide greenhouse gas  
3 32 emissions. The council shall establish a baseline  
3 33 year for purposes of calculating reductions in  
3 34 statewide greenhouse gas emissions. The council shall  
3 35 submit the proposal to the governor and the general  
3 36 assembly by January 1, 2009.

3 37 8. The council may periodically adopt  
3 38 recommendations designed to encourage the reduction of  
3 39 statewide greenhouse gas emissions.

3 40 9. By September 1 of each year, the department  
3 41 shall submit a report to the governor and the general  
3 42 assembly regarding the greenhouse gas emissions in the  
3 43 state during the previous calendar year and  
3 44 forecasting trends in such emissions. The first  
3 45 submission by the department shall be filed by  
3 46 September 1, 2009, for the calendar year beginning  
3 47 January 1, 2008.>

3 48 #2. Title page, by striking lines 1 and 2 and  
3 49 inserting the following: <An Act relating to  
3 50 greenhouse gas emissions.>



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House Amendment 1680 continued

- 4 1 #3. By renumbering as necessary.
- 4 2
- 4 3
- 4 4
- 4 5 ALONS of Sioux
- 4 6
- 4 7
- 4 8
- 4 9 MERTZ of Kossuth
- 4 10 SF 485.510 82
- 4 11 tm/je/8497



Iowa General Assembly  
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House Amendment 1681

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 19 through 38 and  
1 4 inserting the following:  
1 5 <By January 1, 2009, the department shall establish  
1 6 an inventory of greenhouse gases generated by sources  
1 7 noted in United States department of energy and United  
1 8 States environmental protection agency statistics for  
1 9 the state. The data collected shall include the type  
1 10 of source, the amount of greenhouse gases generated by  
1 11 the source, and any other information required by the  
1 12 department.>  
1 13 #2. By striking page 2, line 2, through page 3,  
1 14 line 35.  
1 15 #3. By renumbering as necessary.  
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1 19 WATTS of Dallas  
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1 23 ALONS of Sioux  
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1 27 MERTZ of Kossuth  
1 28 SF 485.509 82  
1 29 tm/je/8494  
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# House Amendment 1682

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. By striking page 1, line 10, through page 3,  
1 4 line 35.  
1 5 #2. By renumbering as necessary.  
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1 9 WATTS of Dallas  
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1 13 ALONS of Sioux  
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1 17 MERTZ of Kossuth  
1 18 SF 485.206 82  
1 19 tm/es/8495  
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# House Amendment 1683

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. By striking page 3, line 4, through page 4,  
1 3 line 8, and inserting the following: <REGISTRATION.  
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.  
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1 12 QUIRK of Chickasaw  
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1 16 PETTENGILL of Benton  
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1 20 BOAL of Polk  
1 21 HF 798.204 82  
1 22 pf/es/9270  
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# House Amendment 1684

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 6, line 22, by striking the word <may>  
1 3 and inserting the following: <and the pharmacy  
1 4 benefits manager shall mutually>.  
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1 8 QUIRK of Chickasaw  
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1 12 PETTENGILL of Benton  
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1 16 BOAL of Polk  
1 17 HF 798.203 82  
1 18 pf/es/9266  
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# House Amendment 1685

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 8, line 24, by striking the words  
1 3 <twenty=four hours> and inserting the following:  
1 4 <three business days>.  
1 5  
1 6  
1 7  
1 8 QUIRK of Chickasaw  
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1 12 PETTENGILL of Benton  
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1 16 BOAL of Polk  
1 17 HF 798.202 82  
1 18 pf/es/9269  
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House Amendment 1686

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. By striking page 1, line 34, through page 2,  
1 3 line 15, and inserting the following:  
1 4 <\_\_\_\_. "Pharmacy benefits management" means the  
1 5 administration or management of prescription drug  
1 6 benefits provided by a covered entity under the terms  
1 7 and conditions of the contract between the pharmacy  
1 8 benefits manager and the covered entity.>  
1 9 #2. By renumbering as necessary.  
1 10  
1 11  
1 12  
1 13 PETTENGILL of Benton  
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1 17 QUIRK of Chickasaw  
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1 21 BOAL of Polk  
1 22 HF 798.506 82  
1 23 pf/je/9271  
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# House Amendment 1687

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 4, line 15, by striking the word <any>  
1 3 and inserting the following: <an>.  
1 4 #2. Page 4, line 17, by striking the words  
1 5 <directly or indirectly>.  
1 6  
1 7  
1 8  
1 9 PETTENGILL of Benton  
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1 13 QUIRK of Chickasaw  
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1 17 BOAL of Polk  
1 18 HF 798.502 82  
1 19 pf/je/9264  
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# House Amendment 1688

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 2, by striking lines 22 through 24 and  
1 3 inserting the following: <include a public>.  
1 4  
1 5  
1 6  
1 7 PETTENGILL of Benton  
1 8  
1 9  
1 10  
1 11 QUIRK of Chickasaw  
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1 15 BOAL of Polk  
1 16 HF 798.504 82  
1 17 pf/je/9272  
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# House Amendment 1689

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 4, by striking line 13 and inserting the  
1 3 following: <dealing in performance of the pharmacy  
1 4 benefits manager's contractual obligations toward the  
1 5 covered entity.>  
1 6  
1 7  
1 8  
1 9 PETTENGILL of Benton  
1 10  
1 11  
1 12  
1 13 QUIRK of Chickasaw  
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1 17 BOAL of Polk  
1 18 HF 798.507 82  
1 19 pf/je/9267  
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House Amendment 1690

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 7, by striking lines 23 through 32 and  
1 3 inserting the following: <entity the cost of both  
1 4 drugs and any benefit or payment directly or  
1 5 indirectly accruing to the pharmacy benefits manager  
1 6 as a result of the substitution. A pharmacy benefits  
1 7 manager is not required to disclose the information  
1 8 required in this subsection to the covered entity  
1 9 under any of the following circumstances:  
1 10 (1) The drug substitution is initiated for patient  
1 11 safety reasons.  
1 12 (2) The currently prescribed drug is no longer  
1 13 available in the market.  
1 14 (3) The substitution is required for coverage  
1 15 reasons in which the prescribed drug is not covered  
1 16 under the covered individual's formulary or the  
1 17 covered entity's prescription drug benefit plan.>  
1 18  
1 19  
1 20  
1 21 PETTENGILL of Benton  
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1 25 QUIRK of Chickasaw  
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1 28  
1 29 BOAL of Polk  
1 30 HF 798.505 82  
1 31 pf/je/9268  
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House Amendment 1691

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. By striking page 4, line 18, through page 5,  
1 3 line 8, and inserting the following:  
1 4 <Sec. \_\_\_\_ . NEW SECTION. 155B.4 DISCLOSURE OF  
1 5 FINANCIAL AND UTILIZATION INFORMATION == CONTENT FEES.  
1 6 1. A pharmacy benefits manager shall provide to a  
1 7 covered entity all financial and utilization  
1 8 information requested by the covered entity relating  
1 9 to providing benefits to covered individuals through  
1 10 that entity and all financial and utilization  
1 11 information relating to services to that covered  
1 12 entity. A pharmacy benefits manager shall provide the  
1 13 information under this section pursuant to the terms  
1 14 and conditions mutually agreed upon by the parties and  
1 15 may designate that material as confidential.  
1 16 Information designated as confidential by a pharmacy  
1 17 benefits manager and provider to a covered entity  
1 18 under this section shall not be disclosed by the  
1 19 covered entity to any person without the consent of  
1 20 the pharmacy benefits manager, except that the  
1 21 disclosure may be made when ordered by a court for  
1 22 good cause shown. Before the disclosure of any such  
1 23 information, the pharmacy benefits manager shall be  
1 24 given notice and an opportunity to intervene in the  
1 25 court proceedings to show cause why the information  
1 26 shall be retained as confidential.>  
1 27 #2. By renumbering as necessary.  
1 28  
1 29  
1 30  
1 31 PETTENGILL of Benton  
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1 35 QUIRK of Chickasaw  
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1 39 BOAL of Polk  
1 40 HF 798.508 82  
1 41 pf/je/9273  
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House File 898 - Introduced

HOUSE FILE  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 75)

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

A BILL FOR

- 1 An Act relating to the sales and use taxes on the operation of
- 2 bingo games.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 1671HV 82
- 5 mg/gg/14



Iowa General Assembly  
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House File 898 - Introduced continued

PAG LIN

1 1 Section 1. Section 423.2, subsection 4, unnumbered  
1 2 paragraph 2, Code 2007, is amended to read as follows:  
1 3 The tax imposed under this subsection covers the total  
1 4 amount from the operation of games of skill, games of chance,  
1 5 ~~and raffles, and bingo games~~ as defined in chapter 99B, and  
1 6 musical devices, weighing machines, shooting galleries,  
1 7 billiard and pool tables, bowling alleys, pinball machines,  
1 8 slot-operated devices selling merchandise not subject to the  
1 9 general sales taxes, the total amount less amounts awarded as  
1 10 prizes from the operation of bingo games as defined in chapter  
1 11 99B, and on the total amount from devices or systems where  
1 12 prizes are in any manner awarded to patrons and upon the  
1 13 receipts from fees charged for participation in any game or  
1 14 other form of amusement, and generally upon the sales price  
1 15 from any source of amusement operated for profit, not  
1 16 specified in this section, and upon the sales price from which  
1 17 tax is not collected for tickets or admission, but tax shall  
1 18 not be imposed upon any activity exempt from sales tax under  
1 19 section 423.3, subsection 78. Every person receiving any  
1 20 sales price from the sources described in this section is  
1 21 subject to all provisions of this subchapter relating to  
1 22 retail sales tax and other provisions of this chapter as  
1 23 applicable.

1 24 EXPLANATION

1 25 Under current law, the state sales and use tax is imposed  
1 26 on the gross amount derived from the operation of bingo games.  
1 27 This bill imposes the tax only on the gross amount less the  
1 28 amounts awarded as prizes.  
1 29 LSB 1671HV 82  
1 30 mg:rj/gg/14



Iowa General Assembly  
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House Resolution 42 - Introduced

PAG LIN

H.R. \_\_\_\_\_ S.R. \_\_\_\_\_

1 1 HOUSE RESOLUTION NO.  
1 2 BY UPMEYER and D. TAYLOR  
1 3 A Resolution honoring the activities and commitment of  
1 4 the Patriot Guard Riders.  
1 5 WHEREAS, the Patriot Guard Riders are a diverse  
1 6 organization of motorcycle riders and enthusiasts from  
1 7 across the nation united by an unwavering respect for  
1 8 members of the armed forces who risk their lives for  
1 9 the freedom and security of this nation; and  
1 10 WHEREAS, the primary mission of the Patriot Guard  
1 11 Riders is to attend funeral services of members of the  
1 12 armed forces as invited guests of the members'  
1 13 families both as a show of respect and to shield the  
1 14 mourning family and their friends from interruptions  
1 15 created by any protestor or group of protestors; and  
1 16 WHEREAS, the shielding of family and friends from  
1 17 protestors is accomplished through strictly legal and  
1 18 nonviolent means; and  
1 19 WHEREAS, the Patriot Guard Riders also attend  
1 20 funeral services for law enforcement personnel and  
1 21 fire fighters to pay tribute to their contribution and  
1 22 sacrifice; and  
1 23 WHEREAS, the additional activities of the Patriot  
1 24 Guard Riders include attending or conducting welcome  
1 25 home and send-off ceremonies for both individual  
1 26 soldiers and reserve or national guard units, and  
1 27 distribution of Patriot Guard Rider flags to armed  
1 28 forces units as a show of support and to increase  
1 29 morale; and  
1 30 WHEREAS, Patriot Guard Riders are also active in



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House Resolution 42 - Introduced continued

2 1 visiting and supporting wounded soldiers and  
2 2 remembering and honoring elderly veterans; NOW  
2 3 THEREFORE,  
2 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
2 5 That the respect and patriotism exhibited by the  
2 6 Patriot Guard Riders in honoring killed or wounded  
2 7 armed forces, law enforcement, and fire protection  
2 8 personnel, and in increasing the morale of individual  
2 9 armed forces members and units and supporting the  
2 10 families and communities coping with their deployment,  
2 11 is officially recognized and commended by the members  
2 12 of the House of Representatives.  
2 13 LSB 2870YH 82  
2 14 rn:rj/je/5



**Iowa General Assembly  
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# House Resolution 43 - Introduced

PAG LIN

H.R. \_\_\_\_\_ S.R. \_\_\_\_\_

1 1                                   HOUSE RESOLUTION NO.

1 2       BY BERRY, ABDUL-SAMAD, ALONS, ANDERSON, ARNOLD,

1 3 BAILEY, BAUDLER, BELL, BOAL, BUKTA, CHAMBERS, CLUTE,

1 4 COHOON, DANDEKAR, DAVITT, DE BOEF, DEYOE, DOLECHECK,

1 5       DRAKE, FOEGE, FORD, FORRISTALL, FREVERT, GASKILL,

1 6 GAYMAN, GIPP, GRANZOW, GRASSLEY, GREINER, HEATON,

1 7 HEDDENS, HOFFMAN, HORBACH, HUNTER, HUSEMAN, HUSER,

1 8 JACOBS, JACOBY, JOCHUM, KAUFMANN, KELLEY, KRESSIG,

1 9 KUHN, LENSING, LUKAN, LYKAM, MASCHER, MAY, MCCARTHY,

1 10       MERTZ, H. MILLER, L. MILLER, MURPHY, OLDSON,

1 11       D. OLSON, R. OLSON, S. OLSON, T. OLSON, PALMER,

1 12 PAULSEN, PETERSEN, PETTENGILL, QUIRK, RAECKER, RANTS,

1 13       RASMUSSEN, RAYHONS, REASONER, REICHERT, ROBERTS,

1 14       SANDS, SCHICKEL, SCHUELLER, SHOMSHOR, SMITH,

1 15 SODERBERG, STAED, STRUYK, SWAIM, D. TAYLOR, T. TAYLOR,

1 16       THOMAS, TJEPKES, TOMENGA, TYMESON, UPMEYER,

1 17 VAN ENGELENHOVEN, VAN FOSSEN, WATTS, WENDT, WENTHE,

1 18       WESSEL-KROESCHELL, WHITAKER, WHITEAD, WIENCEK,

1 19       WINCKLER, WINDSCHITL, WISE, and WORTHAN

1 20 A Resolution to honor the life and work of George

1 21       Washington Carver.

1 22       WHEREAS, it is appropriate that the members of this

1 23 legislative body should honor those Iowans who

1 24 performed with uncommon devotion and enthusiasm during

1 25 their years of public service; and

1 26       WHEREAS, the life and work of George Washington

1 27 Carver is both an American success story and an Iowa

1 28 success story; and

1 29       WHEREAS, in 1890 Mr. Carver enrolled at Simpson

1 30 College, in Indianola, Iowa, intending to study piano



**Iowa General Assembly  
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April 11, 2007**

House Resolution 43 - Introduced continued

2 1 and art; and  
2 2       WHEREAS, in 1891 he transferred to Iowa State  
2 3 College of Agriculture and Mechanic Arts (Iowa State  
2 4 University) in Ames, Iowa, graduating in 1894; and  
2 5       WHEREAS, Mr. Carver then joined the faculty at Iowa  
2 6 State College of Agriculture and Mechanic Arts (Iowa  
2 7 State University), earning a master of agriculture  
2 8 degree in 1896; and  
2 9       WHEREAS, in the following year Booker T. Washington  
2 10 invited Mr. Carver to teach at the Tuskegee Institute,  
2 11 which was founded in 1881 by Mr. Washington to provide  
2 12 a college education for African-Americans; and  
2 13       WHEREAS, Mr. Carver served as the Director of  
2 14 Agriculture at the Tuskegee Institute, and served on  
2 15 the faculty until his death in 1943; and  
2 16       WHEREAS, during his tenure at the Tuskegee  
2 17 Institute, Mr. Carver developed his crop-rotation  
2 18 method, which revolutionized southern agriculture, and  
2 19 invented over three hundred uses for peanuts, hundreds  
2 20 more uses for soybeans, pecans, and sweet potatoes,  
2 21 and many other inventions; and  
2 22       WHEREAS, on April 16, 2007, the Fourth Annual  
2 23 Hoover-Wallace Dinner will celebrate the humanitarian  
2 24 heritage of George Washington Carver; and  
2 25       WHEREAS, to further honor his life, work, and  
2 26 heritage, the George Washington Carver Endowed Chair  
2 27 will be established at Iowa State University of  
2 28 Science and Technology; and  
2 29       WHEREAS, the best testament to Mr. Carver's life is  
2 30 on his tombstone, which reads "He could have added



**Iowa General Assembly  
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House Resolution 43 - Introduced continued

3 1 fortune to fame, but caring for neither, he found  
3 2 happiness and honor in being helpful to the world";  
3 3 NOW THEREFORE,  
3 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
3 5 That the House of Representatives honors the life, the  
3 6 work, and the spirit of George Washington Carver and  
3 7 urges all Iowans to learn from this great man the  
3 8 lessons of education, dedication, and public service.  
3 9 LSB 2867HH 82  
3 10 jr:nh/je/5.1



Iowa General Assembly  
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Senate Amendment 3318

PAG LIN

1 1 Amend House File 752, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 4, by inserting after line 28 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. STATE EMPLOYEE TELECOMMUTING == POLICY  
1 6 DEVELOPMENT == IMPLEMENTATION.  
1 7 1. The director of a department or state agency to  
1 8 which appropriations are made pursuant to the  
1 9 provisions of this Act shall assess the extent to  
1 10 which job classifications or individual employment  
1 11 positions with the department or agency might be  
1 12 effectively performed from an employee's residence or  
1 13 other remote location through telecommuting, thereby  
1 14 increasing office space within the department or  
1 15 agency and reducing administrative costs. The  
1 16 assessment shall include an estimate of the number of  
1 17 department or agency employees whose job  
1 18 responsibilities could be effectively performed on a  
1 19 telecommuting basis, projected costs of establishing  
1 20 and maintaining work stations at an employee's  
1 21 residence or other remote location and providing  
1 22 telecommuter support, anticipated savings to the  
1 23 department or agency through a reduction in the  
1 24 office-based workforce, and anticipated time and cost  
1 25 savings to telecommuting employees. A report  
1 26 summarizing the assessment shall be submitted to the  
1 27 director of the department of administrative services,  
1 28 and the members of the general assembly, by November  
1 29 1, 2007.  
1 30 2. Based on the assessment conducted pursuant to  
1 31 subsection 1, the director shall develop a  
1 32 telecommuter employment policy for the department or  
1 33 agency and a timeline for initial policy  
1 34 implementation and plans for expanding the number of  
1 35 telecommuting employees. Specific office-based  
1 36 workforce reduction percentages shall be left to the  
1 37 discretion of the director, but the director shall  
1 38 implement a policy transferring some number of  
1 39 office-based employees to telecommuter status by  
1 40 January 1, 2008. The director shall report to the  
1 41 director of the department of administrative services  
1 42 and the members of the general assembly on an annual  
1 43 basis beginning January 1, 2009, the number of  
1 44 telecommuting employees, cost savings achieved by the  
1 45 department or agency, and plans for continued transfer  
1 46 of office-based employees to telecommuter status.>  
1 47 #2. Title page, line 4, by inserting after the  
1 48 word <fund> the following: <, and related matters>.  
1 49 #3. By renumbering as necessary.  
1 50



**Iowa General Assembly  
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Senate Amendment 3318 continued

2 1  
2 2  
2 3 COMMITTEE ON APPROPRIATIONS  
2 4 ROBERT E. DVORSKY, CHAIRPERSON  
2 5 HF 752.701 82  
2 6 dea/gg/8943



**Iowa General Assembly  
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**Senate Amendment 3319**

PAG LIN

1 1 Amend House File 874, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 14, by striking line 24 and inserting the  
 1 4 following:  
 1 5 <..... FTEs 398.03>  
 1 6 #2. Page 17, by inserting after line 27 the  
 1 7 following:  
 1 8 <Sec. \_\_\_\_ . STATE EMPLOYEE TELECOMMUTING == POLICY  
 1 9 DEVELOPMENT == IMPLEMENTATION.  
 1 10 1. The director of a department or state agency to  
 1 11 which appropriations are made pursuant to the  
 1 12 provisions of this Act shall assess the extent to  
 1 13 which job classifications or individual employment  
 1 14 positions with the department or agency might be  
 1 15 effectively performed from an employee's residence or  
 1 16 other remote location through telecommuting, thereby  
 1 17 increasing office space within the department or  
 1 18 agency and reducing administrative costs. The  
 1 19 assessment shall include an estimate of the number of  
 1 20 department or agency employees whose job  
 1 21 responsibilities could be effectively performed on a  
 1 22 telecommuting basis, projected costs of establishing  
 1 23 and maintaining work stations at an employee's  
 1 24 residence or other remote location and providing  
 1 25 telecommuter support, anticipated savings to the  
 1 26 department or agency through a reduction in the  
 1 27 office-based workforce, and anticipated time and cost  
 1 28 savings to telecommuting employees. A report  
 1 29 summarizing the assessment shall be submitted to the  
 1 30 director of the department of administrative services,  
 1 31 and the members of the general assembly, by November  
 1 32 1, 2007.  
 1 33 2. Based on the assessment conducted pursuant to  
 1 34 subsection 1, the director shall develop a  
 1 35 telecommuter employment policy for the department or  
 1 36 agency and a timeline for initial policy  
 1 37 implementation and plans for expanding the number of  
 1 38 telecommuting employees. Specific office-based  
 1 39 workforce reduction percentages shall be left to the  
 1 40 discretion of the director, but the director shall  
 1 41 implement a policy transferring some number of  
 1 42 office-based employees to telecommuter status by  
 1 43 January 1, 2008. The director shall report to the  
 1 44 director of the department of administrative services  
 1 45 and the members of the general assembly on an annual  
 1 46 basis beginning January 1, 2009, the number of  
 1 47 telecommuting employees, cost savings achieved by the  
 1 48 department or agency, and plans for continued transfer  
 1 49 of office-based employees to telecommuter status.>  
 1 50 #3. By renumbering as necessary.



**Iowa General Assembly  
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Senate Amendment 3319 continued

2 1  
2 2  
2 3  
2 4 COMMITTEE ON APPROPRIATIONS  
2 5 ROBERT E. DVORSKY, CHAIRPERSON  
2 6 HF 874.705 82  
2 7 ec/gg/8778



Iowa General Assembly  
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**Senate Amendment 3320**

PAG LIN

1 1 Amend Senate File 360, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 1 through 13.  
1 4 #2. By renumbering as necessary.  
1 5 SF 360.H  
1 6 rn/jg/25  
1 7  
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Iowa General Assembly  
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Senate Amendment 3321

PAG LIN

1 1 Amend House File 749, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 2, by striking lines 9 through 17 and  
1 4 inserting the following: <registration plates under  
1 5 this subsection may ~~purchase order~~ only one set of  
1 6 registration plates under this subsection. The  
1 7 application is subject to approval by the department  
1 8 and the special registration plates shall be issued at  
1 9 no charge to the applicant in exchange for the  
1 10 registration plates previously issued to the person.  
1 11 ~~The special plates are subject to an annual~~  
1 12 ~~registration fee of fifteen dollars. A person who is~~  
1 13 ~~issued special plates under this subsection is exempt~~  
1 14 ~~from payment of any annual registration fee for the~~  
1 15 ~~motor vehicle bearing the special plates. The~~  
1 16 department shall validate the special plates in the  
1 17 same manner as regular registration plates are  
1 18 validated under this section. The>.  
1 19 #2. Page 2, by striking lines 26 and 27 and  
1 20 inserting the following: <surviving spouse's name ~~and~~  
1 21 ~~upon payment of the fifteen dollar annual registration~~  
1 22 ~~fee. If the surviving spouse remarries,>.1 23 #3. By striking page 3, line 32, through page 4,  
1 24 line 28, and inserting the following:  
1 25 <12A. SPECIAL REGISTRATION PLATES == ARMED FORCES  
1 26 SERVICES.  
1 27 a. An owner of a vehicle referred to in subsection  
1 28 12 who applies for any type of special registration  
1 29 plates associated with service in the United States  
1 30 armed forces shall be issued one set of the special  
1 31 registration plates at no charge, but shall be subject  
1 32 to the annual registration fee of fifteen dollars, if  
1 33 ~~all of the following conditions are met:~~  
1 34 ~~a. The~~ the owner is eligible for, but has  
1 35 relinquished to the department or the county treasurer  
1 36 or has not been issued, ~~congressional medal of honor,~~  
1 37 ~~ex-prisoner of war,~~ or legion of merit special  
1 38 registration plates under this section, ~~or disabled~~  
1 39 ~~veteran registration plates under section 321.105.~~  
1 40 b. An owner of a vehicle referred to in subsection  
1 41 12 who applies for any type of special registration  
1 42 plates associated with service in the United States  
1 43 armed forces shall be issued one set of the special  
1 44 registration plates at no charge and subject to no  
1 45 annual registration fee if the owner is eligible for,  
1 46 but has relinquished to the department or the county  
1 47 treasurer or has not been issued, medal of honor  
1 48 registration plates under subsection 8 or disabled  
1 49 veteran registration plates under section 321.105.  
1 50 ~~b. c.~~ c. The owner ~~provides~~ shall provide the~~



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Senate Amendment 3321 continued

2 1 appropriate information regarding the owner's  
2 2 eligibility for any of the special registration plates  
2 3 described in paragraph "a" or "b", and regarding the  
2 4 owner's eligibility for the special registration  
2 5 plates for which the owner has applied, as required by  
2 6 the department.  
2 7 ~~A disabled veteran shall be exempt from payment of~~  
~~2 8 the fifteen dollar annual registration fee as provided~~  
~~2 9 in section 321.105.~~  
2 10 ~~Upon the death of the vehicle owner entitled to the~~  
~~2 11 special registration plates, the special registration~~  
~~2 12 plates shall be surrendered to the department or the~~  
~~2 13 county treasurer.~~  
2 14 d. The surviving spouse of a person who was issued  
2 15 special plates under this subsection may continue to  
2 16 use the special plates subject to registration of the  
2 17 special plates in the surviving spouse's name and upon  
2 18 payment of the same annual registration fee, if  
2 19 applicable. If the surviving spouse remarries, the  
2 20 surviving spouse shall return the special plates to  
2 21 the department and the department shall issue regular  
2 22 registration plates to the surviving spouse.>  
2 23 #4. By renumbering as necessary.  
2 24  
2 25  
2 26  
2 27 DENNIS H. BLACK  
2 28 STEVE WARNSTADT  
2 29 HF 749.505 82  
2 30 dea/je/8944



**Iowa General Assembly  
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## Senate Amendment 3322

PAG LIN

1 1 Amend House File 608, as passed by the House, as  
 1 2 follows:  
 1 3 #1. Page 1, by striking lines 14 through 16 and  
 1 4 inserting the following:  
 1 5 <2. A board of township trustees shall give prior  
 1 6 notice of a meeting to discuss, deliberate, or act  
 1 7 upon a matter relating to the trustees' duty to  
 1 8 provide fire protection service and, if provided,  
 1 9 emergency medical service, pursuant to section 359.42.  
 1 10 The trustees shall give notice of such meeting at  
 1 11 least forty-eight hours preceding the commencement of  
 1 12 the meeting. However, a notice is not required  
 1 13 pursuant to this subsection when the trustees gather  
 1 14 for minor or ministerial matters relating to the  
 1 15 trustees' duty for providing such fire protection  
 1 16 service or emergency medical service. The notice  
 1 17 shall state the>.  
 1 18 #2. Page 1, line 27, by inserting after the figure  
 1 19 <2> the following: <, or as provided in section  
 1 20 359.49, subsection 4>.  
 1 21 #3. Page 1, by inserting before line 28 the  
 1 22 following:  
 1 23 <Sec. \_\_\_\_ . Section 359.49, subsection 4, Code  
 1 24 2007, is amended to read as follows:  
 1 25 4. The board of trustees shall transmit a copy of  
 1 26 the proposed budget and a notice of the meeting set as  
 1 27 required by subsection 5 to the county auditor for  
 1 28 posting. The county auditor shall post the notice and  
 1 29 the proposed budget in an area of the courthouse where  
 1 30 notices to the public are commonly posted.>  
 1 31 #4. By renumbering as necessary.  
 1 32  
 1 33  
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 1 35 DARYL BEALL  
 1 36 HF 608.701 82  
 1 37 eg/gg/9197  
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Iowa General Assembly  
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Senate Amendment 3323

PAG LIN

1 1 Amend House File 844, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 39A.4, subsection 1, paragraph  
1 6 c, subparagraphs (11) and (12), Code 2007, as amended  
1 7 by 2007 Iowa Acts, House File 848, are amended to read  
1 8 as follows:  
1 9 (11) Returning a voted absentee ballot, by mail or  
1 10 in person, to the commissioner's office and the person  
1 11 returning the ballot is not the voter, ~~an immediate~~  
~~1 12 family member authorized by the voter to return the~~  
~~1 13 ballot, an absentee ballot courier~~ the voter's  
1 14 designee, or a special precinct election official  
1 15 designated pursuant to section 53.22, subsection 1, or  
~~1 16 the designee of a voter described in section 53.22,~~  
~~1 17 subsection 5.~~  
1 18 (12) Making a false or untrue statement reporting  
1 19 that a voted absentee ballot was returned to the  
1 20 commissioner's office, by mail or in person, by a  
1 21 person other than the voter, ~~an immediate family~~  
~~1 22 member authorized by the voter to return the ballot,~~  
~~1 23 an absentee ballot courier~~ the voter's designee, or a  
1 24 special precinct election official designated pursuant  
1 25 to section 53.22, subsection 1, or the designee of a  
~~1 26 voter described in section 53.22, subsection 5.~~  
1 27 Sec. 2. Section 53.8, subsection 2, Code 2007, as  
1 28 amended by 2007 Iowa Acts, House File 848, is amended  
1 29 to read as follows:  
1 30 2. a. The commissioner shall enclose with the  
1 31 absentee ballot a statement informing the applicant  
1 32 that the sealed carrier envelope may be mailed to the  
1 33 commissioner by the registered voter or the voter's  
1 34 designee or may be personally delivered to the  
1 35 commissioner's office by the registered voter or the  
1 36 voter's designee. The statement shall also inform the  
1 37 voter that the voter may request that the voter's  
1 38 designee complete a receipt when retrieving the ballot  
1 39 from the voter. A blank receipt shall be enclosed  
1 40 with the absentee ballot.  
1 41 b. If an application is received so late that it  
1 42 is unlikely that the absentee ballot can be returned  
1 43 in time to be counted on election day, the  
1 44 commissioner shall enclose with the absentee ballot a  
1 45 statement to that effect. ~~The statement shall also~~  
~~1 46 point out that it is possible for the applicant, an~~  
~~1 47 immediate family member of the applicant, or the~~  
~~1 48 applicant's designee if the absentee ballot is voted~~  
~~1 49 by a voter described in section 53.22, subsection 5,~~  
~~1 50 to personally deliver the completed absentee ballot to~~



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~~Senate Amendment 3323 continued~~

~~2 1 the office of the commissioner at any time before the~~  
~~2 2 closing of the polls on election day. The statement~~  
~~2 3 shall also point out that it is possible for an~~  
~~2 4 absentee ballot courier to personally deliver the~~  
~~2 5 completed absentee ballot to the office of the~~  
~~2 6 commissioner within seventy-two hours of retrieving~~  
~~2 7 the completed ballot or before the closing of the~~  
~~2 8 polls on election day, whichever is earlier.>~~  
2 9 #2. Page 1, by inserting after line 15 the  
2 10 following:  
2 11 <Sec. \_\_\_\_\_. Section 53.17, subsection 1, paragraph  
2 12 a, Code 2007, as amended by 2007 Iowa Acts, House File  
2 13 848, is amended by striking the paragraph and  
2 14 inserting in lieu thereof the following:  
2 15 a. The sealed carrier envelope may be delivered by  
2 16 the registered voter, by the voter's designee, or by  
2 17 the special precinct election officials designated  
2 18 pursuant to section 53.22, subsection 1, to the  
2 19 commissioner's office no later than the time the polls  
2 20 are closed on election day. However, if delivered by  
2 21 the voter's designee, the envelope shall be delivered  
2 22 within seventy-two hours of retrieving it from the  
2 23 voter or before the closing of the polls on election  
2 24 day, whichever is earlier.  
2 25 Sec. \_\_\_\_\_. Section 53.17, subsection 1, paragraphs  
2 26 b and c, Code 2007, are amended to read as follows:  
2 27 b. The sealed carrier envelope may be mailed to  
2 28 the commissioner by the registered voter, ~~by an~~  
~~2 29 immediate family member of the voter, or by the~~  
2 30 voter's designee ~~if the ballot is voted by a voter~~  
~~2 31 described in section 53.22, subsection 5. If mailed~~  
2 32 by the voter's designee, the envelope must be mailed  
2 33 within seventy-two hours of retrieving it from the  
2 34 voter or within time to be postmarked not later than  
2 35 the day before the election, whichever is earlier.  
~~2 36 e. The sealed carrier envelope may be delivered to~~  
~~2 37 the commissioner by an absentee ballot courier, but~~  
~~2 38 only as provided in subsection 4.~~  
2 39 Sec. \_\_\_\_\_. Section 53.17, subsection 4, Code 2007,  
2 40 is amended by striking the subsection and inserting in  
2 41 lieu thereof the following:  
2 42 4. When a person designated by the voter retrieves  
2 43 a completed absentee ballot from the voter, the  
2 44 designee shall, upon request of the voter, fill out a  
2 45 receipt to be retained by the voter. The state  
2 46 commissioner shall prescribe a form for receipts  
2 47 required by this subsection. The receipt shall  
2 48 include all of the following:  
2 49 a. The name of the voter's designee.  
2 50 b. The date and time the completed absentee ballot



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Senate Amendment 3323 continued

3 1 was received from the voter.  
3 2 c. The name and date of the election for which the  
3 3 absentee ballot is being voted.  
3 4 d. The name of the political party, candidate, or  
3 5 committee for which the designee is acting as an  
3 6 actual or implied agent, if applicable.  
3 7 e. A telephone number at which the voter's  
3 8 designee may be contacted.  
3 9 f. A statement that the completed absentee ballot  
3 10 will be delivered to the commissioner's office within  
3 11 seventy=two hours of retrieving it from the voter or  
3 12 before the closing of the polls on election day,  
3 13 whichever is earlier, or that the completed absentee  
3 14 ballot will be mailed to the commissioner within  
3 15 seventy=two hours of retrieving it from the voter or  
3 16 within time to be postmarked not later than the day  
3 17 before the election, whichever is earlier.  
3 18 Sec. \_\_\_\_\_. Section 53.17, subsection 5, Code 2007,  
3 19 is amended by striking the subsection.>  
3 20 #3. Title page, line 1, by inserting after the  
3 21 words <relating to> the following: <absentee voting  
3 22 by allowing>.  
3 23 #4. Title page, line 2, by inserting after the  
3 24 word <elections> the following: <and by providing for  
3 25 return of absentee ballot applications and completed  
3 26 absentee ballots>.  
3 27 #5. By renumbering, redesignating, and correcting  
3 28 internal references as necessary.  
3 29  
3 30  
3 31  
3 32 MICHAEL CONNOLLY  
3 33 HF 844.501 82  
3 34 sc/je/7821



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**Senate Amendment 3324**

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~~ shall, in accordance with  
 1 11 section 633.410, provide by ordinary mail to the  
 1 12 entity designated by the department of human services,  
 1 13 a notice of opening administration of the estate and  
 1 14 of 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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Senate Amendment 3324 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 ~~may~~  
 2 31 shall, 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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Senate Amendment 3324 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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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 SF 540.H  
4 13 rh/jg/25



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**Senate File 584**

SENATE FILE  
BY GRONSTAL

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

**A BILL FOR**

1 An Act relating to the provision of medical services and  
2 evaluation of permanent disabilities of injured employees  
3 under workers' compensation laws, and providing an  
4 applicability date.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2895XS 82  
7 av/je/5



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Senate File 584 continued

PAG LIN

1 1 Section 1. Section 85.27, subsection 4, Code 2007, is  
1 2 amended to read as follows:  
1 3 4. For purposes of this section, the employer is obliged  
1 4 to furnish reasonable services and supplies to treat an  
1 5 injured employee, and the employee has the right to choose the  
1 6 care. ~~If the employer chooses the care, the~~ The employer  
1 7 shall hold the employee harmless for the cost of the care  
1 8 ~~until the employer notifies the employee that the employer is~~  
~~1 9 no longer authorizing all or any part of the care and the~~  
~~1 10 reason for the change in authorization. An employer is not~~  
~~1 11 liable for the cost of care that the employer arranges in~~  
~~1 12 response to a sudden emergency if the employee's condition,~~  
~~1 13 for which care was arranged, is not related to the employment~~  
1 14 chosen. The treatment must shall be offered promptly provided  
1 15 in a timely manner and be reasonably suited to treat the  
1 16 injury without undue inconvenience to the employee. If the  
1 17 employer or employee has reason to be dissatisfied with the  
1 18 care offered or provided, the employer or employee ~~should~~  
1 19 shall communicate the basis of such dissatisfaction to the  
1 20 employee or employer, in writing ~~if requested~~, following which  
1 21 the employer and the employee may agree to alternate care  
1 22 reasonably suited to treat the injury. If the employer and  
1 23 employee cannot agree on such alternate care, the commissioner  
1 24 may, upon application and reasonable proofs of the necessity  
1 25 therefor, allow and order other care. ~~In an emergency, the~~  
~~1 26 employee may choose the employee's care at the employer's~~  
~~1 27 expense, provided the employer or the employer's agent cannot~~  
~~1 28 be reached immediately. An application made under this~~  
1 29 subsection shall be considered an original proceeding for  
1 30 purposes of commencement and contested case proceedings under  
1 31 section 85.26. The hearing shall be conducted pursuant to  
1 32 chapter 17A. Before a hearing is scheduled, the parties may  
1 33 choose a telephone hearing or an in-person hearing. A request  
1 34 for an in-person hearing shall be approved unless the  
1 35 in-person hearing would be impractical because of the distance



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Senate File 584 continued

2 1 between the parties to the hearing. The workers' compensation  
2 2 commissioner shall issue a decision within ten working days of  
2 3 receipt of an application for alternate care ~~made pursuant to~~  
~~2 4 a telephone hearing or within fourteen working days of receipt~~  
~~2 5 of an application for alternate care made pursuant to an~~  
~~2 6 in-person hearing.~~ The After receiving notice of an injury,  
2 7 the employer shall promptly notify an injured employee of the  
2 8 employee's ability to contest the employer's choice of right  
2 9 to choose care pursuant to this subsection and the employer  
2 10 and the employer's insurer shall not make suggestions or  
2 11 otherwise attempt to influence the injured employee's choice  
2 12 of a treating physician.

2 13 When it is medically indicated that no significant  
2 14 improvement from an injury is anticipated, the employer shall  
2 15 obtain a medical opinion regarding the extent of the  
2 16 employee's permanent disability and may arrange for a medical  
2 17 examination of the injured employee in order to do so. The  
2 18 employee shall be paid wages, at the employee's regular rate,  
2 19 plus whatever reasonable transportation expenses are incurred  
2 20 while attending the examination. The physician chosen by the  
2 21 employer to conduct the examination has the right to confer  
2 22 with and obtain from any physician retained by the injured  
2 23 employee sufficient history of the injury to make a proper  
2 24 examination. The refusal of the employee to submit to the  
2 25 examination shall suspend the employee's right to any  
2 26 compensation during the period of the refusal. Compensation  
2 27 shall not be payable for the period of the suspension.

2 28 Sec. 2. Section 85.39, unnumbered paragraph 1, Code 2007,  
2 29 is amended to read as follows:

2 30 After an injury, the employee, if requested by the  
~~2 31 employer, shall submit for examination at some reasonable time~~  
~~2 32 and place and as often as reasonably requested, to a physician~~  
~~2 33 or physicians authorized to practice under the laws of this~~  
~~2 34 state or another state, without cost to the employee; but if~~  
~~2 35 the employee requests, the employee, at the employee's own~~



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~~3 1 cost, is entitled to have a physician or physicians of the  
3 2 employee's own selection present to participate in the  
3 3 examination. After the employer obtains a medical opinion  
3 4 regarding the extent of an injured employee's permanent  
3 5 disability pursuant to section 85.27, subsection 4, and if the  
3 6 injured employee believes that the evaluation of the permanent  
3 7 disability contained in the opinion is too low, the employee  
3 8 has the right to obtain another medical opinion from a  
3 9 physician of the employee's choice, at the employer's expense.  
3 10 If an employee is required to leave work for which the  
3 11 employee is being paid wages to attend the requested an  
3 12 examination to obtain another medical opinion, the employee  
3 13 shall be compensated at the employee's regular rate for the  
3 14 time the employee is required to leave work, and the employee  
3 15 shall be furnished transportation to and from the place of  
3 16 examination, or the employer may elect to pay the employee the  
3 17 reasonable cost of the transportation. The refusal of the  
3 18 employee to submit to the examination shall suspend the  
3 19 employee's right to any compensation for the period of the  
3 20 refusal. Compensation shall not be payable for the period of  
3 21 suspension.~~

3 22 Sec. 3. Section 85.39, unnumbered paragraph 2, Code 2007,  
3 23 is amended by striking the unnumbered paragraph.

3 24 Sec. 4. APPLICABILITY DATE. This Act applies to injuries  
3 25 occurring on or after January 1, 2008.

3 26 EXPLANATION

3 27 This bill relates to the provision of medical services and  
3 28 evaluation of permanent disabilities of injured employees  
3 29 under the workers' compensation law.

3 30 Code section 85.27, subsection 4, is amended to give an  
3 31 injured employee, instead of the employer, the right to choose  
3 32 the provider of medical services, at the employer's expense.  
3 33 If either the employee or the employer is dissatisfied with  
3 34 the care offered or provided, written notice must be given to  
3 35 the other party, and upon application and hearing the workers'



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4 1 compensation commissioner may allow and order other care. A  
4 2 decision for alternate care must be issued by the commissioner  
4 3 within 10 working days after receipt of the application for  
4 4 alternate care.

4 5 Upon receiving notice of an injury, an employer is also  
4 6 required to promptly notify an injured employee of the  
4 7 employee's right to choose medical care and the employer and  
4 8 the employer's insurer are prohibited from making suggestions  
4 9 or otherwise attempting to influence the injured employee's  
4 10 choice of a treating physician.

4 11 When it is medically indicated that no significant  
4 12 improvement from an injury is anticipated, the employer is  
4 13 required to obtain a medical opinion regarding the extent of  
4 14 the employee's permanent disability and may arrange for a  
4 15 medical examination of the injured employee in order to do so.  
4 16 The employee must be paid regular wages and reasonable  
4 17 transportation expenses incurred while attending the  
4 18 examination. The physician chosen by the employer is entitled  
4 19 to confer with and obtain from any physician retained by the  
4 20 injured employee sufficient history to conduct a proper  
4 21 examination. The refusal of an employee to submit to the  
4 22 examination suspends the employee's right to any compensation  
4 23 during the period of the refusal. Compensation is not payable  
4 24 for the period of the refusal.

4 25 Code section 85.39 is amended to provide that after the  
4 26 employer obtains a medical opinion regarding the extent of an  
4 27 injured employee's permanent disability pursuant to Code  
4 28 section 85.27, subsection 4, and if the employee believes the  
4 29 extent of permanent disability identified in the opinion is  
4 30 too low, the employee has the right to obtain another medical  
4 31 opinion from a physician of the employee's choice, at the  
4 32 employer's expense.

4 33 The bill is applicable to injuries occurring on or after  
4 34 January 1, 2008.

4 35 LSB 2895XS 82



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5 1 av:rj/je/5



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**Senate Resolution 36 - Introduced**

PAG LIN

S.R. \_\_\_\_\_ H.R. \_\_\_\_\_



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Senate File 584 continued

1 1 SENATE RESOLUTION NO.  
1 2 BY RAGAN and SEYMOUR  
1 3 A Resolution honoring the activities and commitment of  
1 4 the Patriot Guard Riders.  
1 5 WHEREAS, the Patriot Guard Riders are a diverse  
1 6 organization of motorcycle riders and enthusiasts from  
1 7 across the nation united by an unwavering respect for  
1 8 members of the armed forces who risk their lives for  
1 9 the freedom and security of this nation; and  
1 10 WHEREAS, the primary mission of the Patriot Guard  
1 11 Riders is to attend funeral services of members of the  
1 12 armed forces as invited guests of the members'  
1 13 families both as a show of respect and to shield the  
1 14 mourning family and their friends from interruptions  
1 15 created by any protestor or group of protestors; and  
1 16 WHEREAS, the shielding of family and friends from  
1 17 protestors is accomplished through strictly legal and  
1 18 nonviolent means; and  
1 19 WHEREAS, the Patriot Guard Riders also attend  
1 20 funeral services for law enforcement personnel and  
1 21 fire fighters to pay tribute to their contribution and  
1 22 sacrifice; and  
1 23 WHEREAS, the additional activities of the Patriot  
1 24 Guard Riders include attending or conducting welcome  
1 25 home and send-off ceremonies for both individual  
1 26 soldiers and reserve or national guard units, and  
1 27 distribution of Patriot Guard Rider flags to armed  
1 28 forces units as a show of support and to increase  
1 29 morale; and  
1 30 WHEREAS, Patriot Guard Riders are also active in



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2 1 visiting and supporting wounded soldiers and  
2 2 remembering and honoring elderly veterans; NOW  
2 3 THEREFORE,  
2 4 BE IT RESOLVED BY THE SENATE, That the respect and  
2 5 patriotism exhibited by the Patriot Guard Riders in  
2 6 honoring killed or wounded armed forces, law  
2 7 enforcement, and fire protection personnel, and in  
2 8 increasing the morale of individual armed forces  
2 9 members and units and supporting the families and  
2 10 communities coping with their deployment, is  
2 11 officially recognized and commended by the members of  
2 12 the Senate.  
2 13 LSB 2870SS 82  
2 14 rn:rj/je/5



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Senate Study Bill 1353

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

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

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

A BILL FOR

- 1 An Act relating to the streamlined sales and use tax agreement
- 2 and administration of the tax and related laws by the
- 3 department of revenue, including administration of sales and
- 4 use taxes, and providing an effective date.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 6 TLSB 2894SC 82
- 7 mg/gg/14



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Senate Study Bill 1353 continued

PAG LIN

1 1 Section 1. Section 423.1, subsection 52, Code 2007, is  
1 2 amended to read as follows:  
1 3 52. "State" means any state of the United States, ~~and~~ the  
1 4 District of Columbia, and Puerto Rico.  
1 5 Sec. 2. Section 423.16, subsection 3, Code 2007, is  
1 6 amended by striking the subsection.  
1 7 Sec. 3. Section 423.33, subsection 1, Code 2007, is  
1 8 amended to read as follows:  
1 9 1. LIABILITY OF PURCHASER FOR SALES TAX. If a purchaser  
1 10 fails to pay sales tax to the retailer required to collect the  
1 11 tax, then in addition to all of the rights, obligations, and  
1 12 remedies provided, the tax is payable by the purchaser  
1 13 directly to the department, and sections 423.31, 423.32,  
1 14 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply to  
1 15 the purchaser. For failure to pay, the retailer and purchaser  
1 16 are liable, unless the circumstances described in section  
1 17 421.60, subsection 2, paragraph "m", section 423.34A, or  
1 18 section 423.45, subsection 4, paragraph "b" or "e", or  
1 19 subsection 5, paragraph "c" or "e", are applicable.  
1 20 Sec. 4. NEW SECTION. 423.34A EXCLUSION FROM LIABILITY  
1 21 FOR PURCHASERS.  
1 22 A purchaser is relieved of liability for payment of state  
1 23 sales or use tax, for payment of any local option sales tax,  
1 24 for payment of interest, or for payment of any penalty for  
1 25 nonpayment of tax which nonpayment is not fraudulent, willful,  
1 26 or intentional, under the following circumstances:  
1 27 1. The purchaser, the purchaser's seller or certified  
1 28 service provider, or the purchaser holding a direct pay permit  
1 29 relied on erroneous data contained in this state's taxability  
1 30 matrix completed pursuant to the agreement.  
1 31 2. The purchaser, the purchaser's seller or certified  
1 32 service provider, or the purchaser holding a direct pay permit  
1 33 relied on erroneous data provided by the state with regard to  
1 34 tax rates, boundaries, or taxing jurisdiction assignments.  
1 35 3. The purchaser used a database described in section



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2 1 423.52, subsection 1, or section 423.55 and relied on  
2 2 erroneous data about tax rates, boundaries, or taxing  
2 3 jurisdiction assignments contained in that database.  
2 4 Sec. 5. Section 423.57, Code 2007, is amended to read as  
2 5 follows:  
2 6 423.57 STATUTES APPLICABLE.  
2 7 The director shall administer this subchapter as it relates  
2 8 to the taxes imposed in this chapter in the same manner and  
2 9 subject to all the provisions of, and all of the powers,  
2 10 duties, authority, and restrictions contained in sections  
2 11 423.14, 423.15, 423.16, 423.17, ~~423.18~~, 423.19, 423.20,  
2 12 423.21, 423.22, 423.23, 423.24, 423.25, 423.28, 423.29,  
2 13 423.31, 423.32, 423.33, 423.34, 423.35, 423.37, 423.38,  
2 14 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection  
2 15 3, and sections 423.45, 423.46, and 423.47.  
2 16 Sec. 6. Section 423.57, Code 2007, as amended by this Act,  
2 17 is amended to read as follows:  
2 18 423.57 STATUTES APPLICABLE.  
2 19 The director shall administer this subchapter as it relates  
2 20 to the taxes imposed in this chapter in the same manner and  
2 21 subject to all the provisions of, and all of the powers,  
2 22 duties, authority, and restrictions contained in sections  
2 23 423.14, 423.15, 423.16, 423.17, 423.19, 423.20, 423.21,  
2 24 423.22, 423.23, 423.24, 423.25, 423.28, 423.29, 423.31,  
2 25 423.32, 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38,  
2 26 423.39, 423.40, 423.41, and 423.42, section 423.43, subsection  
2 27 3, and sections 423.45, 423.46, and 423.47.  
2 28 Sec. 7. Section 423.51, subsection 2, paragraph d, as  
2 29 enacted by 2006 Iowa Acts, chapter 1158, section 77, is  
2 30 amended by striking the paragraph.  
2 31 Sec. 8. 2006 Iowa Acts, chapter 1158, section 71, is  
2 32 repealed.  
2 33 Sec. 9. Section 423.18, Code 2007, is repealed.  
2 34 Sec. 10. EFFECTIVE DATE. The sections of this Act  
2 35 amending section 423.33 and section 423.57, as amended by this



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3 1 Act, and enacting section 423.34A take effect on January 1,  
3 2 2009.

3 3 EXPLANATION

3 4 Code section 423.1, subsection 52, is amended to add Puerto  
3 5 Rico as a state that is included in the streamlined sales and  
3 6 use tax agreement.

3 7 New Code section 423.34A is enacted to specify under what  
3 8 circumstances a purchaser is relieved of liability for tax,  
3 9 penalty, and interest. The purchaser is so relieved if the  
3 10 state provides erroneous data in the taxability matrix or in  
3 11 tax rate, boundary, or taxing jurisdiction databases. This  
3 12 relief is the same relief provided to sellers or certified  
3 13 service providers. Code sections 423.33 and 423.57 are  
3 14 amended to include a reference to this new Code section.  
3 15 These three provisions take effect January 1, 2009.

3 16 Code section 423.18 is repealed. This Code section relates  
3 17 to multiple points of use exemption forms which have been  
3 18 deleted from the streamlined sales and use tax agreement. The  
3 19 amendment to this Code section in 2006 Iowa Acts, chapter  
3 20 1158, section 71, is also repealed. References to Code  
3 21 section 423.18 in Code sections 423.16, 423.57, and 423.51,  
3 22 subsection 2, paragraph "d", as enacted by 2006 Iowa Acts,  
3 23 chapter 1158, section 77, are stricken.

3 24 LSB 2894SC 82

3 25 mg:rj/gg/14